

RULES OF THE HOUSE OF REPRESENTATIVES

STATE OF HAWAII

THE THIRTIETH STATE LEGISLATURE

2019-2020

Preface to House Rules

It is the policy of the House of Representatives that no member or staff shall be discriminated against based on race, sex, age, religion, color, ancestry, mental or physical disability, genetic information, citizenship, national origin, veteran/military status, marital status, pregnancy, childbirth, breastfeeding or related medical condition, sexual orientation, gender identity or expression, arrest and court record, domestic or sexual violence victim status, credit history, whistleblower status, or any other status or condition that is protected by state or federal law.

It is the policy of the House to provide a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. House members and staff shall be treated with dignity and respect at all times.

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Note: 2020 Rules of the House of Representatives pursuant to
H.R. No. 7, Regular Session of 2019, which was adopted on January 24, 2019;
as amended by H.R. No. 188, Regular Session of 2020, which was adopted on June 22, 2020.

PART I. ORGANIZING THE HOUSE**Rule 1. Election of Officers; Selection of Party Leaders; Succession**

- 1.1. When the House convenes, the member from the First Representative District shall act as temporary presiding officer. The House shall then immediately elect a temporary chair. The temporary chair shall appoint a temporary Clerk and a credentials committee of no fewer than three members.
- 1.2. The credentials committee shall immediately examine the credentials of the members elected. Upon verification that the credentials are in order, the credentials committee shall report this to the House, and the temporary chair shall order the temporary Clerk to call the roll.
- 1.3. The temporary chair shall then appoint a committee of no fewer than three members to wait upon a justice of the Supreme Court or a judge of the Intermediate Court of Appeals or Circuit Court to administer the oath of office, as required by the Constitution of the State of Hawaii. After the oath has been duly administered, the House shall organize by electing by resolution, a Speaker, Vice Speaker, Clerk, Assistant Clerk, Sergeant-at-Arms, and Assistant Sergeant-at-Arms and by adopting Rules.
- 1.4. The members of the majority and minority parties shall designate, respectively, a Leader, Floor Leader, Whips, and Assistant Leaders and Assistant Floor Leaders as they may choose to have.
- 1.5. The Speaker and Vice Speaker shall hold office during the term for which they are elected to the House, unless sooner removed by majority vote of the House. If they are reelected to membership in the House for the succeeding term, they shall retain their respective positions until the day before the opening day of the succeeding Legislature.
- 1.6. The Majority Leader, the Majority Floor Leader, the Minority Leader, the Minority Floor Leader, Whips, and Assistant Leaders and Assistant Floor Leaders as the House members of the majority and minority parties may select shall hold office during the term for which they were elected to the House, unless sooner removed by their respective parties.
- 1.7. If the office of Speaker becomes vacant, the Vice Speaker shall serve as acting Speaker until a successor Speaker is duly elected by the House.
- 1.8. Any vacancy in the office of Speaker and Vice Speaker shall be filled by election by the House.

PART II. OFFICERS, PARTY LEADERS, AND EMPLOYEES**Rule 2. The Speaker**

- 2.1. It shall be the duty of the Speaker to:
 - (1) Open the meetings of the House;
 - (2) Maintain order in the House Chamber and require proper decorum at all times on the part of all those present in the House Chamber;
 - (3) Announce the business before the House in the order prescribed by these Rules;
 - (4) Receive all matters brought properly before the House and submit them to the House, and call for votes on these matters and announce the results of the votes;
 - (5) Consult with and advise the committees of the House and assist them in their work as an ex officio member without vote;
 - (6) Receive all communications from other branches of the Government and present them to the House;
 - (7) Assign to each member of the House a seat on the floor of the House; until the Speaker assigns seats to the members, they may occupy any vacant seat;
 - (8) Authenticate all acts of the House by signing appropriate documentation;
 - (9) Make known the Rules of Order upon request and decide all questions of order, subject to appeal to the House;
 - (10) Issue warrants to arrest offenders upon the order of the House, and issue subpoena and subpoena duces tecum requiring the attendance of witnesses or the production of books, documents, or other evidence in any matter pending before the House or any committee;
 - (11) Clear the House of any or all persons except its members and officers if the House adopts a motion to require it, or if there is a disturbance or disorderly conduct at any time;
 - (12) Direct committees of the House to consider messages from the Governor or other communications from the executive;
 - (13) Appoint any member to preside over the meetings of the House if the Vice Speaker, Majority Leader, and Majority Floor Leader are not available to perform such duties, but such substitution shall not extend beyond an adjournment;
 - (14) Within four session days, refer all bills to committees, subject to an appeal to the House. In referring bills to one or more standing committees, the first referral shall be to the standing committee whose area of responsibility as described in Part III of these Rules is most closely related to the subject matter contained in the bill being referred. In the case of multiple committee referrals, the Speaker shall name the standing committee referred to in the sentence immediately preceding as the

committee having primary responsibility for making recommendations for action on the bills so referred. However, where more than one standing committee could qualify as the committee having primary responsibility, preference shall be given to the committee having jurisdiction on a statewide, rather than a local, basis.

The chair of a standing committee affected by a referral of a bill may appeal the referral to the Speaker within 24 hours from the time the referral sheet containing the subject referral is made available to the members of the House. The Speaker shall review the appeal and shall meet with the chair and the chair(s) of the standing committee(s) affected by the referral to settle their differences. If the Speaker is unable to settle the differences between and among the chairs of the standing committees involved within 48 hours after the filing of the appeal, the Speaker shall immediately forward the appeal to the Review Panel which shall make its recommendation to the Speaker within 24 hours after receipt of the appeal. If the Speaker shall concur with the recommendation of the Review Panel, the referral of the bill shall stand or the bill shall be re-referred, as the case may be, according to or consistent with the recommendation. If the Speaker disagrees with the recommendation of the Review Panel, the Speaker shall submit reasons in writing in support of the Speaker's decision to the Review Panel and the chairs of the standing committees involved within 24 hours of the receipt of the recommendation from the Review Panel. The Speaker's decision shall be the final disposition of the matter.

The Review Panel shall be composed of the Majority Leader who shall serve as chair, the Vice Speaker and Majority Floor Leader;

- (15) Appoint the chair and members of conference committees pursuant to Rule 16;
 - (16) Establish final dates for action on legislation. These shall include the final date for introducing bills pursuant to Rule 33.4, the final date for third reading of House bills, the final date for third reading of Senate bills, the final date for approving conference committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The Speaker shall coordinate with the President of the Senate to establish these final dates within seven days after the opening of the legislative session;
 - (17) Notify members of the names of individuals nominated for or appointed to a task force, commission, working group, or similar position requiring the Speaker to nominate individuals for such a position. The Speaker shall not less than annually publish a list of those individuals nominated or appointed; and
 - (18) Perform other duties required by law or these Rules.
- 2.2. To facilitate House floor proceedings, the Speaker may establish dates for a consent calendar consisting of all third and/or final reading bills that have not been selected for debate by any member. Said bills shall be considered without debate, but members shall be permitted to insert into the House Journal written remarks in support of or in opposition to the measure, consistent with the usual practices of the House. If a consent calendar is established pursuant to this rule, the Speaker shall set the deadlines for members to communicate to the Clerk their intention to debate calendared bills.
- 2.3. The Speaker after giving all members at least 15 days prior written notice may authorize legal action on behalf of the House and shall notify members of non-confidential legal action taken on behalf of the House, provided no other external legal actions affecting the Legislature's interest shall necessitate more expedient action by the House. The Speaker shall not less than annually report the status of each legal action and disclose expenditures and costs to the members.

Rule 3. The Vice Speaker

The Vice Speaker shall consult with and advise the standing committees and assist them in their work as an ex officio member without vote and shall perform such other duties as may be assigned by the Speaker; provided that the Vice Speaker shall serve as a voting member of the Committee on Legislative Management. In the absence of the Speaker, the Vice Speaker shall exercise all the duties and powers of the Speaker.

Rule 4. The Speaker Emeritus

Any member having served the House in the capacity of Speaker shall, subsequent to that service, be known as Speaker Emeritus, and may perform such functions and duties as assigned by the Speaker.

Rule 5. Party Leaders

- 5.1. The Majority and Minority Leaders and Floor Leaders, Majority and Minority Whips, and Assistant Leaders and Assistant Floor Leaders as the members of the majority and minority parties may choose to have, shall perform such duties as may be assigned by their respective memberships.
- 5.2. If the Speaker and Vice Speaker are absent when the House convenes, the Majority Leader or Majority Floor Leader, in that order, may convene the House and shall serve as Acting Speaker until the Speaker or Vice Speaker returns.

Rule 6. The Clerk

- 6.1. The Clerk shall be responsible for the safekeeping of all records of the House. The Clerk shall retain possession of all original documents, unless the Speaker orders the Clerk to release the records to someone else.
- 6.2. The Clerk shall make a record each day of all matters brought before the House. This record shall state in a complete and concise manner, the nature of the matters brought before the House, the names of their introducers, and the date and day of the session on which the House considered the matters. This daily record and such additional matters as the Speaker may order the Clerk to include in it shall constitute the Journal of the House, a copy of which shall be made available on the following session day or as soon thereafter as

practicable. The House shall approve the Journal, subject to corrections, by vote of the House. However, the House may dispense with the reading of the Journal by majority vote.

- 6.3. The Clerk shall read all bills, resolutions, and other matters aloud to the House when the House requires it.
- 6.4. The Clerk shall immediately forward all communications and other matters the Clerk receives to the parties to whom they are addressed.
- 6.5. The Clerk shall deliver immediately to the chairs of the appropriate committees all matters duly referred to those committees.
- 6.6. The Clerk shall maintain for the committees of the House a record of subjects contained in messages from the Governor, which are referred to the committees.
- 6.7. The Clerk shall keep a record of all questions of order and the decision on each of them, and the Clerk shall append this record to the Journal at the close of the session.
- 6.8. The Clerk shall perform all other duties appropriate to the Clerk's office that the House or the law assigns.

Rule 7. Assistant Clerk

The Assistant Clerk of the House shall assist the Clerk in all duties. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

Rule 8. Sergeant-at-Arms

8.1. The Sergeant-at-Arms shall:

- (1) Execute the orders of the Speaker;
- (2) Attend every session of the House;
- (3) Maintain order among persons who attend the sessions of the House;
- (4) Notify the presiding officer of the presence of persons who have communications for the House or who otherwise are of interest to the House;
- (5) Keep the entrances and exits of the House clear at all times, and keep from the floor of the House all persons except members of the House, authorized employees of the House, and guests of the House;
- (6) If requested, maintain order among persons attending meetings or hearings of committees of the House;
- (7) Serve all orders or process directed by the Speaker or the House;
- (8) Make all arrests ordered by the Speaker or the House and restrain persons in custody;
- (9) Be responsible for the House postal service; and
- (10) Be responsible for the House's safety and security operations, including emergency procedures.

8.2. The Sergeant-at-Arms shall be responsible for making purchases for the House in accordance with the House Administrative and Financial Manual.

8.3. The Sergeant-at-Arms shall be custodian of all property of the House and shall perform all duties related to its safeguard, care, and maintenance as provided in Part VIII of the House Administrative and Financial Manual.

Rule 9. Assistant Sergeant-at-Arms

The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in all duties. In the absence of the Sergeant-at-Arms, the designated Assistant Sergeant-at-Arms shall perform all duties of the Sergeant-at-Arms.

Rule 10. Officers and Employees: Responsibilities; Salaries

- 10.1. In addition to the responsibilities assigned by law and these Rules, all officers and employees of the House may be assigned responsibilities by their respective appointing authorities.
- 10.2. The pay of each member shall be pursuant to Article XVI, Section 3.5 of the Constitution of the State of Hawaii. Officers and employees of the House shall be employed and paid as authorized in the House Administrative and Financial Manual.

PART III. COMMITTEES

Rule 11. Standing Committees: Composition; Chair; Decision-making; Reports

- 11.1. Standing committees shall be committees established to consider and report on all bills, petitions, resolutions, budgets, and any other matters referred to such committees.

- 11.2. The composition of the standing committees shall be as follows:
- (1) The membership of each standing committee shall be appointed by the Speaker. The respective chairs and vice-chairs of each standing committee shall be appointed by the Speaker;
 - (2) The membership of each standing committee, including the designation of the chair and vice-chair shall be provided for by resolution, provided, however, that the composition of the committee shall be on a proportional basis with the members of the majority party designating the chair, vice-chair, and majority party members, and the members of the minority party designating the minority party members; and
 - (3) The Speaker and Vice Speaker shall be ex officio members of each committee without vote; provided that the Vice Speaker shall serve as a voting member of the Committee on Legislative Management.
- 11.3. The chair of each standing committee shall call and preside over all standing committee meetings; determine the order of deliberations on bills, resolutions, and other matters over which the standing committee as a whole retains jurisdiction; coordinate the scheduling of meetings and public hearings of the standing committee and assure that such schedules and agendas are posted or distributed as required by these Rules; establish guidelines to coordinate the flow of work to assure that directions of the House are fulfilled; supervise the work of the committee staff; and supervise the maintenance and disposition of the records of proceedings of the standing committee. The vice-chair shall, at the request of the chair, assist the chair in the performance of any duties. The vice-chair shall perform the duties of the chair in the chair's absence.
- If the chair and vice-chair are unavailable to preside over a committee meeting, the Speaker may designate a committee member from the majority party to preside over the meeting.
- If the chair and vice-chair are unavailable to sign a meeting notice, committee report, or other committee document in time to meet an applicable deadline, the Speaker may sign the document.
- If a chair of a standing committee refuses a request of a majority of the committee members to set for public hearing a bill or resolution referred to the committee, the majority of the committee members may petition the Review Panel established under Rule 2.1(14) to compel the chair to set the bill or resolution for public hearing. The Review Panel shall establish a process pursuant to which the Review Panel shall receive and consider the petition and shall make a recommendation to the Speaker. If the Speaker concurs with the recommendation of the Review Panel, the chair shall either be sustained or be directed to duly set the bill or resolution for public hearing at the next available date according to or consistent with the recommendation. If the chair refuses to comply with the order of the Speaker, then the vice-chair shall act as chair for the purpose of hearing the bill or resolution under consideration. If the vice-chair refuses, then the Speaker may appoint any member of the House to act as temporary chair. If the Speaker objects to the recommendation of the Review Panel, the Speaker shall submit reasons in writing to support the Speaker's decision, which shall be the final disposition of the matter.
- 11.4. The chair of each standing committee shall keep a record of public hearings and shall file same with the State Archives, through the Speaker as soon as practicable after each session.
- 11.5. *Committee Meetings.*
- (1) Meetings, including decision-making sessions, of standing committees shall be public. Notice shall be publicly posted or announced on the House floor at least 48 hours prior to the meeting. Except for notices posted by the Committee on Finance, notice shall be posted before 4:30 p.m. on the last day of the work week for a hearing to be held on the following Monday or Tuesday. Notice of meetings may be shortened at the discretion of the Speaker upon request on the House floor by a chair or vice-chair and upon good cause shown.
 - (2) No standing committee shall sit during the time when the House is actually in session except with the permission of the Speaker.
 - (3) As practicable, standing committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and shall, in coordination with other committees of the House or Senate, endeavor to hold joint meetings and public hearings on matters of mutual interest.
 - (4) No bill or resolution other than a congratulatory resolution shall be reported out of a standing committee unless the measure shall have received a public hearing in the House; provided that a bill which contains only a reference to the general idea of the bill in short form and contemplates the subsequent drafting of the specific details in long form may be reported out of a standing committee without a public hearing so long as the bill is reported out:
 - (a) In an amended form containing the substantive contents of the bill in long form;
 - (b) Recommending that the bill be recommitted to the same committee for the purpose of holding a public hearing thereon after satisfaction of the notice requirements set forth in paragraph (1) above; and
 - (c) Without recommendation for passage on any reading of the bill.
 - (5) Upon the request of a chair of a standing committee, the Speaker may authorize the chair and the members of the standing committee to conduct a community-based public hearing whenever appropriate and practicable, subject to notice as required in paragraph (1) above. "Community-based public hearing" means a hearing conducted by a standing committee outside the State Capitol building at a location within the community for the purpose of accommodating the public to be heard on the matter under consideration by the standing committee.

11.6. Committee Decision-making.

- (1) A quorum of the committee which shall be a majority of the committee membership shall be present for decision-making.
- (2) Committee decision-making shall be by a majority of the members present. Reporting a measure out of the committee shall require a favorable vote of not less than a majority of the members present at a meeting duly constituted with a quorum. Any member voting "with reservations" shall be deemed to be in favor of the recommendation.
- (3) The vice-chair of the committee, or the designee of the chair in the absence of the vice-chair, shall be the recorder of the record of the quorum and the votes.

In the case of a joint hearing, the vice-chair of the lead committee, or the designee of the lead committee chair in the absence of the vice-chair shall be the recorder of the record of the quorum and the votes of all the committees party to the public hearing, unless otherwise agreed to by the respective chairs. A member's vote on a measure shall be the same for all committees that the member may sit on.
- (4) Favorable action by the committee shall be conveyed in a committee report.
- (5) If a committee reports out a bill or resolution with proposed amendments that may affect the referral of that bill or resolution, the committee chair shall, within 24 hours, notify the Speaker.

11.7. Standing Committee Reports.

- (1) Standing committees shall report from time to time upon matters referred to them with such copies as may be designated by the Speaker. Such reports shall be printed by the House and be furnished to each member.
- (2) The reports shall state findings of facts and conclusions based thereon, together with a distinct recommendation as to the disposition of the matter.
- (3) A report recommending a measure for passage shall clearly state the legislative intent and purpose of the measure. The chair shall attest the action of the committee by signing the report on behalf of the committee. A record of the quorum present at the meeting and a record of the votes of the members of the committee on the bill or resolution as attested to by the recorder shall be attached to the report as a part thereof.
- (4) A report upon a measure shall state clearly the amendments, if any, proposed. If a substitute bill, for one or more bills referred to the committee, shall be reported, such substitute bill shall be consistent with the subject of the bill or bills referred to the committee. The report shall describe the disposition of the bill or bills referred.
- (5) All matters referred to and not reported upon by the standing committees shall be returned to the Clerk at the close of the regular session in the even-numbered year.

Rule 12. Standing Committees: Description

Standing committees shall be created by resolution at the opening of the session, or as soon thereafter as possible, to serve during the legislative session. The standing committees therein shall be as follows:

- (1) Committee on Agriculture, whose scope shall be those programs relating to the Department of Agriculture, agriculture, aquaculture, crop and livestock production, agricultural parks, animal welfare, invasive species, and other pertinent matters referred to it by the House.
- (2) Committee on Consumer Protection & Commerce, whose scope shall be those programs relating to consumer protection, the Department of Commerce and Consumer Affairs, the regulation of trade, business, professions, occupations, and utilities, the Residential Landlord-Tenant Code, condominiums, housing cooperatives, planned communities, and other pertinent matters referred to it by the House.
- (3) Committee on Economic Development & Business, whose scope shall be those programs relating to private sector job creation, public-private business or investment partnerships or ventures, new industry development, technology, cybersecurity, planning for economic development and diversification, industrial and product promotion and financial and technical assistance to business for interstate and intrastate commerce, and other pertinent matters referred to it by the House.
- (4) Committee on Energy & Environmental Protection, whose scope shall be those programs relating to energy resources and the development of renewable and alternative energy resources, energy conservation, environmental quality control and protection, environmental health, and other pertinent matters referred to it by the House.
- (5) Committee on Finance, whose scope shall be those programs relating to overall State financing policies, including taxation and other revenues, cash and debt management, statewide implementation of planning, programming, budgeting, and evaluation, and other pertinent matters referred to it by the House.
- (6) Committee on Health, whose scope shall be those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, hospitals, community health care facilities, and other pertinent matters referred to it by the House.
- (7) Committee on Housing, whose scope shall be those programs relating to housing development financing, assistance for homebuyers and renters, affordable and rental housing, public housing, and other pertinent matters referred to it by the House.
- (8) Committee on Human Services & Homelessness, whose scope shall be those programs relating to financial assistance,

medical assistance, vocational rehabilitation, social welfare services, the general well-being of the state's elderly and youth, juvenile correctional services, homeless services and sheltering, and other pertinent matters referred to it by the House.

- (9) Committee on Intrastate Commerce, whose scope shall be those programs relating to the facilitation of commerce within the State of Hawaii through the administration and implementation of regulations for the licensing of professional vocations and unlicensed activity, property insurance products and services, state-chartered and state-licensed financial institutions, broadband and cable communications and services, and other pertinent matters referred to it by the House.
- (10) Committee on Judiciary, whose scope shall be those programs relating to the courts, crime prevention and control, penal code, criminal enforcement, prosecution, disposition, and punishment, indigent legal representation and defense matters, civil law, firearms, judicial and legal questions, constitutional matters, the Attorney General, the Judiciary, individual rights, civil rights and liberties, the Civil Rights Commission, campaign spending, and other pertinent matters referred to it by the House.
- (11) Committee on Labor & Public Employment, whose scope shall be those programs relating to employment, government operations and efficiency, employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for employers and employees, collective bargaining in public employment, the civil service system, workers' compensation, unemployment compensation, temporary disability insurance, prepaid health care, employment opportunities, labor-management relations in the private sector, the Ethics Code, the Procurement Code, and other pertinent matters referred to it by the House.
- (12) Committee on Legislative Management, whose scope shall be those programs relating to the administrative operations and legislative services of the House, including the Legislative Reference Bureau, Legislative Auditor, Office of the Ombudsman, Public Access Room, the Hawaii State General Plan, and other pertinent matters referred to it by the House.
- (13) Committee on Lower & Higher Education, whose scope shall be those programs relating to early childhood education, primary and secondary schools, continuing education, libraries, the University of Hawaii, the community colleges, and other institutions of post-secondary education, intercollegiate athletics, the Waikiki Aquarium, and other pertinent matters referred to it by the House.
- (14) Committee on Public Safety, Veterans, & Military Affairs, whose scope shall be those programs relating to adult corrections, rehabilitation, correctional facilities and industries, probation, parole, furlough, and other alternatives to incarceration, civilian emergency and disaster response, veterans and military facilities and activities, and other pertinent matters referred to it by the House.
- (15) Committee on Tourism & International Affairs, whose scope shall be those programs relating to tourism, including the Hawaii Convention Center, Hawaii Visitors and Convention Bureau, the Hawaii Tourism Authority, international affairs, foreign policy issues, international relations, Hawaii's multi-cultural heritage, the State Foundation on Culture and the Arts, and other pertinent matters referred to it by the House.
- (16) Committee on Transportation, whose scope shall be those programs relating to air, water, and ground transportation, and other pertinent matters referred to it by the House.
- (17) Committee on Water, Land, & Hawaiian Affairs, whose scope shall be those programs relating to land and water resource administration and use, coastal lands, the Land Use Commission, county land use planning and zoning, the Hawaii Community Development Authority, infrastructure development, outdoor recreation, including freshwater recreational boating, freshwater fish and game management, drinking water and brackish waters, small boat harbors and their infrastructure, State parks, historic sites development and protection, ocean activities and outdoor marine matters, including marine recreational boating, ocean fish and game management, corals and inorganic marine resources, ocean mining, mariculture, commercial and recreational ocean fish and fishing, fishery development and management, submerged lands, the Coastal Zone Management Act, persons of Hawaiian ancestry, including programs administered by the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs, and other pertinent matters referred to it by the House.

Rule 13. Standing Committees: General Responsibility; Special Responsibility

13.1. *Standing Committees: General Responsibility.* It shall be the duty of each standing committee to:

- (1) Consider all bills, petitions, and resolutions as may properly come before it;
- (2) Review those portions of the State's program and financial plan and variance reports as may relate to programs over which the committee has primary responsibility. Through informational briefings, it shall gather information and examine those portions of the executive budget and the General and Supplemental Appropriations Bills relating to such programs and recommend to the Committee on Finance the programs and amounts to be spent thereon. (The executive budget and the General and Supplemental Appropriations Bills are hereinafter collectively referred to as the "State budget.") The recommended programs and amounts, taken as a whole, shall be consistent with and within the expenditure amounts allocated by the Committee on Finance;
- (3) Determine the objectives of any bill referred to it and make appropriate recommendations, including, if proper, expenditure recommendations on other bills referred to it by the House. Such expenditure recommendations shall be consistent with the allocations established by the Committee on Finance. On bills which relate to programs and matters over which a standing committee to which they are referred has no primary responsibility, the standing committee shall propose no substantive change to the bill unless prior concurrence of the chair of the committee which has the primary responsibility is first obtained. If the chair of the standing committee, which has primary responsibility over programs and matters of a bill, does not concur with the substantive change to the bill affecting such programs and matters sought to be proposed by a standing committee,

any of the chairs of the standing committees involved may submit the matter to the Speaker for resolution. The Speaker shall meet with the chairs of the standing committees involved, hear their differences, and settle their differences with a decision which shall be the final disposition of the matter; and

- (4) Review how programs over which it has primary responsibility have been carried out in compliance with legislative direction and whether studies, analysis, and audit should be conducted on all or part of the program in order to define issues and recommend improvements. Each standing committee shall also recommend amendments to existing appropriation acts and may further recommend revenue measures and improvements to the State's planning, programming, budgeting, and evaluation system to the Committee on Finance.

13.2. *Committee on Finance: Special Responsibility.* The Committee on Finance shall:

- (1) Have final responsibility over all programs and matters relating to the State's financing policies, including taxation and other revenues, level of expenditures, cash and debt management, and to the statewide implementation of planning, programming, budgeting, and evaluation. Subject to the provisions of these Rules, it shall consider the reports of the fiscal officers of the State, all bills, petitions, and resolutions, those portions of the State budget, and all other items pertaining to such programs and matters. It shall also consider such other pertinent items as may be referred to it by the House;
- (2) Establish, within the revenue raising ability of the State, the general level of total governmental expenditures for each fiscal year of a biennial period and allocate to each standing committee a proportionate part of such expenditures. Each standing committee shall be responsible for budget review of the programs within its jurisdiction and for making program expenditure recommendations to the Committee on Finance. Upon receipt of the recommendations of the other standing committees, the Committee on Finance shall review the same to determine if, when taken as a whole, the programs and amounts to be expended thereon are consistent with and within the expenditure amounts it has allocated to the respective standing committees. In making allocations to and in reviewing recommendations, the Committee on Finance shall invite the participation of the chair of the standing committee having primary responsibility over the program. After review of all standing committee recommendations, the Committee on Finance shall be responsible for preparing the General and Supplemental Appropriations Bills for consideration by the House; and
- (3) In all other appropriation bills, inform the standing committee primarily responsible for the program or matter under consideration, of the amount and type of finances available. Upon receiving recommendations for the expenditures from the appropriate standing committee, the Committee on Finance shall review such recommendations to determine if, when taken as a whole, the recommendations are consistent with and within the expenditure amounts allocated. In reviewing recommendations of the standing committees, the Committee on Finance shall invite the participation of the standing committee chair concerned.

13.3. *Committee on Legislative Management: Special Responsibility.* The Committee on Legislative Management shall:

- (1) Make recommendations to the Speaker on the procedures and manner in which the administrative operations of the House should be conducted;
- (2) Make recommendations to the Committee on Finance on the expenses to be included in the appropriation bills providing for the expenses of the Legislature and procedures to ensure that the expenses of the House are in accordance with the appropriation acts providing therefor; and
- (3) Make recommendations to the Speaker on programs relating to the establishment and operations of the House staff.

Rule 14. Special Committee

14.1. The Speaker may appoint special committees for special or temporary purposes to consider and report on such special or temporary matters referred to it.

14.2. Special committees shall consist of not less than three members each, unless otherwise ordered by the House, to serve until discharged or until finally reporting on such matters referred to them.

14.3. Meetings of special committees shall be conducted in the same manner as provided for standing committees.

14.4. Special committees shall report upon matters referred to them within the time prescribed under the appointment of the special committees, unless further time is given by vote of the House.

Rule 15. Committee of the Whole

15.1. Whenever any matter shall be referred to the entire membership of the House by adoption of a motion to that effect, the House may at any time thereafter resolve itself into a Committee of the Whole to be chaired by the Speaker.

15.2. The Clerk of the House shall act as Clerk of the Committee of the Whole, without extra compensation, and shall make a careful record of the proceedings which shall be filed as one of the records of the House.

15.3. The committee may, on motion, rise and ask leave to sit at any future time. The rules of procedure in the House shall be observed, except as follows:

- (1) Any member may speak more than once on the same subject, provided that the member shall not speak a second time or further until others desiring to speak have had an opportunity; and
- (2) The motion for the "previous question" shall not be allowed.

Rule 16. Conference Committee

16.1. Conference committees shall consist of not less than three members each unless otherwise ordered by the House to be appointed for the purpose of resolving differences between the House and the Senate on any matters where the joint agreement of the House and the Senate is required and shall serve until discharged or until finally reporting on the matter referred to it.

16.2. The composition of the conference committee shall be as follows:

- (1) The chair of the standing committee having primary responsibility of the subject matter to be resolved shall be the chair of the conference committee on the part of the House. In the absence of the chair of the conference committee, a designee of the chair shall serve as chair;
- (2) The membership of a conference committee shall be on a proportional basis. In appointing the minority party members, the Speaker shall consult with the minority leadership of the House. The Speaker shall appoint the members of a conference committee as the Speaker and the chair of such standing committee having primary responsibility of the subject matter shall so mutually agree; and
- (3) In no event shall the membership of the conference committee include any member who has voted in the negative on adoption of a substantive resolution or has voted in the negative on third reading of a bill which is the subject of the conference committee.

16.3. The chair of the Committee on Finance shall be designated the chair of the conference committee on the General and Supplemental Appropriations Bills. The chair shall invite the participation of the chair of the standing committee having primary responsibility over the program or matter, as described in Part III of these Rules, to which the appropriation relates. After review, the chair of the conference committee shall be responsible for preparing the budgets for consideration by the House.

16.4. The meetings of the conference committee shall be conducted as agreed upon by the members of the conference committee, subject to the provisions of Rule 16.5. It is the position of the House that conference committee meetings and decision-making sessions shall be public. Public notice of the meetings shall be given. Public notice may be posted or announced on the House floor during the session day. Subsequent meetings may be announced during conference committee meetings.

16.5. The authority of a conference committee shall be limited solely to resolving differences between the House and the Senate versions of a bill or resolution.

Accordingly, a conference committee shall not amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject; provided that the restrictions in this Rule 16.5 shall not apply to the General and Supplemental Appropriations Bills; provided further that any increases to the salaries, pensions, or retirement benefits for any elected or appointed officer of the State or County shall be considered by separate bill other than the aforesaid Appropriations Bills or any bill ratifying collective bargaining agreements.

Rule 17. Interim Committee

17.1. Interim committees may be established between regular sessions to accomplish specified objectives and work. The appointment of interim committees shall be completed by the Speaker as soon as practicable.

17.2. The composition of interim committees shall be as follows:

- (1) The chair of the interim committee shall be the chair of the standing committee having primary responsibility, as defined by these Rules, over the program or matter to be considered by the interim committee; and
- (2) The membership of the interim committee shall be on a proportional basis. In appointing the minority party members to the interim committee, the Speaker shall consult with the minority leadership of the House. The Speaker shall appoint the members of an interim committee as the Speaker and the chair of the interim committee shall so mutually agree.

17.3. Interim committees may submit interim committee reports from time to time on matters referred to them. The reports shall state findings of facts and conclusions based thereon, together with such recommendations as to the disposal of the matter.

Rule 18. Committee on the Journal

18.1. A Committee on the Journal shall be appointed to: prepare, compile, and bind the House Journal; enter into contracts for printing and any other acts necessary to accomplish the purpose of printing the Journal; and distribute the Journal to the members of the House at the next regular session.

18.2. The Committee on the Journal shall consist of the Speaker, Vice Speaker, Majority Leader, Majority Floor Leader, Minority Leader, Minority Floor Leader, and the chair of the Committee on Legislative Management, whose duty it shall be to prepare, compile, and bind the House Journal, and who shall be authorized to make contracts with any printer, publisher, or bookbinder for the printing and binding of said Journal. The Clerk of the House shall act as Clerk of the Committee on the Journal. The committee shall report from time to time to the House.

18.3. The Committee on the Journal may correct certain errors in all proper cases, and shall correct any mere clerical errors in the compilation of the Journal, such as errors in orthography or the use of one word for another as "affect" for "effect," "previous" for "previously," and the like. No corrections other than such as are authorized by this Rule shall be made at anytime by the Clerk or the Clerk's assistants, unless upon order of the committee.

Rule 18a. Advisory Committee on Rules and Procedure

The Speaker shall, prior to the convening of a legislative session in an odd-numbered year, establish an Advisory Committee on Rules and Procedure. The committee shall include at least one member from the minority party. The Advisory Committee on Rules and Procedure shall review these Rules and propose to the House such amendments as the committee deems appropriate.

Rule 19. Open Committee Meetings

Every committee authorized and/or established under Part III of these Rules shall be a committee of the House. Every meeting of a committee of the House or of a committee composed of a member or members from the House and the Senate held for the purpose of making decisions on matters referred to the committee shall be open to the public; provided that certain kinds of meetings, including executive sessions, organizational meetings, partisan caucuses, and meetings the subject of which involves the invasion of a person's right to privacy if made public, need not be open to the public.

Every meeting of a special committee, interim committee, or the Advisory Committee on Rules and Procedure shall be noticed in the same manner as applicable to a standing committee.

PART IV. SESSIONS; ATTENDANCE**Rule 20. Meetings**

20.1. After the opening day of the Legislature, the House shall meet for the transaction of public business every day except Saturday, Sunday, any legal holiday, and any day in recess, and such other day as the House shall designate.

20.2. The House shall determine from time to time the normal hour of its meetings.

20.3. Each regular session shall be recessed for not less than five days at some period between the twentieth and fortieth days of the regular session. The House shall, by concurrent resolution, determine the dates of the mandatory recess. Any session may be recessed when a majority of the members of each house adopts a concurrent resolution for that purpose. When directed by a resolution adopted by the House, the Speaker shall consult with the President of the Senate to agree upon the time of a recess or recesses.

Rule 21. Quorum

21.1. A majority of the members to which the House is entitled constitutes a quorum, of which a majority vote shall suffice for the conduct of ordinary business unless otherwise provided in these Rules, but the final passage of a bill shall require the vote of a majority of all members to which the House is entitled.

21.2. A majority of less than a quorum may adjourn from day to day and compel the attendance of absent members.

21.3. If a quorum is not present at the designated time of meeting, the Speaker may declare the House adjourned.

21.4. The Speaker shall count the number of members present to determine whether there is a quorum.

Rule 22. Attendance

No member shall be absent from service to the House, unless the member is sick and is unable to attend or is excused by the Speaker.

Rule 23. Adjournments

23.1. Meetings of the House may be adjourned at any time by vote. Every adjournment shall be until the normal hour of meeting on the next business day, unless the motion for adjournment specifies otherwise.

23.2. A motion to adjourn is always in order and shall be decided without debate. However, one motion to adjourn shall not follow another without intervening business.

23.3. A motion to adjourn sine die or to adjourn to a specified time may be debated. No member shall speak more than once on such a motion.

Rule 24. Extension of Session

24.1. Two-thirds of the members to which the House is entitled, two-thirds of the Senate concurring, may petition the Speaker of the House and the President of the Senate to extend any session of the Legislature. The petition shall read:

"To the Speaker of the House of Representatives and the President of the Senate:

Your petitioners, members of the House of Representatives and of the Senate of the _____ Legislature of the State of Hawaii, respectfully request an extension of _____ days beyond the _____ day of the Regular Session of _____ of the _____ Legislature of the State of Hawaii."

24.2. The petition shall be in writing, above the signatures of the members.

24.3. When the Speaker of the House receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the Speaker and the President of the Senate shall jointly issue a proclamation extending the session for the number

of days sought in the petition.

Rule 25. Special Sessions

25.1. Two-thirds of the members to which the House is entitled, two-thirds of the Senate concurring, may petition the Speaker of the House and the President of the Senate to call a special session of the Legislature. The petition shall read:

"To the Speaker of the House of Representatives and the President of the Senate:

Your petitioners, members of the House of Representatives and of the _____ Legislature of the State of Hawaii, respectfully request the convening of a special session of _____, _____ Legislature of the State of Hawaii."

25.2. The petition shall be in writing, above the signatures of the members.

25.3. When the Speaker of the House receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the Speaker and the President of the Senate shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

PART V. ORDER; DECORUM

Rule 26. Questions of Order

Any member may raise a question of order at any stage in the proceedings of the House, except during a roll call vote. The Speaker shall decide questions of order without debate, subject to an appeal of the House. Laying an appeal on the table shall sustain the Speaker's ruling.

Rule 27. Decorum: Punishment for Violations

27.1. No person shall sit at the desk of the Speaker or Clerk, except by permission of the Speaker.

27.2. No person shall walk out of the House Chamber or across the floor of the House while the Speaker is addressing the House. No person shall maintain a private discourse while the Speaker is addressing the House or a member is speaking. No person shall walk between the Speaker and a member who is speaking.

27.3. A question concerning conduct of the Speaker or members should not be presented by way of debate on other matters. Allusions to, or critical reference to the Speaker or members are not in good order. Such attacks are not conducive to the good order of the House.

27.4. The Speaker shall order any member who conducts himself or herself in a disorderly manner during any session of the House to stay in his or her seat and be in order. The Speaker shall order the Sergeant-at-Arms to remove any member who persists in disorderly conduct from the House for the remainder of the day's session, unless the member who has been disorderly pledges to the House that he or she will maintain good behavior.

27.5. Any member who wishes to speak shall rise from his or her seat and address the Speaker, saying, "Mr. Speaker" or "Madam Speaker". When recognized, the member shall face the Speaker, and address the question under debate. All debate shall be addressed to the Speaker and not to the membership or an individual member.

27.6. A member referring to another member should avoid using the member's name or political party, rather identifying the member by district, seat, as the member who last spoke, or other similar manner.

27.7. It is not the person but the measure that is the subject of debate, and it is not allowable to arraign the motives of a member, but the nature or consequences of a measure may be condemned in strong terms.

27.8. The Speaker shall call to order any member who violates these Rules while in session, and the member shall then immediately sit down. The Speaker shall then decide the question of order without debate, subject to an appeal to the House. The Speaker may call for the sense of the House on any question of order.

27.9. A member who is called to order while speaking shall retain the floor while the question of order is decided. However, the member may not proceed with the matter under discussion until recognized by the Speaker to continue.

27.10. Any member may demand that the Clerk take down the words or actions objected to when a member is called to order for words spoken or actions taken during debate, and may ask that they be read for the information of the House.

27.11. The House may censure its members for disorderly conduct or neglect of duty. The House may also suspend or expel a member by a two-thirds vote of the total membership of the House.

27.12. The House may establish an investigating committee pursuant to chapter 21, Legislative Hearings and Procedure, Hawaii Revised Statutes, for the purposes therein mentioned.

27.13. Cell phones, pagers and similar devices shall be kept in silent mode, and not be used, while on the floor of the House Chamber.

Rule 28. Disclosures and Punishment of Members

28.1. Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of his or her private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in his or her financial interests.

28.2. If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall orally disclose his or her interest to the House before voting. The member then shall immediately make the written disclosure required by law and these Rules.

28.3. In accordance with Rule 60.7, the Speaker shall appoint a Select Committee on Standards of Conduct to receive complaints and investigate any member for misconduct, disorderly conduct, neglect of duty, violation of chapter 84, Hawaii Revised Statutes, or violation of these Rules. The House may punish any member found guilty by such a committee by censure, suspension, or expulsion. Censure shall require the approval of a majority of the members to which the House is entitled. Suspension or expulsion shall require the approval of two-thirds of the members to which the House is entitled.

PART VI. ORDER OF BUSINESS**Rule 29. Order of Business: General; Order of the Day**

29.1. The daily order of business shall be:

- (1) Roll call;
- (2) Reading and approval of the Journal unless the House by motion dispenses with such reading;
- (3) Messages from the Governor;
- (4) Reports and communications from the heads of agencies; and
- (5) Bills, resolutions, and other matters received from the Senate to be placed on the calendar.

29.2. At the option of the Speaker, prior to the convening of any session, there shall be an invocation. Any invocation shall be limited to two minutes, and should not be used to proselytize, advance, or disparage any religion or point of view. Attendance at and participation in the invocation shall be voluntary for all persons.

29.3. The order of matters to be considered in the Order of the Day shall be:

- (1) Unfinished business upon which the House was engaged at the time of its last adjournment;
- (2) Reports of committees;
- (3) Petitions, memorials, and communications;
- (4) Second and third readings;
- (5) Introduction of bills and resolutions;
- (6) Any miscellaneous business on the Speaker's table; and
- (7) Announcements.

Rule 30. Order of Business: Special

The House may, by previous motion, direct that any matter be made a special order of business. Special orders shall take precedence over all business after the fourth order in the order of business. The House may also specify that special orders be taken up at a later specified point in the order of business.

Rule 31. Order of Business: Unfinished Business; Committee Reports and Messages

31.1. Any business which the House did not complete before its last adjournment shall have precedence in the Order of the Day. No motion or other business shall be received without special leave of the House until the unfinished business is disposed of.

31.2. Reports from conference committees and from the Committee on Legislative Management shall be in order at all times. Upon motion, messages or reports from the Governor or from the Senate may be received at any time, provided that without unanimous consent such messages or reports shall not be in order for discussion when received but shall be placed on the calendar as "Unfinished Business".

Rule 32. Order of Business: Questions of Priority

All questions relating to the priority of business shall be decided without debate.

PART VII. BILLS AND RESOLUTIONS**Rule 33. Form: Bills, Resolutions, and Amendments**

33.1. All bills and resolutions to be introduced shall be submitted in the form and in the number of copies designated by the Clerk. Short form bills may be introduced. All bills and resolutions shall be dated and signed by the introducer in black ink.

33.2. Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and stricken, and any new matter added to the section or subsection shall be underscored. However, a bill need not conform to this rule if it is: (1) a Supplemental Appropriations Bill; or (2) a bill amending the intent and effect of which can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses, or items to be amended need be set forth as the Speaker may allow. The Speaker may allow additional exceptions to this rule.

33.3. No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the House present.

33.4. The House shall, in concurrence with the Senate, provide for the date by which all bills to be considered in a regular session shall be introduced. This date shall precede the commencement of the mandatory recess provided for by Article III, Section 10 of the Constitution of the State of Hawaii.

Rule 34. Bills: First Reading

The first reading of a bill shall be of its title only.

Rule 35. Bills: Second Reading

On second reading, a bill may be read by title only, or, on motion, read throughout. It shall then be subject to a motion for referral to a committee. If it is referred to the Committee of the Whole instead of a special or standing committee, the chair of the Committee of the Whole shall set a day for its consideration. When a bill is reported by a standing committee, special committee, or the Committee of the Whole, and has passed second reading, it shall take its place in the order of business for future consideration.

Rule 36. Bills: Third or Final Reading

36.1. No bill shall pass third or final reading in the House unless printed copies of the bill in the form to be passed have been made available to the members of the House for at least 48 hours. "Form to be passed" means the form in which a bill is to be either: (i) passed on third reading in the House; (ii) concurred to by the House after amendments have been made by the Senate; or (iii) passed by the House after a conference committee has agreed upon it.

36.2. A bill on its third or final reading may be read by its title only and the Speaker shall then ask the House, "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Such bill may be amended on its third reading. For the final passage of any bill, the Ayes and Noes shall be called or a vote shall be taken pursuant to Rule 51.3 and such passage shall require the affirmative vote of a majority of all members to which the House is entitled. The vote upon third reading shall be upon a motion that the bill pass third reading, rather than upon adoption of a committee report, so that amendments to the bill may be offered at third reading and voted upon.

36.3. The House shall not concur with substantive amendments made by the Senate to a House bill until the chair of the standing committee having primary responsibility for the subject matter contained in the bill has granted prior concurrence to such amendments as provided for under Rule 13.1.

Rule 37. Bills: Recall from Committee

37.1. Any bill that has been referred to a committee may be recalled from that committee 20 days after referral, if one-third of the members to which the House is entitled vote in favor of the recall.

37.2. No parliamentary rule or procedure may supersede the constitutional right of recall of a bill from committee.

Rule 38. Bills: Certification

38.1. When the House passes a bill, the Speaker and the Clerk shall certify it and note the day of its passage at the bottom of the last page of the bill.

38.2. When a bill introduced in the House passes third reading in the House, the Speaker and the Clerk shall immediately send it to the Senate. Likewise, they shall send to the Senate any bill which the House receives from the Senate, amends, and passes on third reading in the House. Likewise, they shall send to the Senate any bill introduced in the Senate in the first regular session of a Legislature which passes third reading in the House in the second regular session of the same Legislature.

Rule 39. Bills and Resolutions: Order of Consideration

39.1. The Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the House, the Speaker shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Clerk, and the Clerk shall place them in the second reading file. The House shall consider them in the order in which they appear in the second reading file.

39.2. The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their referral to committee or the date of the committee report on them. The Clerk shall place them in the third reading file in the order in which they passed second reading, and the House shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the third reading file.

39.3. The Clerk shall send all resolutions, except congratulatory resolutions, to be printed. When they have been printed and circulated among the members of the House, they shall be placed on the calendar for adoption, unless the House orders otherwise.

39.4. Resolutions shall either be considered at a stated date or be referred to a committee.

Rule 40. Bills and Other Matters: Special Order of Consideration

40.1. The Clerk shall place all bills and other matters which are to be considered on particular dates in a special file, in the order of dates assigned for their consideration, and the House shall consider them in that order.

40.2. If the House adjourns before disposing of matters on special order, those matters shall carry over to the next day's business. The House shall then consider them under "Unfinished Business" in the Order of the Day, unless the House orders otherwise.

Rule 41. Bills: Property of the House

All bills introduced in the House shall be the property of the House.

Rule 42. Bills: Carryover Bills

42.1. Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the House in an odd-numbered session, it shall again be placed in the third reading file and pass at least one reading in the House in the next regular session upon its return to the House from the Senate.

42.2. Bills which carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the House at the end of the session in odd-numbered years and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Rule 43. Bills Pre-Filing

The Clerk shall accept bills to be pre-filed within seven calendar days before the commencement of the regular session in the even-numbered year.

Rule 43a. Bills: Corrections of Errors

When a bill has passed the House and the Senate and an error in the bill is discovered prior to its having received approval of the Governor, the bill may be returned by concurrent resolution in the house last considering the bill for proper correction.

PART VIII. PETITIONS AND COMMUNICATIONS

Rule 44. Petitions and Communications: Presentation and Disposition

44.1. Any person may petition the House. Petitions shall be in writing, and the petitioners shall sign them.

44.2. The Speaker shall order all petitions and communications filed or referred to a committee without any motion or vote, unless there is objection from the members. If there is objection, the Speaker shall dispose of the matter as the House directs.

44.3. Upon the request of a member, the Speaker may authorize the issuance of congratulatory certificates in the name of the House.

PART IX. MOTIONS; DEBATE

Rule 45. Motions: Generally

45.1. No motion shall be received and considered by the House until the same shall have been seconded.

45.2. After a motion is stated and determined to be in order by the Speaker, it shall be disposed of by vote of the House. However, the motion may be withdrawn by the movant at any time before a decision or amendment.

45.3. Whenever any question whatsoever shall be under discussion, the only permanent motions shall be:

First: To lay on the table;

Second: To postpone to a certain time;

Third: To commit;

Fourth: To amend; and

Fifth: To postpone indefinitely;

which motions shall have precedence in the order named.

45.4. The first two motions shall be decided without debate and shall be put as soon as made.

45.5. Whenever any of the first four motions mentioned above shall be decided in the negative, it shall not be revived the same day in regard to the main question under discussion. If a motion to amend in a specific manner is defeated, it shall not be revived on the same day.

Rule 46. Indefinite Postponement

When a question is postponed indefinitely, the same shall not be acted upon again during the regular or special session in which it was introduced without the consent of two-thirds of the members to which the House is entitled.

Rule 47. Matters Tabled

When a question has been laid on the table, it shall not thereafter be taken from and be considered or restored to a place upon the calendar of the House without the consent of the majority upon a motion made on the day the question was tabled or on the next day that the House is in session; thereafter, no motion to take any question from the table shall be made without the consent, in writing, of the majority. A motion to take any question from the table, if decided in the negative, may not again be made on the same day.

Rule 48. Motions: Previous Question

The purpose of the motion for the previous question is to end debate. The motion shall always be in order, except as otherwise provided herein. It shall require a majority vote of the members present in the House at the time the motion is made. Whenever the motion is carried, the movant of the main subject under discussion shall be permitted to close the debate, after which the main question, subject to the order of priority, shall be put; provided that the movant may delegate the right to close to another member.

Rule 49. Motions: Reconsideration

49.1. When a motion has been made once and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for reconsideration, but any member who voted with the majority may move to reconsider it on the same or succeeding day of the session. A motion to reconsider shall take precedence over all other questions except a motion to adjourn.

49.2. The House shall not reconsider a motion to reconsider.

49.3. If the House wishes to reconsider a measure or other matter which it already has passed or adopted and sent to the Senate, the motion to reconsider shall be accompanied by a motion to request the Senate to return the measure or other matter. The House shall act first on the motion for return of the measure or other matter, without debate. If this motion fails, it is an end of the matter, and the movant and seconder of the motion to reconsider shall withdraw their motion.

Rule 50. Debate: Limits

50.1. No member shall speak more than twice on the same question without leave of the House; provided, however, that the movant of the matter pending shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken. No member shall speak longer than five minutes the first time and three minutes the second time on the same question; provided however, that any member may yield his or her speaking time to another member.

50.2. When a member yields the floor to another member, the yielding member's time shall continue to run, except when such yielding shall be to allow a specific question to be asked and when in response to the specific question asked.

PART X. VOTING

Rule 51. Voting: Methods

51.1. There shall be five methods of ascertaining the decision of the House on any matter: first, by voice vote; second, by raising of hands; third, by standing; fourth, by call of the roll of members, each of whose votes shall be recorded by the Clerk; and fifth, by unanimous consent.

51.2. When the House is ready to vote on any question, the Speaker shall rise, state the question, and ask all those who wish to vote yes on the question say "aye" in a clear, loud voice. The Speaker then shall ask all those who wish to vote no on the question say "no" likewise. The Speaker shall announce the decision of the House after the Clerk has announced the result of the voting of the House, except that the Clerk shall not announce the decision of the House after a voice vote.

51.3. With the unanimous consent of the House, the Speaker may direct the Clerk to record an aye for each member of the House. If there is no objection, the Clerk shall so record the vote. If there is objection, the Speaker shall ask for the names of the members voting no, and order the Clerk to record no votes for them. A vote shall not be recorded for any member who is not present at the time the vote is taken.

Rule 52. Voting: Rights of Members; Restrictions

52.1. In case of a voice vote, if one-fifth of the members present doubt the result the Speaker announces, they may ask for a show of hands. The Speaker then shall state the question again and ask those who wish to vote yes on the question to raise their hands. The Clerk then shall count the number voting yes and report the result to the Speaker. The Speaker then shall ask those who wish to vote no to raise their hands likewise. The Clerk shall count the no votes and report the result to the Speaker. The Speaker then shall announce the result to the House.

52.2. In case of a show of hands, if one-fifth of the members present doubt the result the Speaker announces, they may ask for a standing vote. The Speaker then shall state the question again, and ask those who wish to vote yes to stand up and remain standing until the Clerk counts their votes and reports the result to the Speaker. The Speaker then shall ask those who wish to vote no to stand likewise. The Clerk shall report the result to the Speaker and the Speaker shall announce it to the House.

52.3. Any time one-fifth of the members present request it, the Clerk shall call the roll of members of the House to determine their vote on a question. Each member who wishes to vote yes on the question shall say "aye" in a loud, clear voice when his or her name is called by the Clerk. Each member who wishes to vote no on the question shall say "no" likewise.

52.4. No member shall refrain from voting unless excused pursuant to Rule 60.6.

52.5. When voting is by roll call, no member may explain his or her vote, unless the House permits it by unanimous consent.

52.6. No member may vote or change his or her vote after the Speaker has announced the result of voting.

52.7. Any member who refuses (including the "kanalua" response) three times to vote when ordered to do so will be considered to have voted aye, and the Clerk shall record an aye vote for the member.

PART XI. MISCELLANEOUS**Rule 53. Subpoena; Oaths; Witness Fees**

53.1. The Speaker, and every investigating committee under chapter 21, Hawaii Revised Statutes, may issue subpoenas requiring the attendance of witnesses or production of evidence in any matter before the House or its committees pursuant to chapter 21, Hawaii Revised Statutes.

53.2. Any member of the House may administer oaths to witnesses in any matter pending in the House or in any committee of the House.

53.3. Any witness subpoenaed to appear before the House or any of its committees shall receive the same witness fees and mileage allowances that the Circuit Courts of the State pay.

Rule 54. Public Information

The Speaker may admit to the House Chamber stenographers and members of the news media who wish to take down debates or report the proceedings of the House. The Speaker shall assign such persons places for observation and other facilities which will not interfere with the operations of the House.

Rule 55. Disposition of Records at Adjournment

Within ten days after the House adjourns sine die in even-numbered years, its committees shall deliver to the Clerk all bills, resolutions, petitions, and any other papers referred to the committees, plus any evidence taken by the committees. If a committee fails to comply with this rule, the Clerk shall report its failure to the Speaker.

Rule 56. House Administrative and Financial Manual

56.1. The House shall adopt an administrative and financial manual.

56.2. After adoption, any revision to the manual shall be presented to the House unless otherwise provided in the manual.

PART XII. AMENDMENT, SUSPENSION, AND INTERPRETATION OF RULES**Rule 57. Rules: Amendment**

These Rules shall not be altered unless the members of the House have received the 24 hour notice of the proposed change. The 24 hour period shall commence with the placement of a printed copy of the proposed amendment upon the desk of each member. Changes in these Rules shall be taken up as a special order. Any change in these Rules shall require the approval of majority of the members to which the House is entitled.

Rule 58. Rules: Suspension

These Rules may be suspended by the approval of majority of the members to which the House is entitled.

Rule 59. Parliamentary Practice

Mason's Manual of Legislative Procedure, 2010 Edition, is hereby designated as the adopted parliamentary authority of the House.

PART XIII. CODE OF LEGISLATIVE CONDUCT**Rule 60. Standards of Conduct**

60.1. Members should conduct themselves in a respectful manner befitting the office with which they as elected officials have been entrusted, respecting and complying with the law and acting at all times in a manner that promotes public confidence in the integrity of the House.

60.2. Members should not lend the prestige of public office to advance the private interests of themselves or others; nor should members convey or permit others to convey the impression that they are in a special position to unduly influence public business pending before them.

60.3. Members should treat their fellow House members, staff, and the general public with respect and courtesy, regardless of political or religious beliefs, age, race, ethnicity, sex, sexual orientation, gender identity or expression, or physical disability.

60.4. The legislative duties of members, as prescribed by law and these Rules, should take precedence over all of their other business or professional activities. Members should freely and willingly accept certain restrictions on their business activities and professional conduct that might be considered burdensome by an ordinary private citizen, and should perform the duties of elected office impartially and diligently. To the greatest extent reasonably possible, members should:

- (1) Refrain from allowing family, social, business, or other relationships to unduly influence the member's legislative conduct or judgment;
- (2) Refrain from showing bias or prejudice, including but not limited to bias or prejudice based on political or religious beliefs, age, race, ethnicity, sex, sexual orientation, gender identity or expression, or physical disability, in the performance of their official duties;
- (3) Exercise patience, tolerance, and courtesy to all those with whom they deal with in an official capacity, and require staff and others subject to their direction and control to maintain similar standards of conduct, fidelity, and diligence inherent in public service;
- (4) Exercise the power of appointment impartially and on the basis of merit, refraining from making unnecessary appointments and approving compensation of appointees beyond the fair value of services rendered;
- (5) Afford to every person who wishes to participate in the legislative process the opportunity to be heard according to established procedures;
- (6) Consider at all times whether their conduct would create in reasonable minds the perception that their ability to carry out legislative responsibilities with integrity and independence is either questionable or impaired;
- (7) Manage their personal interests and obligations so as to minimize the number of votes in which they are in, or may reasonably be perceived to be in, potential conflict;
- (8) Refrain from using, or permitting the use of, the privileges and prestige of their public office to derive undue personal, professional, or financial benefits for themselves, members of their family, or others with whom they maintain personal, business, or professional relationships;
- (9) Refrain from engaging in financial and business dealings that involve them in frequent transactions, or continuing business or professional relationships, with those persons likely to derive benefits from public financial matters either pending or already deliberated and voted upon by the House, to the extent that such conduct may reasonably be perceived as personal exploitation of their public office; and
- (10) Refrain from membership in an organization that practices invidious discrimination and gives rise to perceptions that one's impartiality and ability to serve as a representative are unduly compromised.

60.5. If the member has a conflict of interest in legislation, the member shall disclose to the presiding officer (the committee chair or the Speaker, depending on where the vote is taking place) the conflict of interest prior to voting on that legislation. For the purposes of this rule, a "conflict of interest" means that the legislation affects the member's direct personal, familial, or financial interest except if the member, or the member's relative, is part of a class of people affected by the legislation.

60.6. If a member is uncertain as to whether a conflict of interest exists, the member may request a ruling from the presiding officer by giving notice and disclosing the direct financial interest to the presiding officer prior to voting. When making a determination in cases where a portion of a measure may place a member in a conflict of interest, the presiding officer shall give due consideration to the context of that portion as it relates to the overall purpose of the measure. If the presiding officer determines that a conflict exists, the presiding officer shall recognize the conflict and honor the member's request to be excused from discussion, debate, and voting.

60.7. There shall be established a Select Committee on Standards of Conduct composed of three members of the majority party and three members of the minority party, who shall be appointed by the Speaker. The Committee shall investigate any member for misconduct, disorderly conduct, neglect of duty, violation of chapter 84, Hawaii Revised Statutes, or violation of these Rules. The Select Committee on Standards of Conduct shall operate in accordance with rules and procedures adopted by the House.

60.8. Except as provided, a member shall not accept an honorarium related to the member's legislative role, duties, or responsibilities. For the purposes of this rule, an "honorarium" means compensation provided to a member for services rendered by the member under conditions for which there is no contractual or legal obligation by the recipient of the services to compensate the member. The following shall not be considered an honorarium:

- (1) Reasonable and verifiable expenses for the member's meals, travel, lodging, and for care of a child or dependent adult that are actually incurred;
- (2) Permissible gifts under chapter 84, Hawaii Revised Statutes;
- (3) Anything of value that is otherwise reported or reportable as a campaign donation or expenditure; or
- (4) Any compensation if the member is requested to appear and/or speak on a topic or issue that is not related to the member's legislative role or duties.

60.9. Even if permitted by Rule 60.8, a member may not accept an honorarium if the offering of the honorarium is made for the purpose of influencing the performance of a member's official duties.

60.10 No member shall solicit any monetary campaign contribution from an employee over whom the member has authority to exercise direct control.

"Direct control" means the authority to subject a person to an adverse employment action, including termination, reduction in compensation, demotion, or denial of a promotion.

60.11 Nothing herein shall be construed to limit, approve, prohibit, or infringe upon the proper jurisdiction of the Ethics Commission.

PART XIV. REMOTE PARTICIPATION

Rule 61. Remote Participation.

61.1. Committee Meetings.

- (1) A committee meeting may be conducted in which one or more members of the committee participate in the meeting remotely upon the approval of the Speaker or the Speaker's designee.
- (2) A member participating remotely shall be considered present and in attendance at the committee meeting, including for purposes of determining if a quorum is present and voting.

61.2. Floor Session.

- (1) A floor session may be conducted in which one or more members of the House participate in the session remotely by videoconference upon the approval of the Speaker or the Speaker's designee.
- (2) A member participating remotely shall be considered present and in attendance at the floor session, including for purposes of determining if a quorum is present and voting.

61.2. Repeal.

This part shall be repealed on January 19, 2021.

HOUSE OF REPRESENTATIVES
RULES FOR THE SELECT COMMITTEE ON STANDARDS OF CONDUCT
STATE OF HAWAII
THE THIRTIETH STATE LEGISLATURE
2019-2020

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Preface

The purpose of these rules is to enable the Select Committee on Standards of Conduct to properly perform the powers and duties vested in the Committee, including the conduct of hearings, in a fair and impartial manner, consistent with the protection of constitutional rights of persons called to testify at hearings and the preservation of public good.

PART 1. DEFINITIONS**1.1. DEFINITIONS.** As used in these rules, unless a different meaning is clearly intended by the context:

"Adjudicatory review" means a proceeding undertaken by the Committee after a finding, on the basis of a preliminary inquiry, that there is substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

"Authorized membership" means the total number of members appointed to the Committee.

"Chair" includes the Chair appointed by the Speaker, or in the absence of the Chair, the Vice Chair appointed by the Speaker, or in the absence of both the Chair and Vice Chair, a member designated by the Chair.

"Committee" means the Select Committee on Standards of Conduct established under House Rule 60.7.

"Executive session" means a session at which only members, staff, witnesses, and counsel for a witness or witnesses are permitted to be present. Other individuals may be admitted to an executive session for a specified period or purpose on the motion of a member with the approval of the Chair and Vice Chair. An executive session may be convened by a two-thirds vote of the authorized membership.

"House" means the House of Representatives.

"Member" means a member of the Committee.

"Preliminary inquiry" means a proceeding undertaken by the Committee following the receipt of a complaint from a Representative about misconduct to determine whether there is substantial credible evidence that provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

"Quorum" means a majority of the authorized membership provided that, except for an adjudicatory hearing under Part 6 or the taking of a deposition under Part 7, one member shall constitute a quorum to hear testimony if all members have been given notice of the hearing and a member of the majority party and a member of the minority party have been designated by the Chair and Vice Chair respectively to be in attendance.

"Speaker" means the Speaker of the House of Representatives.

PART 2. GENERAL APPLICABILITY

2.1. POWERS OF THE SPEAKER OF THE HOUSE. The Speaker shall have administrative authority over the activities and operations of the Committee to:

- (a) Assign appropriate staff and to direct appropriate services to assist the Committee in accomplishing its purpose;
- (b) Adjust the respective membership of the Committee as deemed necessary, including the filling of vacancies; and

- (c) In the absence of the Chair, sign hearing notices or subpoenas and subpoenas duces tecum, as authorized to be issued by the Committee.

2.2. VACANCIES. Vacancies shall not affect the authority of the remaining members to execute the functions of the Committee.

2.3. MEETINGS. Meetings may be held at the call of the Chair if at least 48 hours notice is furnished to all members. If all members agree, or if approved by the Speaker, a meeting may be held on less than 48 hours notice.

2.4. QUORUM. A quorum shall be present for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations, and reports.

2.5. ORDER OF BUSINESS. The order of business and the procedure of the Committee shall be decided by the Chair and Vice Chair.

2.6. HEARINGS ANNOUNCEMENTS. The Committee shall publicly announce the date, place, and subject matter of its hearing at least one week before the commencement of that hearing. If the Committee determines that there is good cause to commence a hearing at an earlier date, notice shall be given at the earliest possible time.

2.7. COMMITTEE MEETINGS. Meetings of the Committee shall be open to the public unless the meeting is held in executive session.

2.8. RECORD OF TESTIMONY AND COMMITTEE ACTION. (a) An accurate stenographic or transcribed electronic record shall be kept of all Committee proceedings, whether in executive or public session, which record shall include rulings of the Chair, questions of the Committee and its staff, the testimony or responses of witnesses, sworn written statements submitted to the Committee, any vote of the Committee, and such other matters as the Committee or the Chair may direct.

(b) The record of any remarks made by a member, Committee staff, outside counsel retained by the Committee, counsel for the witness, or witness, whether in public or executive session, shall be made available for inspection in accordance with Part 10 under Committee supervision at a time and place determined by the Chair; a copy of any testimony given by a witness in public session, or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness if requested.

(c) Any member, Committee staff, outside counsel retained by the Committee, counsel for the witness, or witness may suggest to the official reporter, any corrections to typographical or transcription errors. If the reporter declines to make the requested corrections, the member, staff, outside counsel, counsel for the witness, or witness may request a ruling by the Chair and Vice Chair, acting jointly. Any questions arising with respect to the processing and correction of transcripts shall be decided by the Chair and Vice Chair, acting jointly.

(d) Except for the record of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chair and Vice Chair, acting jointly, may order the transcript of a hearing to be printed without corrections if a reasonable time to correct the transcript has been afforded and corrections have not been requested.

(e) Records of the Committee shall be maintained by the Clerk of the House.

2.9. INELIGIBILITY OR DISQUALIFICATION OF MEMBERS. (a) A member shall be ineligible to participate in any Committee proceeding that relates specifically to any of the following:

- (1) A preliminary inquiry or adjudicatory review relating to:
 - (i) The conduct of the member; or
 - (ii) Any complaint filed by the member against another Representative; and
- (2) The determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (1).

A member may also be ineligible to participate if the member's staff will be a witness.

(b) If any Committee proceeding appears to relate to a member in a manner described in paragraph (a), the staff shall prepare a report to the Chair and Vice Chair. If either the Chair or the Vice Chair concludes from the report that it appears that the member may be ineligible to participate in a Committee proceeding, the member shall be notified in writing of the nature of the particular proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees to the ineligibility, the member shall notify the Chair or Vice Chair. If the member does not agree, the member may explain the reasons to the Chair and Vice Chair, and if they both agree that the member is eligible, the member shall continue to serve. But if either the Chair or Vice Chair continues to believe that the member is ineligible and the member disagrees, the matter shall be promptly referred to the Committee. The member shall present arguments to the Committee in executive session. Any contested questions concerning a member's eligibility shall be decided by a majority vote of the Committee, meeting in executive session, with the member in question not participating.

(c) Members may disqualify themselves from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review.

(d) Whenever any member is ineligible under paragraph (a) to participate in any preliminary inquiry or adjudicatory review, or is disqualified under paragraphs (b) and (c) from participating in any preliminary inquiry or adjudicatory review, another Representative shall be appointed by the Speaker, after written notice about the ineligibility or disqualification, to serve as a member solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Committee with respect to such preliminary inquiry or adjudicatory review. Any Representative appointed for such purposes shall be of the same party as the member who is ineligible or disqualified.

(e) The Speaker shall be given written notice of the ineligibility or disqualification of any member from any preliminary inquiry, adjudicatory review, or other proceeding requiring the appointment of another member in accordance with paragraph (d).

2.10. TELEVISION, FILM, RADIO. Public hearings or meetings may be televised, filmed, or otherwise recorded and made public, unless otherwise determined by a two-thirds vote of the authorized membership. Photographers and reporters using mechanical recording, filming, or broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the members and staff, or with the orderly process of the meeting or hearing.

2.11. LEGISLATIVE RECOMMENDATIONS. The Committee shall recommend to the House by report or resolution any additional rules or other legislative measures as it determines to be necessary or desirable to ensure proper standards of conduct by Representatives. The Committee may conduct inquiries as it deems necessary to prepare this report or resolution, including the holding of hearings in public or executive session and the use of subpoenas as provided for in Part 3. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, adjudicatory review, or other proceeding.

2.12. EDUCATIONAL MANDATE. The Committee may develop and implement programs and materials designed to educate members about the laws, rules, and standards of conduct applicable to members in the performance of their duties.

2.13. LIMITATIONS. Nothing in these rules shall be construed to limit or prohibit the acquisition of evidence or information by the Committee through any lawful means.

PART 3. GENERAL PROCEDURES

3.1. RIGHT TO HEARING. The Committee shall give the Representative responding to the complaint or facing an adjudicatory review under Part 6 an opportunity for a hearing before it recommends disciplinary action against that Representative to the House or before it imposes an order of restitution or reprimand (not requiring discipline by the full House).

3.2. CLOSED HEARINGS. All hearings of the Committee relating to allegations of misconduct shall be closed to the public unless the Committee determines by a two-thirds vote of the authorized membership that a hearing should be public.

3.3. ADJUDICATORY HEARINGS. The Committee may, by a two-thirds vote of the authorized membership, designate any public hearing or executive session as an adjudicatory hearing. Any hearing which is concerned with possible disciplinary action against a respondent or respondents designated by the Committee shall be an adjudicatory hearing. In any adjudicatory hearing, the procedures described in Part 6 shall apply.

3.4. PRESIDING OFFICER. The Chair shall preside over hearings.

3.5. SUBPOENAS. (a) The Committee, with the concurrence of the Speaker, may issue, by a two-thirds vote of the authorized membership, subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of books, documents, or other evidence, in any matter pending before the Committee.

(b) The form of subpoenas, the manner of service, witness service fees, and notice requirements shall be as provided in sections 21-8 and 21-9, Hawaii Revised Statutes.

(c) Every subpoena and subpoena duces tecum authorized to be issued by the Committee shall be issued under the signature of the Chair and shall command each person to whom it is directed to attend and give testimony at a time and place thereon specified, and if requested by the Committee, to produce the books, papers, documents, or tangible things required by the Committee to be produced.

(d) The Committee may delegate to the Chair the authority to specify the time and place at which the person subpoenaed is to attend and give testimony and to designate the books, papers, documents, or tangible things required by the Committee to be produced.

(e) The Committee, by a two-thirds vote of the authorized membership, may withdraw a subpoena issued on behalf of the Committee.

3.6. DEPOSITIONS. Depositions shall be taken in accordance with Part 7.

3.7. OATH OR AFFIRMATION. (a) All testimony given or adduced at a hearing; preliminary inquiry under Part 5; or adjudicatory review or hearing under Part 6, shall be made under oath or affirmation unless the requirement is dispensed with in a particular instance by a majority of the members present at a hearing. Any member may administer an oath or affirmation to a witness at a hearing of the Committee.

(b) The form of the oath or affirmation shall be as follows: "Do you solemnly swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?"

3.8. WITNESSES. Any witness may be asked, or subpoenaed, to testify at a hearing or adjudicatory review and shall have the rights set forth under Part 8.

3.9. RIGHT TO TESTIFY. Persons whose names are mentioned or who are specifically identified or otherwise referred to in testimony or in statements made by a member, staff, or outside counsel, or any witness, and who reasonably believe that a statement tends to adversely affect their reputation may:

- (1) Request to appear personally before the Committee to testify on their own behalf; or
- (2) File a sworn statement of facts relevant to the testimony or other evidence or statement complained of. Such requests and statements shall be submitted to the Committee for its consideration and action.

3.10. COMMITTEE REPORT; OPPOSING VIEWS. Each member shall be given a reasonable opportunity to have separate views included as part of any Committee report.

PART 4. PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

4.1. COMPLAINT, ALLEGATION, OR INFORMATION. Any Representative may report to the Committee a sworn complaint alleging that a Representative has violated a law, the House Code of Legislative Conduct, or any rule of the House relating to conduct of any individual in the performance of duties as a Representative, or has engaged in improper conduct which may reflect negatively upon the House. Complaints may be reported to the Chair, the Vice Chair, or a member.

Complaints shall not be accepted by the Committee during an election year on, or after, the filing deadline until one day after the general election. During this time, the Speaker shall accept complaints, allegations, or information and determine the action to be taken.

4.2. FORM AND CONTENT OF COMPLAINTS. A complaint shall be sworn but need not be in any particular form to receive Committee consideration, but shall:

- (1) State the name of the party filing the complaint;
- (2) Provide the name of each Representative who is specifically alleged to have engaged in improper conduct or committed a violation; and
- (3) State the nature of the alleged improper conduct or violation and may supply documents in the possession of the party filing the complaint relevant to or in support of the allegations as an attachment to the complaint.

For the purposes of this Rule, a "sworn complaint" means a written statement of facts, submitted under penalty of perjury, alleging a violation of law, the Code of Legislative Conduct, or any other Rule relating to the conduct of individuals in the performance of their duties as Representatives.

PART 5. PROCEDURES FOR CONDUCTING A PRELIMINARY INQUIRY

5.1. BASIS FOR PRELIMINARY INQUIRY. The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint from a Representative about alleged misconduct or violations by a Representative pursuant to Part 4; provided that the Chair and Vice Chair, acting jointly on behalf of the Committee may dismiss any matter, which is determined to lack substantial merit.

5.2. SCOPE OF PRELIMINARY INQUIRY. (a) The preliminary inquiry shall be of a duration and scope necessary to determine whether there is substantial credible evidence, which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Chair and Vice Chair, acting jointly, on behalf of the Committee may supervise and determine the appropriate duration, scope, and conduct of a preliminary inquiry. Whether a preliminary inquiry is conducted jointly by the Chair and Vice Chair or by the Committee as a whole, the day-to-day supervision of a preliminary inquiry rests with the Chair and Vice Chair, acting jointly.

(b) A preliminary inquiry may include any inquiries, interviews, sworn statements, depositions, or subpoenas deemed appropriate to obtain information to make any determination provided for by these rules.

5.3. OPPORTUNITY FOR RESPONSE. A preliminary inquiry shall include an opportunity for the Representative against whom the complaint is being brought or the Representative's designated representative to present either a written statement, or to respond orally to questions from the Committee. Oral statements or answers shall be transcribed and signed by the person providing the statement or answers.

5.4. FINAL REPORT. When the preliminary inquiry is completed, the Chair and Vice Chair shall make a report, oral or written, to the Committee on findings and recommendations, as appropriate. Disclosure of this report shall be governed by rules provided under Part 10.

5.5. COMMITTEE ACTION. As soon as practicable following submission of the report by the Chair and Vice Chair on the preliminary inquiry, the Committee shall determine by a recorded vote of a majority of members to which the Committee is entitled whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

- (1) That there is not substantial credible evidence and in this case the Committee shall dismiss the matter. The Committee shall inform the complainant and the respondent to the complaint of the dismissal;
- (2) That there is substantial credible evidence, but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. In this case, the Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline and which shall not be subject to appeal to the House. The issuance of a letter of admonition shall be approved by the affirmative recorded vote of not less two-thirds of the authorized membership; and
- (3) That there is substantial credible evidence and that the matter cannot be appropriately disposed of under paragraph (2). In this case, the Committee shall promptly initiate an adjudicatory review in accordance with Part 6. No adjudicatory review of the conduct of a Representative may be initiated except by the affirmative recorded vote of not less than two-thirds of the authorized membership.

PART 6. PROCEDURES FOR CONDUCTING AN ADJUDICATORY REVIEW AND ADJUDICATORY HEARING

6.1. SCOPE OF ADJUDICATORY REVIEW. When the Committee decides to conduct an adjudicatory review, it shall be of a duration and scope necessary for the Committee to determine whether a violation within its jurisdiction has occurred. An adjudicatory review shall be conducted by the Committee unless the Committee determines to use outside counsel for this purpose. In the course of the adjudicatory review, the Committee may conduct any inquiries, interviews, or hearings, take sworn statements, use its subpoena powers, take depositions, or take any other actions that the Committee deems appropriate to secure the evidence necessary to make a determination.

6.2. NOTICE TO RESPONDENT. The Committee shall give written notice to the Representative who is the subject of an adjudicatory review. The notice shall be sent to the Representative against whom the complaint has been made no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation and description of the evidence indicating that a possible violation occurred. The Committee may offer the Representative an opportunity to present a statement, orally or in writing, or to respond to questions from members, or outside counsel, if such counsel has been retained by the Committee.

6.3. FINAL REPORT OF ADJUDICATORY REVIEW TO COMMITTEE. Upon completion of an adjudicatory review, the Chair and Vice Chair shall submit a written report to the Committee, which shall detail the factual findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended. Disclosure of this report shall be governed by rules provided under Part 10.

6.4. COMMITTEE ACTION. (a) As soon as practicable following submission of the report of the Chair and Vice Chair on the adjudicatory review, the Committee shall prepare and submit a report to the House, including a recommendation to the House concerning disciplinary action, if appropriate. A report shall be issued, stating in detail the Committee's findings of fact, whether or not disciplinary action is recommended. The report shall also explain fully the reasons underlying the Committee's recommendation concerning disciplinary action, if any. No adjudicatory review of conduct may be conducted, or report or recommendation relating to an adjudicatory review of conduct may be made, except by the affirmative recorded vote of not less than two-thirds of the authorized membership.

(b) After receipt of the report prescribed by Rule 6.3, the Committee, by a recorded vote of not less than two-thirds of the authorized membership, may make recommendations for disciplinary action or issue an order for reprimand or restitution, as follows:

- (1) A recommendation to the House for expulsion, censure, payment of restitution, recommendation to the Speaker regarding the Representative's positions of responsibility and committee assignments, or a combination of these;
- (2) In the case where the Committee determines, after according due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full House, and subject to Rule 6.5 relating to appeal, by a unanimous vote of six members order that a Representative be reprimanded or pay restitution or both; and
- (3) In the case where the Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issuance of a public or private letter of admonition to a Representative, which shall not be subject to appeal to the House.

(c) In the case where the Committee determines, upon consideration of all the evidence, that the facts do not warrant a finding that there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred, the Committee may dismiss the matter.

(d) Promptly after the conclusion of the adjudicatory review, the Committee report and recommendation, if any, shall be forwarded to the Clerk of the House, and a copy shall be provided to the Representative bringing the complaint and the Representative responding to the complaint.

6.5. RIGHT OF APPEAL. (a) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to Rule 6.4 (b)(2), may, within ten days of the Committee's report to the House of its action imposing a reprimand or order of restitution, or both, appeal to the House by providing written notice of the appeal to the Committee and the Speaker. The Speaker shall cause the notice of the appeal to be printed in the House Journal.

(b) A motion to proceed to consideration of an appeal pursuant to paragraph (a) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Committee's report to the House. Debate on the appeal shall be limited to two hours, which shall be divided equally between those favoring and those opposing the appeal.

6.6. ADJUDICATORY HEARINGS; NOTICE. A copy of the public announcement of an adjudicatory hearing shall be furnished together with a copy of this Part to all witnesses at the time that they are subpoenaed or otherwise summoned to testify.

6.7. ADJUDICATORY HEARINGS; PREPARATION. (a) At least two working days prior to the commencement of an adjudicatory hearing, the Committee shall provide the following information and documents to the Representative responding to the complaint, if any:

- (i) A list of proposed witnesses to be called at the hearing;
- (ii) Copies of all documents expected to be introduced as exhibits at the hearing; and
- (iii) A brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing.

(b) At least two working days prior to the commencement of an adjudicatory hearing, the respondent, if any, shall provide the information and documents described in paragraph (a) to the Committee.

(c) At the discretion of the Committee, the information and documents to be exchanged under this Part shall be subject to an appropriate agreement limiting access and disclosure.

(d) If a Representative responding to the complaint refuses to provide the information and documents to the Committee (see paragraphs (a) and (b)), or if a responding Representative or other individual violates an agreement limiting access and disclosure, the Committee, by a two-thirds vote of the authorized membership, may recommend to the House that the offender be cited for contempt.

6.8. ADJUDICATORY HEARINGS; RIGHT TO CROSS-EXAMINE AND CALL WITNESSES. (a) In adjudicatory hearings, respondents and any other persons upon obtaining the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses on their own behalf.

(b) A Representative responding to a complaint may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on the Representative's behalf. An application shall be approved upon a concise showing by the responding Representative

that the proposed testimony or evidence is relevant and appropriate, as determined by the Chair and Vice Chair. The subpoena shall be issued pursuant to Part 3.

(c) With respect to witnesses called by a responding Representative, or other individual given permission by the Committee, each witness shall first be examined by the party who called the witness or by that party's counsel.

6.9. ADJUDICATORY HEARING; ADMISSIBILITY OF EVIDENCE. (a) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Hawaii Rules of Evidence. Rules of evidence shall not be applied strictly, but the Chair shall exclude irrelevant or unduly repetitious testimony. Objections going only to the weight that should be given evidence will not justify its exclusion.

(b) The Chair shall rule upon any question of the admissibility of testimony or other evidence presented to the Committee. Rulings shall be final unless reversed or modified by a two-thirds vote of the authorized membership before the recess of that day's hearings.

(c) Notwithstanding paragraphs (a) and (b), in any matter before the Committee involving allegations of sexual discrimination, including sexual harassment, or sexual misconduct, by a Representative, the Committee shall be guided by the standards and procedures of Rule 412 of the Hawaii Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only by a two-thirds vote of the authorized membership that the interests of justice require that this evidence be admitted.

6.10. ADJUDICATORY HEARING; SUPPLEMENTARY HEARING PROCEDURES. The Committee may adopt any additional special hearing procedures that it deems necessary, or appropriate to a particular adjudicatory hearing, copies of the supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.

PART 7. DEPOSITIONS

7.1. PERSONS AUTHORIZED TO TAKE DEPOSITIONS. Depositions may be taken by any member designated by the Chair and Vice Chair, acting jointly, or by any other person designated by the Chair and Vice Chair, acting jointly, including outside counsel, Committee staff, other employees of the House, or government employees assigned to the Committee.

7.2. DEPOSITION NOTICES. Notices for the taking of depositions shall be authorized by the Chair and Vice Chair, acting jointly, and issued by the Chair, Vice Chair, or Committee staff or outside counsel designated by the Chair and Vice Chair, acting jointly. Depositions may be taken at any time during a preliminary inquiry, adjudicatory review or other proceeding. Deposition notices shall specify a time and place for examination. Unless otherwise specified, the deposition shall be in private, and the testimony taken and documents produced shall be deemed for the purpose of these Rules to have been received in an executive session of the Committee. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear, or to testify, or to produce documents, unless the deposition notice was accompanied by a subpoena.

7.3. DEPOSITION PROCEDURE. Witnesses at depositions shall be examined under oath. Questions may be propounded by any person or persons who are authorized to take depositions for the Committee, if a witness objects to a question and refuses to testify, or refuses to produce a document, the Chair or Vice Chair, if present, may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If the Chair or Vice Chair is not present, the individual who has been designated by the Chair and Vice Chair, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chair or Vice Chair of the Committee, who may refer the matter to the Committee or rule on the objection, if the Chair or Vice Chair, or the Committee upon referral, overrules the objection, the Chair, Vice Chair, or the Committee as the case may be, may direct the witness to answer the question or produce the document, the Committee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

7.4. FILING OF DEPOSITIONS. Deposition testimony shall be transcribed or electronically recorded. If the deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in the presence of that individual and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certificates shall be filed with the clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee's offices for review. Upon inspecting the transcript, within a time limit set by the Chair and Vice Chair, acting jointly, a witness may request in writing changes in the transcript to correct errors in transcription. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chair and Vice Chair, acting jointly, may rule on the witness's request, and the changes or attachments allowed shall be certified by the Committee's clerk. If the witness fails to make any request under this paragraph within the time limit set, this fact shall be noted by the Committee's clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

PART 8. RIGHTS OF WITNESSES

8.1. TELEVISION, FILM, RADIO. Any witness served with a subpoena by the Committee may request not to be photographed or to give evidence or testimony while the broadcasting, reproduction, or coverage of that hearing, by radio, television, still photography, or, other methods is occurring. At the request of any witness who does not wish to be subjected to radio, television, still photography, or other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

8.2. RIGHT TO COUNSEL. Every witness at a hearing, adjudicatory review, adjudicatory hearing, or deposition, may be accompanied by counsel of the witness' own choosing, who may advise the witness of the witness' rights, subject to reasonable limitations which the Committee may prescribe to prevent obstruction of or interference with the orderly conduct of the hearing.

8.3. STATEMENTS. (a) A witness, or the witness' counsel, with the consent of a majority of the members present at the hearing, may file with the Committee for incorporation into the record of the hearing, sworn written statements relevant to the purpose, subject matter, and scope of the Committee's investigation or inquiry. If a witness, or witness' counsel, desires to read the prepared or written statement, the determination of whether the statement may be read or simply placed in the record of the hearing shall be made by the Chair and Vice Chair, acting jointly.

(b) The witness or witness' counsel may also submit additional sworn testimony for the record within 24 hours after the last day that the witness has testified. The insertion of such testimony in that day's record is subject to the approval of the Chair and Vice Chair, acting jointly, within five days after the testimony is received.

8.4. PROPOSED QUESTIONS. A witness at a hearing, or the witness' counsel may submit to the Committee questions proposed to be asked of the witness or any other witness relevant to the matters upon which there has been any questioning or submission of evidence, and the Committee shall ask those questions that the Committee determines to be appropriate for the subject matter of the hearing. Questions shall be submitted to the Committee at least one working day before a witness's scheduled appearance.

8.5. OPENING STATEMENTS. As far as practicable, each witness may be permitted to present a brief oral opening statement.

PART 9. VIOLATIONS OF LAW; CONTEMPT; PERJURY; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

9.1. VIOLATIONS OF LAW. Whenever the Committee determines by a two-thirds vote of the authorized membership that there is reason to believe that a violation of law, including the provision of false information to the Committee, may have occurred, it shall report the possible violation to the proper state and local authorities.

9.2. CONTEMPT. (a) A person shall be in contempt if the person:

- (1) Fails or refuses to appear in compliance with a subpoena, or having appeared, fails or refuses to testify under oath or affirmation;
- (2) Fails or refuses to answer any relevant question or fails or refuses to furnish any relevant book, paper, or other document subpoenaed by or on behalf of the Committee; or
- (3) Commits any other act or offense against the Committee, which, if committed against the Legislature, or either House thereof, would constitute contempt.

(b) The Committee may, by a two-thirds vote of the authorized membership, report to the Speaker, any instance of alleged contempt. The Speaker shall certify the report of such contempt under the signature of the Speaker to the State Attorney General who shall prosecute the offender in any court of the State.

9.3. PERJURY. Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee does so under penalty of perjury. The Committee may refer any such case to the State Attorney General for prosecution.

9.4. APPLICABLE RULES AND STANDARDS OF CONDUCT. (a) Notwithstanding any other provision of this Part, no adjudicatory review shall be initiated for any alleged violation of any law, the House Code of Legislative Conduct, or Rule, which was not in effect at the time the alleged violation occurred. No provisions of the House Code of Legislative Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the House Code of Legislative Conduct.

(b) The Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the House Code of Legislative Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Committee.

PART 10. RULES OF DISCLOSURE

10.1. NON-DISCLOSURE POLICY. Except as provided in Rule 10.2, no Representative, member, staff, or any person engaged by contract or otherwise to perform services for the Committee shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole or in part, or by way of summary, including during tenure with the Committee or anytime thereafter, information or material in the possession of the Committee which pertains to illegal or improper conduct by a present or former Representative; allegations or accusations of this conduct; any resulting preliminary inquiry, adjudicatory review or other proceeding by the Committee into these allegations or conduct and any report issued about the inquiry, review, or other proceeding; the investigative techniques and procedures of the Committee; any testimony or other evidence given before the Committee in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee-sensitive information, document or material, received or generated by the Committee, any material or information deemed to be confidential by the Chair and Vice Chair, acting jointly, or any classified or Committee-sensitive information which may come into the possession of this person during tenure with the Committee or its staff. No such information shall be made public unless authorized by a two-thirds vote of the authorized membership.

10.2. DISCLOSURE TO EXECUTIVE AND JUDICIAL OFFICIALS. (a) Information, documents, or materials may be released to an official of the executive branch properly cleared for access with a need-to-know, for any purpose or in connection with any proceeding, judicial or otherwise, as authorized by the Committee or, in the event of termination of the Committee, in such a manner as may be determined by its successor or by the House.

(b) Information, documents, or materials may be released to an official of the judicial branch if it is required for judicial purposes, as authorized by the Committee or, in the event of termination of the Committee, in such a manner as may be determined by its successor or by the House.

10.3. COMMITTEE-SENSITIVE DOCUMENTS. (a) Committee-sensitive documents and materials shall be stored in the Chair's office, with appropriate safeguards for maintaining the security of the documents or materials. Removal from the Chair's office of these documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the Chair and Vice Chair, acting jointly.

(b) Each member shall have access to all materials in the Chair's possession. Members' staff shall not have access to Committee-sensitive documents and materials without the specific approval in each instance of the Chair and Vice Chair, acting jointly. Members may examine these materials in the Chair's office.

(c) Any Representative, who is not a member and who seeks access to any Committee-sensitive documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by a two-thirds vote of the authorized membership whether to share documents or materials available. If access is granted, the Representative shall not disclose the information found in the documents or materials except as authorized by the Committee.

(d) Whenever the Committee makes Committee-sensitive documents or materials available to any Representative who is not a member in response to a specific request to the Chair and Vice Chair, a written record shall be made identifying the Representative requesting such documents or materials and describing what was made available to the Representative.

10.4. RELEASE OF REPORTS TO PUBLIC. All information of official actions, statements, or positions of the Committee shall be made by the Chair.

PART 11. CHANGES IN SUPPLEMENTARY PROCEDURAL RULES

11.1. ADOPTION OF CHANGES IN SUPPLEMENTARY RULES. The Rules of the Select Committee on the Standards of Conduct, other than rules established by statute, or by the Rules of the House, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than two-thirds of the authorized membership taken at a meeting called with due notice after prior written notice of the proposed change has been provided each member.

11.2. PUBLICATION. Any amendments to the Rules of this Committee shall be published.

SCRep. 1-20 Health on H.B. No. 1659

The purpose of this bill is to effectuate its title.

H.B. No. 1659 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to authorize a pharmacy to provide a customized patient medication package to any patient of an institutional facility or any member of the general public upon consent, with a valid prescription, and in compliance with labeling and dispensing requirements.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1659, as amended herein, and recommends that it be recommitted to your Committee on Health, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1659, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 2-20 Health on H.B. No. 1660

The purpose of this bill is to effectuate its title.

H.B. No. 1660 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to require the dispensing of a pharmacist-prescribed opioid antagonist to be reported to the State's electronic prescription accountability system.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1660, as amended herein, and recommends that it be recommitted to your Committee on Health, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1660, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 3-20 Health on H.B. No. 1661

The purpose of this bill is to effectuate its title.

H.B. No. 1661 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to amend definitions associated with involuntary hospitalizations to ensure that mentally ill individuals take medication and undergo treatment that is necessary to prevent them from causing danger to themselves or to others.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1661, as amended herein, and recommends that it be recommitted to your Committee on Health, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1661, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 4-20 Health on H.B. No. 1662

The purpose of this bill is to effectuate its title.

H.B. No. 1662 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to ensure that timely diagnostic audiologic evaluation reports related to follow-up treatment and support of newborns who did not pass newborn hearing screening are provided to the Department of Health.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1662, as amended herein, and recommends that it be recommitted to your Committee on Health, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1662, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 5-20 Agriculture on H.B. No. 1861

The purpose of this measure is to:

- (1) Extend the Pesticide Subsidy Program to June 30, 2025;

- (2) Extend the Pesticide Subsidy Program Manager position and the position's civil service and collective bargaining laws exemption to June 30, 2026; and
- (3) Appropriate funds for the Program and Program Manager position.

Your Committee received testimony in support of this measure from the Department of Agriculture, College of Tropical Agriculture and Human Resources of the University of Hawaii at Manoa, Office of the Mayor of the County of Hawaii, Land Use Research Foundation of Hawaii, Lyman Kona Coffee Farms, Kona Coffee Farmers Association, Cassandra Farms, Rancho Aloha Kona Coffee, Hawaii Coffee Association, Hawaii Farm Bureau, Big Island Invasive Species Committee, Kona Mountain Coffee, and eleven individuals.

Your Committee finds that Act 105, Session Laws of Hawaii 2014, established a temporary Pesticide Subsidy Program in the Department of Agriculture to assist coffee growers with offsetting the costs of purchasing pesticides containing *Beauveria bassiana* as an active ingredient to combat the coffee berry borer, a highly destructive pest that has infested coffee crops on Hawaii and has recently been detected on Oahu and Maui. Additionally, Act 152, Session Laws of Hawaii 2015, established a full-time temporary manager position for the Pesticide Subsidy Program, exempt from chapters 76 and 89, Hawaii Revised Statutes. The Program will be repealed on June 30, 2021, and the Program Manager position will be repealed on June 30, 2022. Your Committee finds that extending the Program to June 30, 2025, and the Program Manager position to June 30, 2026, will continue to help farmers in controlling the coffee berry borer and mitigating the damage it causes to coffee beans.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1861, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1861, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 6-20 Energy & Environmental Protection on H.B. No. 1860

The purpose of this measure is to further prohibit the sale and distribution of sunscreen containing certain chemicals within the State and allow the Department of Health to prevent the sale and distribution of additional chemicals through its administrative rulemaking process.

Your Committee received testimony in support of this measure from FairWind Big Island Ocean Cruises, Surfrider Oahu, Hawaii Reef Ocean Coalition, Friends of Hanauma Bay, Beautycounter, Ocean Tourism Coalition, and thirteen individuals. Your Committee received testimony in opposition to this measure from Personal Care Products Council. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that in 2018, legislation was enacted to ban sunscreens containing oxybenzone and octinoxate from sale and distribution in the State to preserve its marine ecosystems. Banning three more chemicals contained in sunscreens, octocrylene, octisalate, and homosalate, from sale and distribution in Hawaii will further contribute to preservation of the State's marine life.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1860, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1860, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Wildberger).

SCRep. 7-20 Energy & Environmental Protection on H.B. No. 1864

The purpose of this measure is to:

- (1) Amend the renewable portfolio standard interim goals for 2030 and 2040 to accelerate the adoption of renewable energy; and
- (2) Amend the definition of renewable portfolio standard to more accurately reflect the percentage of renewable energy used in the State.

Your Committee received testimony in support of this measure from Elemental Excelsior, Climate Protectors Coalition, Sierra Club of Hawaii, Life of the Land, 350 Hawaii.org, Hawaii Solar Energy Association, Surfrider Oahu, Blue Planet, and numerous individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii and Hawaiian Electric. Your Committee received comments on this measure from the Public Utilities Commission and Hawaii State Energy Office.

Your Committee finds that it is important to accurately measure the State's progress toward its goal of one hundred percent renewable energy to avoid a sense of false progress. Further, amending the renewable portfolio standard interim goals for 2030 and 2040 to accelerate the adoption of renewable energy addresses the impacts of climate change that have become increasingly urgent.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1864, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1864, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Wildberger).

SCRep. 8-20 Energy & Environmental Protection on H.B. No. 1850

The purpose of this measure is to:

- (1) Amend the uses of the Energy Security Special Fund to allow the Hawaii State Energy Office to enter into public-private partnerships with certain not-for-profit entities to support the commercialization of technologies that will further Hawaii's clean energy and sustainability goals and benefit Hawaii's economy; and
- (2) Increase the allocation of funding to the Energy Security Special Fund that is deposited from the state environmental response, energy, and food security tax from 5 cents to 15 cents per barrel, to ensure sufficient funding levels for these public-private partnerships.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Chamber of Commerce Hawaii, Climate Protectors Coalition, 350Hawaii.org, Elemental Excelerator, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and the Tax Foundation of Hawaii.

Your Committee finds that increasing the allocation of the barrel tax to the Energy Security Special Fund will allow for additional financial resources to be made available to assist in achieving a clean energy future.

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1850, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1850, H.D. 1, and be referred to your Committee on Economic Development & Business.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Wildberger).

SCRep. 9-20 Energy & Environmental Protection on H.B. No. 1851

The purpose of this measure is to:

- (1) Prohibit the issuance of building permits for new multi-family dwellings that do not include grid-interactive water heater systems beginning on January 1, 2022; and
- (2) Require the Public Utilities Commission (Commission) to establish standards, with certain statutorily identified specifications, for grid-interactive water heater systems.

Your Committee received testimony in support of this measure from 350Hawaii.org, Shifted Energy, and numerous individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii and Building Industry Association Hawaii. Your Committee received comments on this measure from the Hawaii State Energy Office, Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, and Public Utilities Commission.

Your Committee finds that requiring the Commission to establish specified standards for grid-interactive water heater systems addresses possible interoperability issues. At the same time, the technology for these water heater systems is still developing. Statutorily identifying specifications for grid-interactive water heater system standards at this time may limit flexibility in the development of acceptable grid-interactive water heater system technology.

Your Committee has amended this measure by:

- (1) Allowing the Commission to adopt or establish by program, in addition to rule, tariff, or order, standards for grid-interactive water heater systems;
- (2) Requiring that the Commission establish standards for grid-interactive water heater systems to promote the objectives set forth in section 269-124, Hawaii Revised Statutes, instead of establishing statutorily identified specifications to be included in those standards;
- (3) Placing the new section more appropriately in Chapter 269, Hawaii Revised Statutes, which governs the Commission's responsibilities;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1851, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1851, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Har). Noes, none. Excused, 1 (Wildberger).

SCRep. 10-20 Water, Land, & Hawaiian Affairs on H.B. No. 1875

The purpose of this measure is to require the Governor to appoint the Governor's Coordinator on Native Hawaiian Affairs to coordinate responses to issues that impact Native Hawaiians and Native Hawaiian culture across state departments and agencies.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General, Aha Moku Advisory Committee, and one individual.

Your Committee finds that the Governor currently does not have a dedicated cabinet member to address and coordinate responses to issues impacting Native Hawaiians and Native Hawaiian culture across state departments and agencies. This measure will address that deficiency by requiring the Governor to appoint a coordinator who represents Native Hawaiian culture and tradition, has a strong connection to Native Hawaiian communities throughout the State, and has a strong understanding of Hawaiian history.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1875, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1875, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 11-20 Water, Land, & Hawaiian Affairs on H.B. No. 1924

The purpose of this measure is to require government entities to seek reimbursement for search and rescue expenses from persons who require rescuing after leaving a hiking trail to enter a prohibited area or while hiking on a trail closed to the public.

Your Committee received testimony in support of this measure from one member of the Maui County Council and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that under existing state law, a government entity who performs search and rescue operations may seek reimbursement from certain entities, such as the rescued individual, the individual's estate, or any entity responsible for placing an individual in a position of needing rescue. However, such reimbursement may only be sought when the need for a search or rescue was caused by an act or omission by the individual being searched for or rescued that constitutes an intentional disregard for that person's safety. This measure will require government entities to seek reimbursement from a person in situations where the actions of the person result in a failure to observe reasonable notice of the closure of certain hiking trails, rather than actions displaying an intentional disregard for that person's safety.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1924, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1924, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 12-20 Water, Land, & Hawaiian Affairs on H.B. No. 1880

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the operations of the Kahoolawe Island Reserve Commission and for two full-time equivalent positions to support the Commission.

Your Committee received testimony in support of this measure from the Kaho'olawe Island Reserve Commission, Aha Moku Advisory Committee, South Maui Citizens for Responsible Growth, Ohana Ho'opakele, and numerous individuals.

Your Committee finds that the Kahoolawe Island Reserve Commission provides a vital service to the State by addressing the ecological and environmental damage done to Kahoolawe by United States Navy live fire training exercises. This measure will support the continued efforts of the Commission to restore the island, protect endangered and rare flora and fauna, and ensure the safety of visitors to the Kahoolawe Island Reserve.

Your Committee has amended this measure by:

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

Should your Committee on Finance consider and deliberate on this measure, your Committee respectfully requests it consider appropriating \$500,000 for the operations of the Kahoolawe Island Reserve Commission and \$72,000 for two full-time equivalent positions to support the Kahoolawe Island Reserve Commission.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1880, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1880, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 13-20 Water, Land, & Hawaiian Affairs on H.B. No. 1820

The purpose of this measure is to amend the nominating authority for the representatives of the Heeia community development district, Kalaeloa community development district, and Kakaako community development district that serve on the Hawaii Community Development Authority.

Your Committee received testimony in support of this measure from Kaka'ako United, Hawaii's Thousand Friends, Kaka'ako Makai Community Planning Advisory Council, and six individuals.

Your Committee finds under existing state law, the nominating authority for the community development district representatives on the Hawaii Community Development Authority, a state entity, is vested in the county councils in which the various community development districts are located. This measure will address community concerns about the nomination of district representatives by removing the nominating authority from the county councils and vesting it in the Governor, President of the Senate, and Speaker of the House of Representatives.

Your Committee has amended this measure by:

- (1) Removing the Governor as a nominating authority, as the Governor is also the appointing authority;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1820, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1820, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 14-20 Human Services & Homelessness on H.B. No. 1978

The purpose of this measure is to empower the Family Court, as required under the federal Immigration and Nationality Act (Act), to hear motions for awarding custody or guardianship of immigrant children under the age of twenty-one who have been abused, neglected, or abandoned before the age of eighteen, for purposes of granting them Special Immigrant Juvenile Status under the Act.

Your Committee received testimony in support of this measure from The Judiciary, Department of Human Services, Filipina Advocacy Network, Filipinos for Affirmative Action, The Legal Clinic Hawaii, Volunteer Legal Services Hawaii, and several individuals.

Your Committee finds that Special Immigrant Juvenile Status is a designation under federal law that protects immigrant children who have been abused, neglected, or abandoned. In order for an immigrant child to gain the Special Immigrant Juvenile Status, a juvenile court must make findings of fact, including: that it is not in the best interests of the immigrant child to be returned to the immigrant child's previous country of nationality; that reunification with a parent is not viable due to abuse, neglect, or abandonment; and that the immigrant child is a dependent. Once a juvenile court has completed these findings, the immigrant juvenile may apply for permanent legal residence in the United States. This measure clarifies that the Family Courts of the State have jurisdiction to make such critical determinations.

Your Committee has amended this measure by changing the effective date to December 31, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1978, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1978, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 15-20 Human Services & Homelessness on H.B. No. 1788

The purpose of this measure is to improve the care and treatment of children in the juvenile justice system by:

- (1) Limiting the circumstances under which children at detention and shelter facilities are subject to room confinement; and
- (2) Specifies the conditions and time limit for which room confinement may be imposed.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, and American Civil Liberties Union of Hawaii.

In 2018, Congress passed the First Step Act which, among other things, prohibits facilities that confine youth in federal custody from using room confinement for discipline, punishment, retaliation, or any reason other than as a temporary response to a juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including the covered juvenile. Your Committee recognizes that the type of facility and the conditions where a child is confined can affect the child's health, safety, and outcomes upon reentry. This measure addresses the impact room confinement has on the treatment and rehabilitation of children who are detained.

Your Committee has amended this measure by:

- (1) Reducing the time a child can be held in room confinement in a detention or shelter facility from four hours to three hours;
- (2) Requiring all detention and shelter facilities that confine children to report annually to the Judiciary on their compliance with the requirements relating to room confinement, including frequency and length of confinement, demographic information, and alternative strategies;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1788, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1788, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 16-20 Human Services & Homelessness on H.B. No. 2050

The purpose of this measure is to clarify that the effective period of a temporary restraining order, protective order, or injunction for a minor may extend to a reasonable date after the minor has reached the age of eighteen.

Your Committee received testimony in support of this measure from the Honolulu Police Department and Hawaii Women's Coalition.

Your Committee finds that temporary restraining orders, protective orders, and injunctions against harassment for a minor typically expire when the minor reaches the age of eighteen. This measure eliminates the automatic termination of the order or injunction and permits the extension of the order's or injunction's effective period.

Your Committee has amended this measure by changing the effective date to December 31, 2059, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2050, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2050, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 17-20 Human Services & Homelessness on H.B. No. 2037

The purpose of this measure is to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community by establishing the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission (Commission) and Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Trust Fund (Trust Fund).

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii, Filipina Advocacy Network, Hawaii Rainbow Chamber of Commerce, Planned Parenthood Votes Northwest and Hawaii, The Trevor Project, Pride at Work – Hawaii, Rainbow Family 808, and several individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, Department of Health, Department of Budget and Finance, and Hawaii Health & Harm Reduction Center.

Your Committee recognizes that individuals of the lesbian, gay, bisexual, transgender, queer, plus community are at elevated risks of bullying, suicide, and ostracism. Addressing the needs of these individuals who experience multiple forms of marginalization will lend to a better understanding of the risks and challenges they face and support greater intervention and prevention efforts in the State. Establishing the Commission is an effective means of researching, planning, and advocating for the equity of the lesbian, gay, bisexual, transgender, queer plus community in Hawaii.

Your Committee has amended this measure by:

- (1) Adding one voting member to the Commission, to be identified from the Hawaii Sexual and Gender Minority Work Group;
- (2) Deleting language that would have established the Trust Fund;
- (3) Adding a general fund appropriation for the purposes of the Commission;
- (4) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2037, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2037, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Ward). Excused, 1 (Say).

SCRep. 18-20 Agriculture on H.B. No. 1654

The purpose of this bill is to effectuate its title.

H.B. No. 1654 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of the amended measure is to appropriate funds for the control of feral pigs, including grants for fencing and corral traps and a program to reduce feral pig populations.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1654, as amended herein, and recommends that it be recommitted to your Committee on Agriculture, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1654, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 19-20 Consumer Protection & Commerce on H.B. No. 1803

The purpose of this measure is to codify relevant portions of the Revised Uniform Law on Notarial Acts (2018). Specifically, this measure:

- (1) Outlines the instances in which notaries public may refuse to perform a notarial act;
- (2) Authorizes notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may do such notarial acts, including authorized technologies and electronic stamping;
- (3) Clarifies the validity of notarial acts and the circumstances when notarial acts may not be performed; and
- (4) Clarifies the retention of records.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation and First American Title. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that notaries public are important professionals who witness the signing of documents and verify their authenticity, administer oaths and affirmations, and perform many other tasks. The essential purpose of notaries public is to prevent fraud. With this understanding, your Committee received concerns from the Department of the Attorney General regarding certain provisions of this measure and their impact on the promotion or deterrence of fraud. As an alternative, the Department introduced H.B. No. 2294 (Regular Session of 2020), which addresses some of the Department's concerns.

However, your Committee believes that your Committee on Judiciary is the more appropriate committee to determine which approach would be more befitting for the people of Hawaii. Should your Committee on Judiciary consider this measure, your Committee requests that your Committee on Judiciary consider the concerns raised by the Department of the Attorney General.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1803, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1803, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 20-20 Consumer Protection & Commerce on H.B. No. 2346

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Tax and regulate e-liquid products and electronic smoking devices in the same manner as other tobacco products;
- (3) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (4) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products; and
- (5) Repeal various statutory provisions relating to electronic smoking devices made obsolete by this measure.

Your Committee received testimony in support of this measure from the Department of Taxation; Department of Health; Hawaii Pacific Health; Kapiolani Smokefree Families: Tobacco & Nicotine Cessation Program; Coalition for a Tobacco-Free Hawaii; Waianae Coast Comprehensive Health Center; American Cancer Society Cancer Action Network; American Heart Association; Hawaii Primary Care Association; Student Health Advisory Council of the University of Hawaii; Hawaii Women's Coalition; The Friends of Kamalani and Lydgate Park; We Are One, Inc.; Filipino Business Women's Association; Hawaii COPD Coalition; Americans for Democratic Action; and numerous individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, Hawaii Smokers Alliance, and three individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii and Hawaii Food Industry Association.

Your Committee has amended this measure by:

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

Your Committee notes that prior iterations of this measure in past legislative sessions have specified that certain dispositions of revenue from monies collected under the cigarette and tobacco taxes would go toward health education and prevention programs. Your Committee further notes that this measure does not propose any new dispositions of revenue of those taxes, but this is still under deliberation by the Department of Health. Should this measure be given further consideration as it progresses the legislative session, your Committee requests that those subsequent committees consider whether portions of the cigarette and tobacco taxes should be allocated toward health education and prevention programs.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2346, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 21-20 Water, Land, & Hawaiian Affairs on H.B. No. 1877

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances on land deregistered by the Land Court, other than fee simple time share interests, to require a plan that includes a map and description prepared by a licensed professional surveyor.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from five individuals.

Your Committee finds that while the Land Court provides a systematic and logical process for mapping and indexing land and recording transactions and encumbrances on land titles, it was designed to process single, consecutive ownership interests and not multiple, simultaneous interest in a single parcel of land. Your Committee further finds that while the State has enacted measures to allow for the voluntary deregistration of fee simple, non-timeshare land from the Land Court, there are no clear requirements for mapping and describing deregistered land. This measure will address the issue of insufficiently mapped and described original Hawaii land titles that are being deregistered by requiring a plan that includes a map and description prepared by a licensed professional surveyor to be submitted with all written requests to deregister land.

Your Committee has amended this measure by:

- (1) Clarifying that the Assistant Registrar shall refer the map and description of land sought to be deregistered to the State Land Surveyor in the Department of Accounting and General Services after being checked as to form and mathematical correctness but not on the ground by the State Land Surveyor;
- (2) Amending the means of showing original title lines when land platted is made up of more than one original title;
- (3) Removing proposed language in section 502-17(d)(3), Hawaii Revised Statutes, regarding certain land being deregistered;
- (4) Clarifying that only contiguous parcels shall be shown on the same plan;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1877, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1877, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 22-20 Labor & Public Employment on H.B. No. 1698

The purpose of this measure is to establish separate bargaining units for:

- (1) State law enforcement officers; and
- (2) State and county ocean safety and water safety officers,

by retaining state law enforcement officers under Bargaining Unit (14) and creating a Bargaining Unit (15) for state and county ocean safety and water safety officers.

Your Committee received testimony in support of this measure from the City and County of Honolulu; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaiian Lifeguard Association; North Shore Lifeguard Association; and several individuals.

Your Committee finds that Bargaining Unit (14) currently comprises deputy sheriffs, conservation and resource enforcement officers, harbor enforcement officers, and county ocean and water safety officers, which results in a bargaining unit made up of two occupational classes with different needs and job functions. Providing separate bargaining units for law enforcement officers and ocean safety and water safety officers will better address the distinct job duties and needs of these employees, while keeping the same voting composition for purposes of negotiating collective bargaining agreements.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1698, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1698, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (McKelvey, Matsumoto).

SCRep. 23-20 Labor & Public Employment on H.B. No. 2054

The purpose of this measure is to prohibit employers from:

- (1) Requiring employees to enter into, as a condition of employment, a nondisclosure agreement preventing the employee from disclosing or discussing sexual harassment or sexual assault in the workplace, at work-related events, between employees, or between an employer and an employee; and
- (2) Retaliating against employees for disclosing or discussing sexual harassment or sexual assault,

except under certain conditions where confidentiality of human resource investigations is involved.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, American Association of University Women of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Breastfeeding Hawaii, Pride at Work – Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, and two individuals.

Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault is important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work environment and prohibiting employers from retaliating against employees for disclosure provide enhanced protections and support a safe and positive work environment for all individuals.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2054, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (McKelvey, Matsumoto).

SCRep. 24-20 Labor & Public Employment on H.B. No. 1904

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to protect the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students, from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawaii System, Hawaii Civil Rights Commission, Commission to Promote Uniform Legislation, LGBT Caucus of the Democratic Party of Hawaii, Pride at Work – Hawaii, and two individuals. Your Committee received comments on this measure from the American Civil Liberties Union of Hawaii and American Council of Life Insurers.

Your Committee finds that growing reports of employers and educational institutions requiring or demanding access to the personal online accounts of employees, job applicants, and students raises significant privacy concerns. These concerns have resulted in legislative efforts in other jurisdictions to protect employees and students against unwarranted invasions of privacy and from workplace access to their social media accounts.

Your Committee further finds that this measure, developed by the Uniform Law Commission, received input from employers, educational institutions, internet and other technology companies, and privacy organizations. This measure seeks to prevent employers and public and private educational institutions from demanding access to the online accounts of employees and students.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1904, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1904, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (McKelvey, Matsumoto).

SCRep. 25-20 Health on H.B. No. 1977

The purpose of this measure is to ameliorate the shortage of physicians in Hawaii by requiring the Department of Health to establish, develop, and implement a program to sponsor medical students who attend the College of Medicine of the University of Northern Philippines in exchange for a ten-year service commitment to practice medicine in Hawaii after graduation.

Your Committee received testimony in support of this measure from the Hawaii Medical Association, Health Committee of the Democratic Party of Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments from the Department of Health, Department of the Attorney General, University of Hawaii, Office of the Mayor of the County of Hawaii, and American Academy of Pediatrics - Hawaii Chapter.

Your Committee has amended this measure by:

- (1) Broadening the medical student sponsorship program to include any high-quality but lower-cost school of medicine, and removing specific references to the College of Medicine of the University of Northern Philippines;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As this measure moves through the legislative session, your Committee urges its proponents to work with the Department of Health, Department of the Attorney General, University of Hawaii John A. Burns School of Medicine, and stakeholders to craft a reasonable solution to address the shortage of physicians in Hawaii.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1977, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1977, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 26-20 Health on H.B. No. 1608

The purpose of this measure is to address prescription drug inflation by authorizing the Department of Health to implement a program for wholesale importation of prescription drugs.

Your Committee received testimony in support of this measure from AARP Hawaii, Health Committee of the Democratic Party of Hawaii, and Hawaii Medical Service Association. Your Committee received testimony in opposition to this measure from the Healthcare Distribution Alliance, Pharmaceutical Research and Manufacturers of America, and The Partnership for Safe Medicines. Your Committee received comments on this measure from the Department of Health and Department of the Attorney General.

Your Committee notes that the United States Department of Health and Human Services published proposed rules on December 18, 2019, to regulate wholesale importation of prescription drug programs. However, the rules, if finalized, may not take effect until April 2020. Testimony from the Department of Health also noted that a program for the wholesale importation of prescription drugs may require a considerable amount of funds to implement including hiring of necessary staff and leasing of storage space. Should your Committee on Consumer Protection and Commerce deliberate on this measure, your Committee respectfully requests that it consider tasking the Department of Commerce and Consumer Affairs, rather than the Department of Health, with implementing this measure.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1608, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1608, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Nakamura, Say, Tokioka). Noes, 1 (Ward). Excused, none.

SCRep. 27-20 Public Safety, Veterans, & Military Affairs on H.B. No. 1972

The purpose of this measure is to establish a medical release program within the Department of Public Safety for certain ill, disabled, or impaired inmates who pose a low risk to public safety.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Disability Rights Center, Hawai'i Health & Harm Reduction Center, Community Alliance on Prisons, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that correctional facilities in this State are housing a growing number of elderly inmates who often have extensive medical needs.

Your Committee also finds the requirements of this measure strike the appropriate, compassionate balance in considering whether an inmate's medical condition and the low likelihood of risk to the public warrant the inmate's release before the expiration of the inmate's sentence. Your Committee believes this measure creates a system of checks that will be protective of the public while reducing the costs associated with continuing to house a functionally declining and in some cases, terminally ill, population.

Your Committee has amended this measure by deleting the definition of "debilitating disease or illness", which is not used in the measure and is therefore unnecessary.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1972, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1972, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (McDermott).

SCRep. 28-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2230

The purpose of this measure is to create an exemption from the annual vehicle weight tax for qualified disabled veterans.

Your Committee received testimony in support of this measure from the Department of Defense, Department of Transportation, Hawaii Chapter of the National Association for Uniformed Services, and one individual.

Your Committee finds that providing an annual vehicle weight tax exemption for veterans residing in Hawaii with a service-connected disability rating of one hundred percent, when those veterans have not been dishonorably discharged from the armed forces, is a means of taking care of veterans and demonstrating the government's gratitude.

Your Committee has amended this measure by:

- (1) Referencing the exemption from the vehicle weight tax for qualified disabled veterans alongside other vehicle weight tax exemptions in section 249-33(a), Hawaii Revised Statutes, and repealing section 249-33(c), Hawaii Revised Statutes, as that section is duplicative and unnecessary; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2230, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2230, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (McDermott).

SCRep. 29-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2362

The purpose of this measure is to appropriate funds to purchase the Honolulu Federal Detention Center located on the west side of the Daniel K. Inouye International Airport.

Your Committee received testimony in support of this measure from the Department of Public Safety. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that state jails and prisons are severely overcrowded. According to the Department of Public Safety, the Oahu Community Correctional Center often houses three inmates in a cell meant for one.

Your Committee further finds that the Honolulu Federal Detention Center includes integrated, state-of-the-art surveillance and management technologies and has an estimated capacity of twelve hundred inmates. Nevertheless, the Detention Center remains largely underused. Your Committee also finds that, in addition to alleviating overcrowding at existing state facilities, the purchase would eliminate the financial costs of leasing bed space for state inmates at the Detention Center.

Your Committee has amended this measure by:

- (1) Removing the approximate cost of the Honolulu Federal Detention Center at the time of its opening from section 1; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2362, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (McDermott).

SCRep. 30-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2333

The purpose of this measure is to establish the Hawaii State Fusion Center (Center) as a program under the Office of Homeland Security and establish the state-funded position of the Hawaii State Fusion Center Director, who shall be responsible to the Director of Homeland Security and manage the operations of the Center.

Your Committee received testimony in support of this measure from the Office of the Adjutant General, Department of Defense; Office of Homeland Security, Department of Defense; Department of Human Services; Department of Emergency Management, City and County of Honolulu; Board of Water Supply, City and County of Honolulu; Retail Merchants of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will codify, and thereby solidify, the Center within the Office of Homeland Security. According to the Board of Water Supply, the Board has already partnered with the Center through a memorandum of understanding executed in June 2016. The Board noted that, as a water utility serving almost one million residents and visitors, it has been designated a part of Hawaii's critical infrastructure by the Department of Homeland Security. Similarly, your Committee finds instructive the Department of Human Services' testimony that its staff has attended trainings and briefings available through the Center as a partner agency. Those discussions have addressed cybersecurity, online law enforcement to identify sex trafficking, active shooters, and most recently, a presentation by the Centers for Disease Control and Prevention regarding procedures to address the Coronavirus.

Your Committee further finds that the Center allows for information sharing to ensure its partners are equipped with the tools needed to keep Hawaii and the Nation safe, secure, and resilient. The Department of Defense explained that fusion centers empower front line law enforcement, public safety, fire, emergency responders, public health, and critical infrastructure protection and private sector security personnel to understand the implications of intelligence for and to the State. Your Committee finds the functions of the Center to be critical to the State's protection against crime, terrorism, and other incidents.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2333, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2333, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (McDermott).

SCRep. 31-20 Energy & Environmental Protection on H.B. No. 2657

The purpose of this measure is to eliminate the use of coal in Hawaii for electricity production.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Blue Planet, Surfrider Foundation, Pono Hawaii Initiative, Young Progressives Demanding Action, 350Hawaii.org, Elemental Excelsior, Sierra Club of Hawaii, Life of the Land, Climate Protectors Coalition, Our Revolution Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, and Public Utilities Commission.

Your Committee finds that Hawaii is a leader on clean energy policy, being the first state in the nation to adopt a 100 percent renewable energy requirement, and has set a goal to achieve carbon and greenhouse gas neutrality by 2045. Eliminating the use of coal for electricity production in Hawaii will reduce Hawaii's dependency on fossil fuels, greatly reduce carbon emissions, and assist the State in achieving its renewable energy goals.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2657, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2657, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 32-20 Energy & Environmental Protection on H.B. No. 2227

The purpose of this Act is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office, instead of the Director of Business, Economic Development, and Tourism, to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations; and
- (2) Regulate the appliance efficiency standards for air purifiers and portable electric spas.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Pono Hawaii Initiative, Blue Planet, Hawaii Energy, 350Hawaii.org, and numerous individuals. Your Committee received testimony in opposition to this measure from Plumbing Manufacturers International and Association of Home Appliance Manufacturers. Your Committee received comments on this measure from the Consumer Technology Association.

Your Committee finds that in 2019, legislation was enacted to establish minimum efficiency standards for certain products sold, leased, or rented in Hawaii. Those standards are estimated to result in more than \$500,000,000 in cumulative utility bills savings over the next 15 years. Expanding the list of products requiring minimum efficiency standards can help save millions of dollars in utility bills annually and offer even more benefits for Hawaii residents.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2227, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 33-20 Energy & Environmental Protection on H.B. No. 1262

The purpose of this measure is to authorize the counties to:

- (1) Create a process for the recordation and enforcement of solar easements; and
- (2) Require trimming of vegetation that blocks solar radiation from a solar energy device installed before the vegetation was planted.

Your Committee received testimony in support of this measure from Surfrider Oahu and one individual. Your Committee received comments on this measure from 350Hawaii and four individuals.

Your Committee finds that the use of renewable energy sources, such as solar energy, can reduce the costs of electricity and help meet Hawaii's present and future energy needs and renewable energy goals. Solar energy devices on rooftops require direct access to sunlight to function and operate efficiently. Your Committee finds it reasonable to expect trimming of vegetation, planted after installation of a neighboring solar energy device and blocking sufficient access to the sun, to restore the device's function and cost-efficiency.

Your Committee has amended this measure by:

- (1) Removing the authorization for counties to create a process for recordation of solar easements;
- (2) Clarifying that the counties' authority to require trimming of vegetation blocking a solar energy device applies to a device on a neighboring property, and changing the statutory placement of that language to chapter 46, Hawaii Revised Statutes, which relates to general provisions for counties;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1262, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1262, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 34-20 Energy & Environmental Protection on H.B. No. 1845

The purpose of this measure is to appropriate funds for the Electrical Vehicle Charging System Rebate Program.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaiian Electric, Pono Hawaii Initiative, Ulupono Initiative, Hawaii Automobile Dealers' Association, Blue Planet Hawaii, Climate Protectors Coalition, Our Revolution Hawaii, Hawaii Electric Vehicle Association and Big Island Electric Vehicle Association, 350Hawaii, Hawaii Solar Energy Association, and nineteen individuals. Your Committee received comments on this measure from the Hawaii Climate Change Mitigation and Adaptation Commission and Public Utilities Commission.

Your Committee finds that the lack of electric vehicle charging systems remains a barrier to the more widespread use of electric vehicles. Hawaii must accelerate a transition to cleaner transportation to reach its carbon emissions reduction goals. In accordance with legislation enacted in 2019, the Public Utilities Commission, through Hawaii Energy, launched the Electric Vehicle Charging System Rebate Program (Program) to offer rebates for eligible new or upgraded electric vehicle charging systems. The Program incentivizes electric vehicle charging infrastructure buildout, and additional funds would allow the Program to have greater impact.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1845, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1845, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 35-20 Consumer Protection & Commerce on H.B. No. 2162

The purpose of this measure is to curb certain predatory towing practices by:

- (1) Clarifying fees that may be charged in association with towing services;
- (2) Clarifying the duty of a tow company when an owner appears on the scene prior to the tow truck leaving the scene;
- (3) Removing a tow company's ability to provide an automated teller machine in lieu of accepting payments by credit card;
- (4) Specifying that persons who violate the State's towing laws have engaged in unfair or deceptive acts or practices and are subject to certain penalties; and
- (5) Adding definitions for clarity.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Young Progressives Demanding Action, and two individuals.

Your Committee finds that predatory towing practices can result in unfair and excessive charges to a vehicle owner. This measure addresses several deficiencies in the existing towing law, which will improve the overall towing statute and diminish ambiguities that have caused unreasonable barriers for vehicle owners whose vehicles have been towed.

Your Committee has amended this measure by:

- (1) Reverting to existing statutory language that enables an insurer or a representative to pick up an owner's vehicle from a towing company;
- (2) Clarifying that violations of the towing laws are subject to all penalties and remedies under the State's unfair or deceptive acts or practices law;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2162, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2162, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 36-20 Housing on H.B. No. 1754

The purpose of this measure is to increase the installment of automatic fire sprinkler systems in the State by requiring builders of new one- and two-family dwellings to provide buyers with information on the benefits and costs associated with installing and maintaining a residential fire sprinkler system.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Hawaii Fire Department, Kauai Fire Department, and Maui Fire Department. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs, Building Industry Association Hawaii, and Chamber of Commerce Hawaii.

Your Committee finds that installing smoke alarms and sprinklers in homes reduces the risk of fire-related deaths by eighty-two percent. This measure ensures that future homeowners are given valuable information about fire sprinkler systems when building a new home, which will enable these homeowners to make an informed choice regarding fire safety. This measure also establishes a civil fine in cases where a person willfully violates the requirements to provide the homebuyer with certain information.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2025, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1754, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1754, H.D. 1, and be referred to your Committees on Intrastate Commerce and Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 37-20 Housing on H.B. No. 1929

The purpose of this measure to:

- (1) Extend the deadline for the Hawaii Housing Finance and Development Corporation to exercise its power of eminent domain to acquire the Front Street Apartments affordable housing project on Maui, unless the ground lease is renegotiated or a new ground lease issued; and
- (2) Extend the deadline to obtain land use approval for the Lealii affordable housing project on Maui.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Maui Chamber of Commerce, Front Street Affordable Housing Partners, and two individuals.

Your Committee finds that there is a severe shortage of affordable rental housing in the county of Maui, particularly in the western part of the island. The deadline extensions proposed by this measure will ensure Maui residents continue to have affordable housing options available.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1929, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1929, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 38-20 Housing on H.B. No. 1769

The purpose of this measure is to extend to ninety days a legislative body's deadline to approve, approve with modification, or disapprove an affordable housing project.

Your Committee received testimony in support of this measure from the Maui County Council and one member of the Maui County Council. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation and Maui Chamber of Commerce.

Your Committee finds that under existing law, legislative bodies have forty-five days to approve, approve with modification, or disapprove an affordable housing project developed in conjunction with the Hawaii Housing Finance and Development Corporation. This measure extends the existing deadline for legislative body action, which preserves the current expedited review process for affordable housing projects while also ensuring a legislative body has appropriate time to properly evaluate projects.

Your Committee also finds that the precise time frame for consideration by the legislative body warrants further discussion, to strike the appropriate balance between addressing community needs and ensuring thoughtful planning.

Your Committee has amended this measure by:

- (1) Changing the ninety-day time frame for legislative body approval, approval with modification, or disapproval of an affordable housing project to an unspecified time frame; and
- (2) Changing the effective date to July 1, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1769, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1769, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 39-20 Housing on H.B. No. 2318

The purpose of this measure is to increase hurricane preparedness in Hawaii by allocating a portion of the monies earned through interest from the Hurricane Reserve Trust Fund to provide grants under a safe home program, which would assist financially qualified home owners with the installation of approved wind resistive devices for hurricane preparedness of their homes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Emergency Management Agency, and Hawaii Insurers Council.

Your Committee finds that Hawaii is susceptible to property loss due to hurricanes, tropical storms, and strong winds. Establishing a safe home program to provide grants to certain property owners for the installation of wind resistive devices will lessen the severity of property loss from hurricanes, tropical storms, or strong winds.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2318, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2318, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 40-20 Housing on H.B. No. 1933

The purpose of this measure is to reduce the delay in the adoption of building codes and increased costs associated with construction in the State by repealing the State Building Code Council.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii State Energy Office, County of Hawaii Department of Public Works, American Institute of Architects Hawaii State Council, and one individual.

Your Committee finds that the International Building Code is currently being considered for adoption by all of the counties, and the adoption of building codes ultimately rests with each respective county. This measure will remove the two-step process in the adoption of building codes throughout the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1933, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1933, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Hashimoto). Excused, none.

SCRep. 41-20 Human Services & Homelessness on H.B. No. 1942

The purpose of this measure is to update Hawaii's mandatory child abuse and neglected mandated reporting law by:

- (1) Adding members of the clergy, commercial computer technicians, and commercial film and photographic print or image processors to the categories of persons who are required to report child abuse and neglect to the Department of Human Services or police; and
- (2) Providing a safe harbor through December 1, 2020, for reporting by clergy of previously unreported known or suspected child abuse that did not arise during a penitential communication.

Your Committee received testimony in support of this measure from the Department of Human Services, IMUAlliance, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee recognizes that professionals who work with or come into regular contact with children have an essential role in the protection of children. Amending the State's child abuse and neglect mandated reporting law to include members of the clergy, commercial computer technicians, and commercial film and photographic print or image processors as mandated reporters who are required to report suspected child abuse and neglect will provide greater protections and interventions for children who are or may be at risk of maltreatment.

Your Committee has amended this measure by:

- (1) Excluding from the child abuse and neglect mandated reporting requirements any individuals whose legal obligations are in direct conflict with the reporting requirements of administrators and employees of public and private organizations whose duties require direct contact with or supervision of children;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1942, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1942, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 42-20 Human Services & Homelessness on H.B. No. 2421

The purpose of this measure is to ensure that the needs of deaf, hard of hearing, and deaf-blind students in the State are met by statutorily establishing the Hawaii School for the Deaf and Blind and an independent governance structure for the school.

Your Committee received testimony in support of this measure from five individuals. Your Committee received comments on this measure from the Department of Education, Department of the Attorney General, and one individual.

Your Committee notes the concerns raised in testimony by individuals in the deaf, hard of hearing, and deaf-blind community that there has been a lack of administrators within the Department of Education who are experienced and knowledgeable in deaf education and fluent in American Sign Language. This lack of expertise and other concerns have raised questions about whether the Hawaii School for the Deaf and Blind is being adequately managed. A comprehensive approach that seeks to change the culture and direction of the school is necessary to optimize services, supports, and other educational opportunities for students in the State who are deaf, hard of hearing, and deaf-blind. Although the School for the Deaf and Blind has served children in Hawaii for over 100 years, this measure statutorily establishes an independent governance structure for the Hawaii School for the Deaf and Blind, which will enable the school to more appropriately meet the needs of deaf, hard of hearing, and deaf-blind students.

Your Committee has amended this measure by:

- (1) Requiring policy decisions of the Hawaii School for the Deaf and Blind Board of Trustees to be consistent with the policies of the Board of Education;
- (2) Clarifying that the Hawaii School for the Deaf and Blind has served children of Hawaii for over 100 years;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2421, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2421, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 43-20 Human Services & Homelessness on H.B. No. 1664

The purpose of this measure is to statutorily authorize the Department of Human Services to establish and operate the Supporting Employment Empowerment Hawaii Work Program to transition public assistance recipients to the workforce.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the Supporting Employment Empowerment Hawaii Work Program (SEE Program) was established in 2006 by the Department of Human Services through administrative rules. The SEE Program serves as a support service for First-To-Work program participants and assists program participants by providing employment opportunities with eligible employers. Your Committee notes that the SEE Program is also a valuable tool for Temporary Assistance for Needy Families participants to obtain employment and progress through self-sufficiency.

After careful consideration, your Committee has amended this measure by:

- (1) Removing language that would have statutorily established the SEE Program within the Department of Human Services;
- (2) Requiring the Department of Human Services to convene a study group to examine the efficiencies and effectiveness, including program outcomes, of the Department's existing SEE Program and submit a report to the Legislature prior to the Regular Session of 2021;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee requests the Department of Human Services to inform your Committee of any other existing Department of Human Services welfare-to-work programs, including the program administrative rules.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1664, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1664, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 44-20 Human Services & Homelessness on H.B. No. 2061

The purpose of this measure is to:

- (1) Require certain amounts of child support monies collected by the Department of Human Services to pass through to families receiving public assistance for the benefit of minor dependent children and appropriate funds for complying with this requirement; and
- (2) Increase the maximum fine for an employer who discharges from employment, refuses to employ, or takes disciplinary action against any noncustodial parent subject to income withholding or who fails to comply with an order of assignment of future income to pay child support.

Your Committee received testimony in support of this measure from the American Association of University Women of Hawaii, Zonta Club of Hilo, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Hawaii Applesseed Center for Law and Economic Justice, Hawaii Children's Action Network Speaks!, Breastfeeding Hawaii, Midwives Alliance of Hawaii, and four individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that the Child Support Enforcement Agency is responsible for collecting debt owed to the Department of Human Services by a non-custodial parent when Temporary Assistance for Needy Families (TANF) benefits are paid for the benefit of a dependent child. Federal law requires that

a portion of the collection be paid back to the federal government, which is retained by the Child Support Enforcement Agency for federal matching funds, with the remaining portion reimbursed to the Department.

Your Committee finds that if pass through of child support payments to TANF recipients is implemented as proposed by this measure, it will require modifications to the Child Support Enforcement Agency's statewide case management computer system, as the system currently is not designed to disburse payment by TANF recipient family or household. Instead, the case management system disburses child support on a per case basis, or per non-custodial parent basis.

Noting these concerns, your Committee has amended this measure by:

- (1) Removing language that would have required certain amounts of child support monies collected by the Department of Human Services to pass through to families receiving public assistance; appropriated funds for this requirement; and increased fines for employers who take certain adverse employment actions against noncustodial parents subject to income withholdings or orders of income assignment relating to child support;
- (2) Requiring the Department of the Attorney General to:
 - (A) Convene a study group to examine the impacts, impediments, and costs of allowing child support payments to pass through to TANF recipients; and
 - (B) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the 2021 Regular Session;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2061, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 45-20 Energy & Environmental Protection on H.B. No. 2186

The purpose of this measure is to exempt projects that place high-voltage electric transmission infrastructure underground from mandatory approval by the Public Utilities Commission (Commission), if certain conditions are met.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Public Utilities Commission, and Life of the Land.

Your Committee finds that it is often more significantly expensive to build electric transmission lines underground compared to above the ground. Placing certain conditions on the approval process for entities, other than a public utility, responsible for the cost of undergrounding would streamline the process and be more efficient where there is no additional cost to ratepayers.

Your Committee has amended this measure by:

- (1) Clarifying that an entity other than the public utility shall pay the entire cost for building underground;
- (2) Providing that the Commission shall have 60 days to take action on the public utility's mandatory report before it will be assumed that the public utility may proceed with the project; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2186, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 46-20 Energy & Environmental Protection on H.B. No. 2301

The purpose of this measure is to:

- (1) Expand the objective of the \$50,000,000 sub-fund within the Hawaii Green Infrastructure Special Fund to allow state agencies to finance purchase options under existing energy performance contracts and power purchase agreements to further reduce and stabilize future energy costs; and
- (2) Allow an agency to utilize these savings to finance the installation of electric vehicle charging systems and the lease or purchase of electric vehicles.

Your Committee received testimony in support of this measure from the Department of Business Economic Development and Tourism; Department of Transportation; Hawaii State Energy Office; Hawaii Green Infrastructure Authority; Climate Protectors Coalition; Hawaiian Electric; Hawaii Automobile Dealers' Association; Our Revolution Hawaii; Hawaii Electric Vehicle Association and Big Island Electric Vehicle Association; Pono Hawaii Initiative; Ulupono Initiative; 350Hawaii.org; and eighteen individuals. Your Committee received comments on this measure from Life of the Land.

Your Committee finds that with the number of energy performance contracts and power purchase agreements in existence throughout the State, there is a tremendous opportunity for additional energy savings. These savings can be utilized to finance the conversion of the State's retiring internal combustion fleet to electric vehicles and to install electric vehicle charging systems, while remaining budget neutral.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2301, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2301, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 47-20 Energy & Environmental Protection on H.B. No. 555

The purpose of this measure is to create a Carbon Offset Program administered by the Department of Land and Natural Resources to require a compensatory measure by state agencies for the carbon emissions caused by their employees' travel.

Your Committee received testimony in support of this measure from 350Hawaii.org, Surfrider Oahu, and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Planning, Hawaii Climate Change Mitigation and Adaptation Commission, and Life of the Land.

Your Committee finds that air travel by state employees produces carbon dioxide and other greenhouse gas emissions that contribute to global climate effects. Establishing a carbon removal program avoids confusion with carbon offset credit programs in which carbon credits have stringent standards and are monetarily tradeable. A carbon removal program assessing fees for such travel can support projects, such as reforestation, that can sequester substantial amounts of carbon dioxide, as well as provide a variety of ecological, cultural, recreational, educational, and economic benefits.

Your Committee has amended this measure by:

- (1) Changing the name of the program to the State Employee Air Travel Carbon Removal Program (program) and changing various references from carbon offsets to carbon removal;
- (2) Clarifying that the Department of Land and Natural Resources is administering the program;
- (3) Including definitions for "carbon removal", "canoe plants", and "greenhouse gas";
- (4) Adding criteria for administering the program including:
 - (A) The methodology for measuring carbon emissions and calculating amounts of greenhouse gas emissions to be eliminated by program projects;
 - (B) Goals for the carbon renewal program;
 - (C) Identification of carbon dioxide-reducing projects;
 - (D) Calculation of fees to be assessed to agencies for carbon removal;
 - (E) Development of a carbon emissions reduction record system; and
 - (F) How fees collected by the program can be used;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 555, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 48-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2737

The purpose of this measure is to:

- (1) Increase the fireworks display permit fee from \$110 to \$150 and the fine for certain fireworks violations from \$2,000 per violation to \$5,000 per violation;
- (2) Clarify that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation; and
- (3) Increase the penalty for removing or extracting pyrotechnic contents.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure will implement recommendations made by the illegal fireworks task force established by Act 170, Session Laws of Hawaii 2010. Your Committee finds that raising fees and fines is one means of deterring the use of illegal fireworks, decreasing their supply in the State, and increasing funding for prevention and enforcement efforts that is in the Legislature's control.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2737 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (D. Kobayashi). Noes, none. Excused, 1 (McDermott).

SCRep. 49-20 Health on H.B. No. 1943

The purpose of this measure is to provide twelve months of postpartum medical assistance to pregnant women who are ineligible for medical insurance coverage through their employer or Medicaid.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, American College of Obstetricians and Gynecologists, Hawaii Primary Care Association, American Academy of Pediatrics-Hawaii Chapter, American Association of University Women of Hawaii, League of Women Voters of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Breastfeeding Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Kokua Kalihi Valley Comprehensive Family Services, Save Medicaid Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, Hawaii Children's Action Network Speaks!, March of Dimes, Early Childhood Action Strategy, Hawaii Maternal and Infant Health Collaborative, and twelve individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee notes that in its testimony, the Department of Human Services requested clarification regarding which population is being covered by this measure. The Department noted that, as written, there is potential for individuals with more diverse sources of coverage to be eligible for Medicaid.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1943, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1943, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 50-20 Health on H.B. No. 2106

The purpose of this measure is to protect the environment by establishing a cesspool system demonstration pilot program within the Department of Health to implement and demonstrate an economically feasible solution for the conversion of cesspools in Hawaii.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawaii Department of Environmental Management, and one individual. Your Committee received comments on this measure from H2O Process Systems, LLC.

Your Committee finds that Act 132, Session Laws of Hawaii 2018 (Act 132), established a cesspool conversion working group, administered by the Department of Health, to develop a long-range, comprehensive plan for statewide conversion of all cesspools by 2050. The pilot program established by this measure will help the working group achieve the objectives of Act 132.

Your Committee has amended this measure by:

- (1) Placing the establishment of the cesspool system demonstration pilot program within the University of Hawaii's Water Resources Research Center, rather than the Department of Health;
- (2) Changing the appropriation to an unspecified amount to encourage further discussion;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2106, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 51-20 Health on H.B. No. 2502

The purpose of this measure is to maintain the quality of health care for patients in rural areas of Hawaii by requiring the State Health Planning and Development Agency to grant existing hospitals and dialysis facilities in rural subareas the right of first refusal to internally expand their facilities to address the needs of their communities prior to the issuance of a certificate of need to an applicant seeking to open a new hospital or dialysis facility in the same rural subarea.

Your Committee received testimony in support of this measure from Hawaii Teamsters & Allied Workers Union Local 996 and Liberty Dialysis-Hawaii. Your Committee received testimony in opposition to this measure from Kaiser Permanente Hawaii. Your Committee received comments on this measure from the Department of Health, State Health Planning and Development Agency, The Queen's Health Systems, and Hawaii Primary Care Association.

Your Committee recognizes that a health care workforce shortage exists, especially in certain areas of the State, and notes that there are no dialysis facilities in the Puna area of the island of Hawaii. Furthermore, your Committee respectfully encourages the Representative of the Fourth District to work with dialysis service providers to determine the feasibility of offering home care dialysis, particularly in rural communities.

Your Committee has amended this measure by:

- (1) Removing language that would have required the State Health Planning and Development Agency to:
 - (A) Offer existing hospitals or dialysis facilities in a rural subarea a right of first refusal before issuing a certificate of need to an applicant seeking to open a new hospital or dialysis facility in that same subarea; and
 - (B) Include in its certificate of need review for a new hospital or dialysis facility in a rural subarea a determination of public need and reasonableness of cost;
- (2) Requiring the State Health Planning and Development Agency to consider the relationship to the existing health care system of an area, including workforce availability, as part of its certificate of need review;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2502, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (San Buenaventura, Say). Noes, none. Excused, 1 (Belatti).

SCRep. 52-20 Health on H.B. No. 1797

The purpose of this measure to improve patient access to medical cannabis by authorizing naturopathic physicians to provide written certification for medical cannabis use to qualifying patients.

Your Committee received testimony in support of this measure from the Hawaii Society of Naturopathic Physicians and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Health and Board of Naturopathic Medicine.

Your Committee finds that every day, two hundred Americans die of a drug overdose. However, medical cannabis can be a safe alternative to opioids or other harmful drugs that are devastating to communities. Adding naturopathic physicians to the provider types eligible to certify patients for medical cannabis use will increase access to health care and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1797, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1797, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Say). Noes, 1 (Ward). Excused, none.

SCRep. 53-20 Health on H.B. No. 35

The purpose of this measure is to:

- (1) Restore the categories of "gravely disabled" and "obviously ill" to the criteria for involuntary hospitalization that were deleted by Act 221, Session Laws of Hawaii 2013; and
- (2) Increase the maximum period of emergency hospitalization from forty-eight hours to seventy-two hours.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language to authorize expenditures from the Mental Health and Substance Abuse Special Fund to be used for capital improvement projects.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Health; Habitat for Humanity Hawaii Island, Inc.; Hawaii Island HIV/AIDS Foundation; Hawaii Psychological Association; and nine individuals.

Your Committee finds that utilizing the Mental Health and Substance Abuse Special Fund to support new capital improvement projects, including sub-acute stabilization services, and sustain existing program operations will enhance the State's current continuum of care by helping to reduce unnecessary emergency department admissions, promoting jail diversion opportunities, and better assisting individuals with behavioral health issues.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee respectfully requests the Department of Health to work with the Chair of your Committee on Finance and members of the Finance staff to discuss funding requirements associated with this measure and arrive at an agreement and understanding regarding the use of authorized expenditures from the Mental Health and Substance Abuse Special Fund.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 35, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 35, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 54-20 Health on H.B. No. 1620

The purpose of this measure is to:

- (1) Amend the effect of finding a defendant charged with a misdemeanor or petty misdemeanor not involving violence or attempted violence unfit to proceed; and
- (2) Amend the requirements for fitness determination hearings, court-appointed examiners, and examination reports.

Your Committee received testimony in support of this measure from the Maui Police Department and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, and Hawaii Psychological Association. Your Committee received comments on this measure from the Judiciary, Department of Health, Department of the Attorney General, and Hawaii Disability Rights Center.

Your Committee finds that the issue of mental health has plagued communities across Hawaii for years now, resulting in the incarceration of numerous non-violent defendants who have been charged with misdemeanors and petty misdemeanors.

Your Committee has amended this measure by:

- (1) Changing references from "appropriate institution" to "hospital or other suitable facility", to allow for flexibility of placement of patients committed to the custody of the Director of Health;
- (2) Allowing the court greater discretion to:
 - (A) Suspend the proceedings and order the defendant to be transferred to the custody of the Director of Health and placed in a hospital or other suitable facility; and
 - (B) Dismiss the charges with or without prejudice;
- (3) Allowing the court greater flexibility in appointing the three examiners who are responsible for examining and reporting upon the physical and mental condition of the defendant in post acquittal hearings and applications for discharge or conditional release; and
- (4) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee encourages the Judiciary, Department of Health, and Department of the Attorney General to work together on making suggestions to refine the language as this measure moves through the legislative process.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1620, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1620, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 55-20 Health on H.B. No. 1609

The purpose of this measure is to increase transparency and improve the business practices of pharmacy benefit managers and protect the public health, safety, and welfare by:

- (1) Establishing business practice and transparency reporting requirements for pharmacy benefit managers;
- (2) Replacing the registration requirement for pharmacy benefit managers with a licensing requirement; and
- (3) Increasing penalties for violations of the pharmacy benefit managers law.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME, Local 646, AFL-CIO; Times Pharmacy; Kamehameha Pharmacy; 5 Minute Pharmacy; and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association and Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of Health, Department of Commerce and Consumer Affairs, Department of the Attorney General, Office of Information Practices, The Queen's Health Systems, Hawaii Primary Care Association, and CVS Health.

Your Committee finds that this measure is intended to help reduce the cost of prescription drugs for the benefit of Hawaii's people and bring much-needed transparency and accountability to pharmacy benefit managers in the State.

Your Committee notes the concerns raised in testimony by the Department of the Attorney General, that the portion of this measure establishing business practices and transparency reporting requirements for pharmacy benefit managers may be subject to a preemption challenge under the Employee Retirement Income Security Act. The Department of Health noted in its testimony before your Committee that this measure may complicate or conflict with existing statutory language enacted by Act 175, Session laws of Hawaii 2015, and recommended repeal of that Act's amendments.

Your Committee also notes the comments raised in testimony by the Office of Information Practices, expressing uncertainty about how a pharmacy benefit manager's designation of information as a trade secret is intended to interact with the Uniform Information Practices Act (Modified) and recommending the replacement of the term "trade secret" with the term "confidential business information". Finally, your Committee wishes to note the concerns raised in testimony by CVS Health, that this measure may reduce flexibility with respect to pharmacy benefit managers and may have a negative impact on the quality and safety of patients' access to health care.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1609, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1609, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 56-20 Health on H.B. No. 1796

The purpose of this measure is to make prescription medication less cost-prohibitive for consumers by placing a cap on the total amount that an insured is required to pay for a prescription insulin drug at \$100 per thirty-day supply of that drug.

Your Committee has received testimony in support from AARP Hawaii and Health Committee of the Democratic Party of Hawaii. Your Committee has received testimony in opposition from Hawaii Medical Service Association. Your Committee has received comments from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund Board, and Kaiser Permanente Hawaii.

Your Committee has amended this measure by:

- (1) Deleting contents that would have placed a cap on the total amount that an insured is required to pay for a prescription insulin drug;
- (2) Establishing the Insulin Drug Task Force within the Department of Commerce and Consumer Affairs to study whether cost-sharing limits should be placed on prescription insulin drugs;

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1796, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1796, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 57-20 Health on H.B. No. 2043

The purpose of this measure is to improve minors' access to mental health care by:

- (1) Allowing an unlicensed mental health professional, working under the supervision of a licensed mental health professional, to provide mental health treatment or counseling services to minors without parental or legal guardian consent, knowledge, or participation;
- (2) Requiring a mental health professional to assist a minor receiving minor-initiated mental health treatment or counseling services with completing a nondisclosure notification form to send to covered entities, when appropriate; and
- (3) Requiring a covered entity, upon receiving a completed notification form, to maintain nondisclosure of minor-initiated mental health treatment or counseling services.

Your Committee received testimony in support of this measure from the Department of Health, Democratic Party of Hawaii, League of Women Voters, Hawaii Psychological Association, Planned Parenthood Votes Northwest and Hawaii, Mental Health America of Hawaii, and one individual. Your Committee received comments on this measure from the Hawaii Association of Health Plans.

Your Committee finds that this measure is based on the November 2018 report submitted to the Legislature by the Sexual Orientation Counseling Task Force convened pursuant to Act 13, Session Laws of Hawaii 2018. In its report, the task force generally agreed that existing laws should be amended to increase access to adolescent mental health services by allowing unlicensed mental health professionals to provide minor-initiated mental health treatment or counseling services under the supervision of licensed mental health professionals and maintain the confidentiality of those services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2043, H.D. 1, and be referred to your Committees on Judiciary and Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 58-20 Lower & Higher Education on H.B. No. 1529

The purpose of this measure is to establish the Hawaii Student Free Expression Act to allow student journalists at public schools to exercise freedom of speech and freedom of the press in school-sponsored media.

Your Committee received testimony in support of this measure from the Student Press Law Center, Hawaii Professional Chapter of the Society of Professional Journalists, and numerous individuals. Your Committee received comments from the Department of Education and one individual.

Your Committee finds that states may strengthen the protections guaranteed by the First Amendment of the United States Constitution through state laws and regulations. This measure will provide student journalists attending public schools in the State with additional protections needed against censorship.

Your Committee has amended this measure by:

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

Should the Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it examine whether the following provisions are in legal conflict with the State Constitution or any federal laws:

- (1) The prohibition of prior restraint of material prepared for school-sponsored media; and
- (2) The liability of a state agency, member of the Board of Education, officer of the Department of Education, or employee of any agency or the Board in any civil or criminal action for the publication or other expression of material by student journalists in the exercise of rights under this measure.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1529, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 59-20 Lower & Higher Education on H.B. No. 1231

The purpose of this measure is to appropriate funds to the University of Hawaii (UH) to work in collaboration with the Department of Business, Economic Development, and Tourism to fund one or more programs sponsored or organized by the UH community colleges or a four-year campus to expand opportunities for international college experiences for students enrolled at a UH campus. This measure also requires UH to submit a report to the Legislature, which includes details of the use of funds appropriated and the UH campuses participating in the funded programs.

Your Committee received comments on this measure from the University of Hawaii System and Department of Business, Economic Development, and Tourism.

Your Committee finds that there have been initiatives within the University of Hawaii System to provide students with the opportunity to visit the Asia-Pacific region and gain educational and cultural experiences. With a local population largely made of descendants of plantation workers and immigrants from China, Japan, Korea, the Philippines, and other parts of the Asia-Pacific region, Hawaii's residents should take advantage of these cultural and historic ties for the potential economic benefit of the State. This measure allows students to become more familiar with these nations and this region in an educational and cultural setting.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1231, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1231, H.D. 1, and be referred to your Committee on Tourism & International Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 60-20 Lower & Higher Education on H.B. No. 1996

The purpose of this measure is to require the Board of Education to include evaluations of the Strive HI Performance system factors as a component of the Superintendent of Education's annual performance evaluation and requires improvements in at least one-half of the factors for any salary increase for the Superintendent.

Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association.

Your Committee finds that including Strive HI Performance System factors as a component of the Superintendent of Education's annual performance evaluation will encourage improvement and accountability in Hawaii's public school system.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1996, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1996, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Quinlan, Johanson, Tokioka).

SCRep. 61-20 Lower & Higher Education on H.B. No. 2694

The purpose of this measure is to make an emergency appropriation to the State Public Charter School Commission to provide funds to cover the costs of the claim and settlement amount pursuant to *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Kualapuu Public Conversion Charter School, Hookakoo Corporation, and one individual.

Your Committee finds that section 4 of Act 99, Session Laws of Hawaii 2019, appropriated from the general funds from fiscal year 2018-2019 for EDN 600 to pay for claims against the State or Hawaii state public charter school. However, this resulted in the charter school being required to use funds that were intended for the operation of the charter school and education of its students. This measure will appropriate funds to the State Public Charter School Commission so as not to negatively impact the students and families of the charter school.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to an unspecified amount; and
- (2) Changing its effective date to July 1, 2050.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$75,000 to pay the claim and settlement amount pursuant to *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2694, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2694, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 62-20 Lower & Higher Education on H.B. No. 2665

The purpose of this measure is to statutorily establish the right of postsecondary student athletes in intercollegiate athletics to receive compensation for the use of their name, image, or likeness.

Your Committee received testimony in opposition to this measure from the University of Hawaii's Athletic Departments at Manoa and at Hilo.

Your Committee finds that postsecondary student athletes in intercollegiate athletics bring great value to the postsecondary institutions which they attend. Your Committee further finds that because of their commitment to school and athletics, many student athletes are unable to find the time to work at a job and earn a wage to pay for school and other expenses. In 2019, the State of California passed legislation that allows a student athlete in California to be provided

compensation in relation to the student athlete's name, image, or likeness. This measure will similarly allow student athletes in Hawaii to receive compensation for the use of their name, image, and likeness to help the student-athlete financially support themselves so that they can focus on their academic and athletic endeavors.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2665, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2665, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Okimoto). Excused, none.

SCRep. 63-20 Lower & Higher Education on H.B. No. 2091

The purpose of this measure is to allow the University of Hawaii (UH) to conduct criminal history record checks on current or prospective employees, and contractors and their employees, whose duties include ensuring the security of campus facilities and persons.

Your Committee received testimony in support of this measure from the University of Hawaii System.

Your Committee finds that UH is responsible for ensuring the safety and security of facilities and persons on its campuses. UH utilizes university security officers, who are civil service employees recruited by the Department of Human Resources Development (DHRD). Your Committee notes that according to UH's testimony, it has entered into a delegation agreement with DHRD for UH to perform all tasks associated with recruiting, selecting, and hiring university security officers, except for the task of completing background checks. This measure will statutorily enable DHRD to also delegate to UH the authority to conduct background checks, thereby allowing UH to perform all aspects of the university security officer recruitment process more efficiently.

Your Committee has amended this measure by changing the effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2091, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioaka).

SCRep. 64-20 Lower & Higher Education on H.B. No. 2656

The purpose of this measure is to establish the Hawaii Justice League Program in the University of Hawaii to provide partial student loan repayment assistance for lawyers who agree to pursue the practice of law in underserved rural areas in the State.

Your Committee received testimony in support of this measure from William S. Richardson School of Law and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that few new lawyers are able to practice public interest law in underserved rural areas because of the high cost to attend law school, the debt that law school students graduate with, and the high cost of living in Hawaii. Your Committee further finds that loan repayment assistance programs have been successfully used in the State to increase the number of educators in teaching positions that are hard to fill. This measure will establish a partial loan repayment assistance program that will also encourage and enable lawyers to pursue the practice of law in underserved rural areas in the State.

Your Committee has amended this measure by:

- (1) Deleting repetitive language requiring the University of Hawaii William S. Richardson School of Law to prioritize loan repayments with lawyers who choose to practice law in rural areas;
- (2) Changing the amounts appropriated to unspecified amounts;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it:

- (1) Consider appropriating \$50,000 to be deposited into the Hawaii Justice League Revolving Fund for the Hawaii Justice League Program; and
- (2) Examine the increase of the per annum maximum loan repayment amount for a cost-of-living adjustment and multiplying the amount with the United States Department of Labor Consumer Price Index for All Urban Consumers (CPI-U) and the effects that a negative percent change in the CPI-U will have on the program.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2656, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2656, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 65-20 Lower & Higher Education on H.B. No. 2695

The purpose of this measure is to amend various statutes governing charter schools. Specifically, this measure amends:

- (1) Authorizers' reporting and audit requirements;
- (2) Authorizers' responsibilities in reviewing charter applications; and

- (3) The performance framework requirements for charter schools.

Your Committee received testimony in support of this measure from the State Public Charter School Commission.

Your Committee finds that this measure will provide greater flexibility to the authorizers and charter schools in preparation of the annual audits of the charter schools by no longer requiring the charter schools to select from a list of three independent auditors. Your Committee further finds that giving authorizers the opportunity to provide flexibility for charter schools in selecting an independent auditor will better serve the State's interest.

Your Committee has amended this measure by:

- (1) Removing the provisions amending the authorizers' reporting requirements, authorizers' responsibilities in reviewing charter applications, and performance framework requirements for charter schools;
- (2) Changing the effective date to July 1, 2050;
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2695, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2695, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 66-20 Lower & Higher Education on H.B. No. 2092

The purpose of this measure is to appropriate funds to the Department of Education to establish a Workforce Readiness Program within the Adult Community Schools Program.

Your Committee received testimony in support of this measure from the Department of Education, Workforce Development Council, McKinley Community School for Adults, Hawaii Food Industry Association, and numerous individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and one individual.

Your Committee finds that high school students and non-high school graduates in Hawaii would benefit from aligning educational curriculum to a workforce readiness program, dependent on close collaboration between high schools and Department of Education adult community schools, community colleges, the workforce development council, and employers. This measure will establish the Workforce Readiness Program to ensure that students receive industry-based skills and credentials required for employment after graduation or completion of the Adults' Workforce Preparation Program.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050.

Should your Committee on Finance deliberate on this measure, your Committee respectfully recommends that it insert an appropriation amount of \$100,000.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2092, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 67-20 Lower & Higher Education on H.B. No. 2170

The purpose of this measure is to require all public meetings of the Board of Regents of the University of Hawaii to be live on the Internet, recorded in digital video format, and archived and made available to the public.

Your Committee received comments from the Office of the Board of Regents of the University of Hawaii.

Your Committee finds the public meetings of the Board of Regents of the University of Hawaii serve to keep the public informed of the actions of the Board. However, the availability of the public to attend the meetings may be restricted, especially if individuals who wish to attend the meetings are unable to do so because meetings are held outside of the island of their residence. This measure will require the use of technology to broadcast and record the public meetings of the Board and allow the public to view the meetings, even when they are unable to attend in person.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2170, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

SCRep. 68-20 Lower & Higher Education on H.B. No. 2169

The purpose of this measure is to temporarily transfer the Candidate Advisory Council for the Board of Regents of the University of Hawaii (Council) from the University of Hawaii to the Office of the Governor.

Your Committee received comments from the Department of the Attorney General.

Your Committee finds that the purpose of the Council is to recruit, evaluate, and present to the Governor qualified candidates for nomination to a vacant seat on the Board of Regents. This measure temporarily transfers the Council from the University of Hawaii to the Office of the Governor, makes housekeeping amendments related to the Council, and repeals on June 30, 2024.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should the Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it consider the concerns raised by the Department of the Attorney General regarding:

- (1) The placement of the Council outside of a principal department;
- (2) Clarification as to the number of voting members the Council is entitled to, as quorum to do business or validate any act is based on the total number of members to which the Council is entitled; and
- (3) The transition from the existing seven-member Council to the newly comprised three-member Council and whether without transition language, there may not be a sufficient number of members to constitute quorum upon the effective date of this measure.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2169, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Tokioka).

SCRep. 69-20 Lower & Higher Education on H.B. No. 2510

The purpose of this measure is to:

- (1) Require the Board of Education to hold no less than six community forums annually, rather than committee meetings, with at least one community forum to be held in each county; and
- (2) Require the Board to include an open forum for public comment on non-agenda items at the end of each public Board meeting through June 30, 2025, and report to the 2021 Legislature on the implementation of the open forums.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Education Caucus. Your Committee received testimony in opposition to this measure from the Hawaii Professional Chapter of the Society of Professional Journalists. Your Committee received comments on this measure from the Board of Education and the Civil Beat Law Center for the Public Interest.

Your Committee finds that community meetings held by the Board of Education improve the public's access to the Board and allow the public to provide the Board with more information to help with decision-making and priority setting. Greater access to the Board of Education from communities in each county across the State through community forums will allow the Board to hear from more community stakeholders and receive more information before making decisions at a later date.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

Should the Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it consider:

- (1) The concern raised in testimony from the Civil Beat Law Center for the Public Interest that treating community forums as permitted interactions under the Sunshine Law will eliminate certain open meeting requirements, including those for public notice, and that elimination of these requirements may be contrary to the goal of the forums, which is to allow the Board to receive input from the community; and
- (2) Amending the measure to specifically require community forums to be held on the islands of Maui, Molokai, and Lanai, rather than only generally requiring forums in the County of Maui.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2510, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2510, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 70-20 Lower & Higher Education on H.B. No. 2256

The purpose of this measure is to remove the sunset provision of Act 38, Session Laws of Hawaii 2017 (Act 38), making permanent certain exemptions from the Ethics Code as related to technology transfer activities sponsored by the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawaii, Hawaii Business Roundtable, Hawaii Technology Development Corporation, Spectrum Photonics, Hawaii Venture Capital Association, Radial 3D Inc., Mana Up, Chamber of Commerce Hawaii, and Adnoviv, Inc. Your Committee received testimony in opposition to this measure from the Hawaii State Ethics Commission.

Your Committee finds that Act 38 facilitated the University of Hawaii's contribution to research commercialization and economic development for the State by clarifying and updating the application of ethics principles set forth in the state code of ethics to technology transfer activities sponsored by the university. A sunset date of June 30, 2022, was included in Act 38. Your Committee finds that it is a matter of statewide concern to support the timely and efficient commercialization of intellectual property created by basic and applied research at the University of Hawaii, and that extending Act 38 will allow the University to continue its contribution to research commercialization and economic development.

Your Committee has amended this measure by:

- (1) Removing the repeal of Act 38's sunset date and instead changing the sunset date to June 30, 2025;
- (2) Changing its effective date to July 1, 2050; and

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2256, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2256, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Tokioka).

SCRep. 71-20 Lower & Higher Education on H.B. No. 2090

The purpose of this measure is to remove the sunset provision of Act 39, Session Laws of Hawaii 2017, making permanent the Innovation and Commercialization Initiative Program.

Your Committee received testimony in support of this measure from the University of Hawaii System; Hawaii Technology Development Corporation; Hawaii Business Roundtable; Adnoviv, Inc.; Spectrum Photonics; Radial 3D Inc.; Mana Up; Hawaii Venture Capital Association; Elemental Excelsior; and Chamber of Commerce Hawaii.

Your Committee finds that Act 39, Session Laws of Hawaii 2017 (Act 39), provided the University of Hawaii with express statutory authority to enable and facilitate the deployment of university educational and instructional resources, university managerial and fiscal resources, and university personnel to promote the economic health and diversification of workforce opportunities in the State through the commercialization of inventions and discoveries generated by or at the university. With Act 39, the Innovation and Commercialization Initiative Program within the University of Hawaii was established. According to Act 39, this authority is set to be repealed on June 30, 2021. This measure will continue the efforts of the Innovation and Commercialization Initiative Program in promoting economic health diversifying the workforce by removing the repeal date in Act 39, making the program permanent.

Your Committee has amended this measure by changing the effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2090, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2090, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

SCRep. 72-20 Lower & Higher Education on H.B. No. 1988

The purpose of this measure is to extend the requirement that the Board of Education release from school attendance students observing holy days to include the observation of other religious practices.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that pursuant to section 302A-1140, Hawaii Revised Statutes, the Board of Education is required to excuse any student absence due to the student's observation of a religious holy day. However, students may also miss school because of the observation of other religious practices. Your Committee further finds that an absence caused by the observation of other religious practices should not be considered an absence of any kind and should not prevent an otherwise eligible student from receiving perfect attendance.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1988, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1988, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 73-20 Lower & Higher Education on H.B. No. 1990

The purpose of this measure is to:

- (1) Direct a certain percentage of the general excise tax revenues to:
 - (A) The Department of Education to augment the capacity and infrastructure of its facilities and programs; and
 - (B) The Department of Transportation to protect the state highway system from the threat of inundation and damage caused by climate change;
- (2) From January 1, 2031, to December 31, 2035, establish a state improvement surcharge on the general excise tax and use tax; and
- (3) Direct certain percentages of the state improvement surcharge revenues for the purposes described in paragraph (1) and to the compound interest bond reserve fund, hurricane reserve fund, and separate trust fund established under section 87A-42, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Education Caucus and one individual. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance. Your Committee received comments from the Department of Education, Department of Taxation, and Hawaii State Teachers Association.

Your Committee finds that the Department of Education faces educational infrastructure issues caused by overcapacity and underfunding, while the Highways Division of the Department of Transportation faces a threat of inundation and damage to the state highway system caused by climate change. Furthermore, certain state funds will need an additional source of monies in the future. Your Committee further finds that this measure will provide a dedicated revenue source for the Department of Education to address educational infrastructure issues, the Highways Division of the Department of Transportation to address the effects of climate change on the state highway system, and for other state funds.

Your Committee has amended this measure by:

- (1) Statutorily establishing an educational infrastructure special fund, rather than a separate account in the treasury, to receive revenues from the general excise tax and temporary state surcharge to augment the capacity and infrastructure of Department of Education facilities and programs;
- (2) Authorizing entities other than the Department of Education that are responsible for school facilities to use funds from the educational infrastructure special fund;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance decide to hear this measure, your Committee respectfully requests that it further examine the implications of enacting a temporary state improvement surcharge on general excise and use taxes as proposed by this measure.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1990, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1990, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (Okimoto). Excused, 2 (Quinlan, Tokioka).

SCRep. 74-20 Consumer Protection & Commerce on H.B. No. 1756

The purpose of this measure is to require that the State Fire Code be adopted pursuant to meetings under the Sunshine Law instead of public hearings pursuant to the Hawaii Administrative Procedure Act.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Hawaii Fire Department, and Maui Fire Department. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii.

Your Committee finds that the State Fire Code is one of several codes considered and adopted by the State Building Code Council. While other codes considered by the State Building Code Council need only be adopted pursuant to the State's Sunshine Law, the State Fire Code must go through the public hearing procedures in the Hawaii Administrative Procedure Act. This measure would remove that inconsistency.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1756, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1756, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Belatti, Cabanilla Arakawa, Mizuno, Matsumoto).

SCRep. 75-20 Consumer Protection & Commerce on H.B. No. 1757

The purpose of this measure is to provide an incentive to owner-occupants to install an automatic fire sprinkler system in any new one- or two-family dwelling of a building that is used only for residential purposes, by establishing a tax credit for a percentage of the actual costs of the system up to a certain amount.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Hawaii Fire Department, Kauai Fire Department, and Maui Fire Department. Your Committee received comments on this measure from the Department of Taxation, Building Industry Association of Hawaii, Hawaii Council for Association of Apartment Owners, and Tax Foundation of Hawaii.

Your Committee finds that automatic fire sprinkler systems provide valuable protection to persons and their homes. According to the National Institute of Standards and Technology, fires in residences may become deadly in as little as three minutes.

Your Committee has amended this measure by:

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

Your Committee notes that concerns were raised as to the tax credit's scope and implementation. Specifically, the Department of Taxation requested additional time to implement the tax credit properly. Additionally, testimony received by your Committee expressed the desire that the tax credit be expanded to high-rise residential buildings, not just one- or two-family dwellings. Should your Committee on Finance consider this measure, your Committee requests that your Committee on Finance give consideration to these concerns.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1757, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Belatti, Cabanilla Arakawa, Mizuno, Matsumoto).

SCRep. 76-20 Consumer Protection & Commerce on H.B. No. 1884

The purpose of this measure is to require original equipment manufacturers of digital electronic equipment to make documentation, parts, and tools available to independent repair providers or to owners for purposes of diagnosis, maintenance, or repair.

Your Committee received testimony in support of this measure from SodexoCTM; SecuRepairs.org; Tradeloop; Trident Computer Resources, Inc.; XS International, Inc.; Newall Watch Materials; U.S. PIRG; AscdiNatd; Reverse Logistics Association; Institute for Local Self Reliance; The Repair Association;

Impact Recyclers; Electronic Frontier Foundation; Service Industry Association; Geeks for Good; Tinyville Farm; and two individuals. Your Committee received testimony in opposition to this measure from American Machinery; CNH Industrial America LLC; Allied Machinery Corp.; Hawthorne Cat/Pacific Machinery Co.; Tesla; Far West Equipment Dealers Association; Air Conditioning, Heating and Refrigeration Institute; Association of Home Appliance Manufacturers; Computing Technology Industry Association; Consumer Technology Association; CTIA – The Wireless Association; Entertainment Software Association; Information Technology Industry Council; Internet Coalition; National Electronic Manufacturers Association; NetChoice; PRBA – The Rechargeable Battery Association; Security Industry Association; State Privacy and Security Coalition, Inc.; TechNet; Telecommunications Industry Association; The Toy Association; Hawaii Technology Industry Association; Association of Hawaii Business; and Medical Imaging & Technology Alliance. Your Committee received comments on this measure from the Advanced Medical Technology Association.

Your Committee finds that there was extensive testimony provided in support of and in opposition to this measure. Your Committee further finds that the points raised in the written testimony on both sides of the issue have merit. Accordingly, your Committee finds that the matter of providing a greater marketplace for consumers to receive repairs to their digital electronic equipment warrants further consideration and discussion as this measure proceeds through the legislative process.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1884, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1884, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 77-20 Consumer Protection & Commerce on H.B. No. 2368

The purpose of this measure is to designate rental motor vehicle marketplace facilitators as lessors for the purposes of assessing and collecting the rental motor vehicle and tour vehicle surcharge tax.

Your Committee received testimony in support of this measure from the Department of Taxation and Enterprise Holdings. Your Committee received testimony in opposition to this measure from Getaround, Inc.; TechNet; Turo; and Avail. Your Committee received comments on this measure from the Tax Foundation and Tax Foundation of Hawaii.

Your Committee finds that persons who rent out their own vehicles through marketplace facilitators are operating as car rental companies, which are subject to the rental motor vehicle surcharge tax, but may be intentionally or unintentionally bypassing the obligation to pay the surcharge tax.

Your Committee finds that the approach in this measure is similar to that used to facilitate the collection of other taxes, such as the general excise tax, which requires marketplace facilitators to act as intermediaries for tax collection purposes in much the same manner as they act as intermediaries for business purposes.

Your Committee has amended this measure by:

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

While this measure would assist the Department of Taxation in its effort to collect taxes that are due, concerns were raised on whether such modification of the rental motor vehicle and tour vehicle surcharge tax would be the best method of collecting these revenues and whether the rental motor vehicle and tour vehicle surcharge tax is sound public policy. Should your Committee on Finance consider this measure, your Committee requests that the Committee on Finance give consideration to these concerns.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2368, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2368, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 78-20 Consumer Protection & Commerce on H.B. No. 1724

The purpose of this measure is to clarify that county-issued stored-value cards are not subject to the State's law that outlines unfair and deceptive practices with respect to gift certificates.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu.

Your Committee finds counties are modernizing the methods of payment for services they provide through the use of reloadable cards. Your Committee further finds that the law on gift certificates under the State's unfair or deceptive acts or practices could be clarified to explicitly disapply that law to these county-issued stored-value cards.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1724, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1724, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Belatti, Cabanilla Arakawa, Mizuno, Matsumoto).

SCRep. 79-20 Consumer Protection & Commerce on H.B. No. 2319

The purpose of this measure is to authorize promoters of mixed martial arts events to compensate contestants and their managers in cash.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division.

Your Committee finds that mixed martial arts events are very susceptible to last-minute changes. For example, a contestant could fail to make weight, which occurs the day before a contest, or could be injured. When a change occurs at the last minute, promoters often have insufficient time to go to a financial institution to obtain new cashier's or certified checks, which are the only forms of payment allowed under existing law. This measure would provide promoters with the necessary flexibility to compensate contestants and their managers in a timely manner.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2319, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2319, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 80-20 Consumer Protection & Commerce on H.B. No. 1882

The purpose of this measure is to establish a different regulatory framework for nondepository trust companies by:

- (1) Clarifying the powers and duties of nondepository trust companies;
- (2) Changing the yearly assessments on nondepository trust companies by basing its calculation on total assets under management; and
- (3) Establishing a paid-in capital and surplus requirement in order to charter nondepository trust companies in the State.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Division of Financial Institutions.

Your Committee finds that nondepository trust companies provide a valuable service to consumers who do not have assets that would qualify for asset management by banks or large investment firms or do not have friends or family members to manage their assets.

Your Committee further finds that nondepository trust companies' main purpose is to serve as a fiduciary, acting as a trustee or guardian in the administration of funds, estates, and other related services. Your Committee, therefore, recognizes the important role of these entities and this measure's effort to promote their viability in the State.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1882, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1882, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 81-20 Housing on H.B. No. 1635

The purpose of this measure is to allow an owner in a planned community to construct an accessory dwelling unit on the owner's property, without the approval of the planned community association.

Your Committee received testimony in opposition to this measure from the Community Associations Institute-Hawaii Chapter, Mililani Town Association, Associa, and two individuals.

Your Committee finds that, although there is opposition to this measure, the rights associated with homeownership are worthy of further discussion. Your Committee further finds that the issue of a lack of affordable housing in our State has far reaching impacts and that a variety of legislative solutions need to be explored.

Your Committee has amended this measure by changing its effective date to July 1, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1635, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1635, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 82-20 Housing on H.B. No. 1762

The purpose of this measure is to require sellers of residential buildings to equip the building with working smoke alarms that comply with state or county building or residential codes.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, County of Hawaii Fire Department, County of Kauai Fire Department, and County of Maui Department of Fire & Public Safety.

Your Committee finds that smoke alarms are vital in reducing fire deaths and injury and are an essential part of any home fire escape plan. The current building code requires new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. Your Committee further finds that

today's smoke alarms are more technologically advanced to respond to a multitude of fire conditions and come with ten-year batteries. A smoke alarm provides individuals with notice that a building or home has excessive smoke or is on fire and gives its occupants the critical time needed to escape the danger.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1762, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1762, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 83-20 Housing on H.B. No. 1817

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for capital improvement projects consistent with the purposes of the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Association of REALTORS, Catholic Charities of Hawaii, Partners In Care, and Hawaii Kai Homeless Task Force. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation, Governor's Coordinator on Homelessness, and Department of Human Services.

Your Committee finds that a robust, comprehensive, long-term solution is needed to address Hawaii's affordable housing and homelessness crisis. Your Committee further finds that by making smart investments in homelessness programs and housing, using data-driven practices, and improving coordination, the homeless rate went down in 2017 for the first time in eight years.

In 2018, the Legislature made unprecedented levels of investment in low-income housing and homelessness solutions, including \$200,000,000 for the Rental Housing Revolving Fund. Your Committee further finds that appropriations that allows the Rental Housing Revolving Fund to be used to build housing at affordable levels are critically important.

Your Committee has amended this measure by:

- (1) Clarifying that the \$200,000,000 of general obligation bond funding is for deposit into the Rental Housing Revolving Fund for its authorized purposes;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) By making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1817, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1817, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 84-20 Housing on H.B. No. 1949

The purpose of this measure is to establish the Affordable Homeownership Revolving Fund to provide funds for the development of affordable for-sale housing projects by:

- (1) Nonprofit community development financial institutions;
- (2) Nonprofit housing development organizations; and
- (3) Qualified nonprofit housing trust programs.

Your Committee received testimony in support of this measure from the Hawaii Habitat for Humanity Association; Catholic Charities Hawaii; Faith Action For Community Equity; Hawaii Advocates For Consumer Rights; Partners In Care & Hawaii Kai Homeless Task Force; IMUAlliance; Habitat for Humanity Hawaii Island, Inc.; Hawaii Island HIV/AIDS Foundation; Hope Services Hawaii, Inc.; Maui Chamber of Commerce; Hawaiian Community Assets; Hawaii Community Lending; and four individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and Department of Budget and Finance.

Your Committee finds that there is a positive correlation between homeownership and economic and social stability in low- and moderate-income households. Currently, Hawaii has the third lowest homeownership rate in the United States. Your Committee further finds that the self-help model is a cost-effective means to homeownership for low-income families. Self-help housing, nonprofit developers, and community land trust organizations leverage federal funds with low-income families contributing labor to build their own community.

Your Committee notes that nonprofit community development financial institutions are intermediaries that provide financing and technical assistance to assist nonprofit housing organizations in the development of affordable homeownership units in underserved communities. These institutions establish and maintain revolving funds to attract capital from public and private sources to increase the collective impact of affordable housing development by nonprofit housing organizations. Community development financial institutions leverage federal funding for affordable housing and community development activities at a ratio of eight to one. Your Committee recognizes that additional funding will help these institutions attract private and public capital for affordable housing development.

Your Committee has amended this measure by:

- (1) Deleting references to qualified nonprofit housing trust programs;
- (2) Deleting capacity building for nonprofit housing developers and land trusts as a permissible use of funds from the Affordable Homeownership Revolving Fund, to ensure that the monies in the fund are targeted at housing development;

- (3) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1949, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1949, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 85-20 Housing on H.B. No. 2183

The purpose of this measure is to increase the Hula Mae Multifamily Program revenue bond authorization ceiling from \$1,500,000,000 to \$2,500,000,000.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Hawaii Association of REALTORS.

Your Committee finds that affordable housing is one of the State's most significant and challenging social problems, which impact many Hawaii residents. Your Committee further finds that the Hula Mae Multifamily Program (Program) has assisted many residents achieve homeownership. As of 2019, the Program has assisted in financing the development or acquisition and rehabilitation of forty-four projects totaling 5,449 affordable rental units statewide. Another eleven projects, totaling 1,392 units, are in the planning phase and pending the issuance of approximately \$346,000,000 in bonds. The Hawaii Housing Finance and Development Corporation (HHFDC) has approximately \$222,000,000 in uncommitted Program bond authority remaining. Your Committee acknowledges that the bond authority must be raised to allow HHFDC to continue its affordable rental housing projects statewide.

Your Committee has amended this measure by changing its effective date to July 1, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2183, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 86-20 Housing on H.B. No. 2411

The purpose of this measure is to:

- (1) Add to the amount of funding previously appropriated for monthly housing subsidies under the state Rent Supplement Program; and
- (2) Establish additional staffing positions for the Rent Supplement Program.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Partners in Care, Hawaii Kai Homeless Task Force, and Catholic Charities Hawaii. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness.

Your Committee finds that it is vital to many state residents to continue support for "shallow subsidy" programs, particularly the Hawaii Public House Authority's Rent Supplement Program (Program). The Program allow participants to redirect their limited resources to essential living expenses such as food, medical care, transportation, and utilities, rather than committing a substantial portion of their income to the payment of rent. The Program's authorized range of rent supplement payments is \$25 to \$500 per month. Your Committee further finds that the cost of funding the Program is relatively low, particularly when considering the substantial benefits to the participants. Given the high-price rental market in Hawaii, your Committee believes it is critical to sustain the Program at an expanded level.

Your Committee has amended this measure by:

- (1) Clarifying that any sums appropriated for the Program shall be included in the base budget of the Hawaii Public Housing Authority;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) By making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2411, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2411, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 87-20 Human Services & Homelessness on H.B. No. 1613

The purpose of this measure is to require the Department of Human Services to establish a Medicaid Buy-In Program for workers with disabilities.

Your Committee received testimony in support of this measure from the Hawaii Self Advocacy Advisory Council and two individuals. Your Committee received comments on this measure from the Department of Human Services, State Council on Developmental Disabilities, and Hawaii Disability Rights Center.

Your Committee finds that persons with disabilities need adequate health insurance to enter or remain in the work force; however, their options for insurance coverage are limited. A Medicaid Buy-In Program would offer health care coverage to persons with disabilities who are working and whose earnings and resources might otherwise make them ineligible for Medicaid.

Your Committee has amended this measure by:

- (1) Requiring the Department of Human Services to submit a report to the Legislature prior to the 2021 Regular Session on its progress in evaluating how a full Medicaid Buy-In Program may be implemented and the viability of implementing a full Medicaid Buy-In Program;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1613, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1613, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 88-20 Human Services & Homelessness on H.B. No. 2024

The purpose of this measure is to expand the circumstances under which minors may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with Child Welfare Services.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network, Partners In Care, Hawaii Kai Homeless Task Force, Hawaii Children's Action Network Speaks!, and three individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee supports minors' increased access to shelters and related services and their ability to independently consent to these services. However, your Committee also notes the Department of Human Services' testimony that broadening youth access to no cost shelter services to include situations where the provider is coordinating with Child Welfare Services may unintentionally inhibit at-risk youth from seeking such services and impede those wishing to shelter minors. According to the Department, chapter 350, Hawaii Revised Statutes, currently mandates shelter staff to report concerns of child abuse and neglect to Child Welfare Services or the police.

Your Committee has amended this measure by changing its effective date to December 31, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2024, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2024, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 89-20 Human Services & Homelessness on H.B. No. 1667

The purpose of this measure is to designate the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion".

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, Department of Labor and Industrial Relations, State Council on Developmental Disabilities, Hawaii Civil Rights Commission, and one individual.

Your Committee finds that designating the month of October as "Disability Awareness Month" recognizes the employment challenges and successes of persons with disabilities in the State. This designation will celebrate and increase awareness of the contributions of workers with disabilities to the public, reinforce the value people with disabilities add to the State's workplaces, and affirm the State's commitment to creating an inclusive community.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1667 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 90-20 Human Services & Homelessness on H.B. No. 2022

The purpose of this measure is to authorize a certain amount of expenditures from the Mental Health and Substance Abuse Special Fund to be used for capital improvement projects for certain facilities of the State.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Disability Rights Center, and Hawaii Substance Abuse Coalition.

Your Committee finds that there is a need for subacute residential stabilization services and transitional placement units. These services and units help to reduce unnecessary emergency department admissions, promote jail diversion opportunities, and better assist individuals with behavioral health issues to be appropriately triaged through a coordinated care continuum. Your Committee finds that expanding the use of the Mental Health and Substance Abuse Special Fund would address some of these needs.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2022, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2022, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 91-20 Health/Intrastate Commerce on H.B. No. 39

The purpose of this measure is to address the lack of medical service providers in the State by establishing a three-year pilot program that creates a new category of professional licensure for assistant physicians.

Your Committees received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committees received comments on this measure from the Hawaii Medical Board and Office of the Mayor of the County of Hawaii.

Your Committees note the comments received from the Office of the Mayor of the County of Hawaii, which outlined the need to solve the physician shortage by potentially increasing the number of competent health care professionals in the State. Considering proposals that would encourage existing providers in the State to stay in practice longer and enticing new providers to join the State's health care field is a positive step in this direction.

Your Committees have amended this measure by:

- (1) Removing the provisions that established a three-year pilot program to create a new category of professional licensure for assistant physicians;
- (2) Requiring the Department of Health to establish and convene a working group to study whether establishing a new category of professional licensure for assistant physicians would help address the State's physician shortage;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 39, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 39, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 6. Noes, none. Excused, 2 (Say, Tokioka).

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Gates, Nishimoto).

SCRep. 92-20 Health/Intrastate Commerce on H.B. No. 1804

The purpose of this measure is to regulate pharmaceutical representatives in Hawaii by requiring these professionals to:

- (1) Register with the Department of Commerce and Consumer Affairs;
- (2) Meet continuing education requirements; and
- (3) Comply with certain ethical standards.

Your Committees received testimony in support of this measure from Kaiser Permanente Hawaii. Your Committees received testimony in opposition to this measure from Pharmaceutical Research and Manufacturers of America. Your Committees received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committees find that pharmaceutical marketing can exert significant influence on prescription decisions and costs. The pharmaceutical industry devotes substantial resources toward marketing because it is an effective tool to sell more drugs. For instance, sales of OxyContin ultimately exceeded \$35 billion, generating large profits for drug manufacturers; however, patients and their families suffered the consequences. This measure represents common sense policy that will help shine light on and foster ethical pharmaceutical marketing practices.

Your Committees further note that, as this measure proposes to enact a new regulatory measure, a sunrise analysis performed by the Auditor pursuant to section 26H-6, Hawaii Revised Statutes, is desired.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Health and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1804, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1804, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 6. Noes, none. Excused, 2 (Say, Tokioka).

Intrastate Commerce: Ayes, 5; Ayes with Reservations (Kong). Noes, none. Excused, 2 (Gates, Nishimoto).

SCRep. 93-20 Health/Intrastate Commerce on H.B. No. 2100

The purpose of this measure is to establish a task force to provide recommendations for qualification and certification requirements for dental assistants in Hawaii.

Your Committees received testimony in support of this measure from the Hawaii Dental Hygienists' Association, Hawaii Dental Association, and five individuals. Your Committees received comments on this measure from the Hawai'i State Ethics Commission and Board of Dentistry.

Your Committees find that Hawaii is a part of a small group of states that do not require dental assistants to be certified. The public is best served and protected when dental assistants are properly educated, trained, regulated, and certified. Creating a task force with oral health experts to create a regulatory framework for dental assistants will ensure patient safety.

Your Committees have amended this measure by:

- (1) Removing unnecessary language regarding the exemption for members of the task force from the state ethics code;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2100, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2100, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 6. Noes, none. Excused, 2 (Say, Tokioka).

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Gates, Nishimoto).

SCRep. 94-20 Labor & Public Employment on H.B. No. 1959

The purpose of this measure is to strengthen employer compliance with the Child Labor Law as it relates to theatrical employment for minors by requiring studio teachers to accompany, supervise, and advocate on behalf of a minor whenever the minor is on set and a variance from the work hour restrictions to allowable theatrical employment is granted.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations (DLIR); United Public Workers; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, Local 665 (Local 665); and three individuals. Your Committee received comments from four individuals.

Your Committee finds that currently there is no law requiring an on-set teacher to be present when a minor is employed in theatrical employment. Your Committee recognizes that a majority of the theatrical employment certificates issued by DLIR are for television or motion picture productions which can last for several hours a day or several months out of the year. This measure recognizes the importance of ensuring safe working conditions for children, as well as ensuring that their educational opportunities are protected while working on these types of productions.

Your Committee has amended this measure by:

- (1) Making it clear that a studio teacher shall not be the minor's parent;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee notes that should this measure proceed through the legislative process, future committees may want to consider whether, in addition to licensure from the Hawaii Teacher Standards Board, studio teachers should be required to receive additional certification from Local 665 or a similar union.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1959, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1959, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (McKelvey, Matsumoto).

SCRep. 95-20 Labor & Public Employment on H.B. No. 1701

The purpose of this measure is to promote pay equity by:

- (1) Conforming statutory prohibitions against wage discrimination with other prohibitions on employment discrimination;
- (2) Clarifying the factors that can be used by employers to justify differences in compensation based on seniority, merit, or other non-discriminatory factors;
- (3) Requiring employers to disclose wage ranges to employees and prospective employees; and
- (4) Updating the term "equal work" as used in state non-discrimination statutes, to "substantially similar work".

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, ILWU Local 142, American Association of University Women of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Breastfeeding Hawaii, Hawaii Children's Action Network Speaks!, Pride at Work – Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, and several individuals. Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League and the Chamber of Commerce Hawaii. Your Committee received comments from The Queen's Health Systems, Hawaii Pacific Health, and one individual.

Your Committee finds that according to the U.S. Bureau of Labor Statistics, in 2018, women in Hawaii who were working in full-time wage or salaried positions had weekly earnings of 82.6 percent of the median earnings of men in the same category. Your Committee further finds that persisting inequality in pay between genders has dire and long-lasting economic effects on women, who make up almost half of America's workforce, as well as on children and most households.

This measure builds on the pay equity provisions of Act 108, Session Laws of Hawaii 2018, by prohibiting discrimination in compensation based on race, sex, including gender identity or expression, sexual orientation, age, religion, color ancestry, disability, marital status, arrest and court record, or domestic or sexual violence victim status for substantially similar work.

Your Committee has amended this measure by:

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

Should your Committee on Judiciary consider this measure, your Committee respectfully requests that it look at other states that have "substantially similar work" provisions and assess their definitions of "substantially similar work" as they relate to equal pay.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1701, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1701, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (McKelvey, Matsumoto).

SCRep. 96-20 Transportation on H.B. No. 2207

The purpose of this measure is to provide authorization and appropriate funds to the Office of Planning to conduct a land use study for Hauula, Oahu, that assesses the viability and cost of maintaining the transit corridor, including mid- and long-term adaptation strategies associated with accommodating, protecting, and if necessary, relocating, the corridor.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Climate Change Mitigation and Adaptation Commission. Your Committee received comments on this measure from the Office of Planning.

Your Committee finds that climate change is the overriding challenge of the twenty-first century and one of the top priority issues of the Legislature. Your Committee further finds that eroding coastlines threaten Hawaii's assets that serve as critical infrastructure, including the State's highway system. One key piece of road infrastructure facing the challenges of climate change is the coastal highways in Hauula. The Department of Transportation has had to conduct emergency repairs along portions of the coastal highways in Hauula in April 2019, and again in January 2020. Mid-term and long-term solutions must be identified to ensure the public has access to safe, efficient, and sustainable transit corridors, such as the highways in Hauula. This measure will begin to identify climate adaptation strategy options that address the impacts of coastal erosion on coastal highways by authorizing the Office of Planning to conduct a land use study for Hauula that assess the viability and cost of maintaining its highways.

Your Committee has amended this measure by:

- (1) Requiring, instead of permitting, the Office of Planning to conduct a land use study for Hauula, Oahu, to assess the viability and cost of maintaining the transit corridor;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2207, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2207, H.D. 1, and be referred to your Committee on Water, Land, & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Hashem).

SCRep. 97-20 Transportation on H.B. No. 2253

The purpose of this measure is to improve public safety and efficiency by authorizing:

- (1) The Chairperson of the Board of Land and Natural Resources to designate state employees or contractors; and
- (2) The county police chiefs to designate other county employees or contractors,

to issue citations for certain traffic violations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Disability and Communication Access Board, Hawaii Tourism Authority, County of Kauai, Kauai Police Department, National Tropical Botanical Garden, and two individuals.

Your Committee finds that because of the shortage of police officers in every county, enforcement of special no stopping, standing, or parking zones throughout Hawaii is very limited. Unlike the Airport and Harbor Divisions of the Department of Transportation, the Highway Division does not have an enforcement branch and relies on the county police departments to enforce traffic and safety violations. This measure will allow the Department of Land and Natural Resources and the county police chiefs the flexibility to assign other state and county employees and contractors to assist in issuing citations for certain traffic violations.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2253, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 98-20 Transportation on H.B. No. 2119

The purpose of this measure is to increase opportunities for eligible individuals to register to vote and participate in the democratic process by:

- (1) Requiring that any person who is eligible to vote and applies for a new or renewal driver's license, provisional license, or instruction permit or for a new, renewal, or duplicate identification card be automatically registered to vote, if that person is not already registered to do so, unless the applicant affirmatively declines to be registered; and
- (2) Authorizing the electronic transmission of certain information from the examiner of drivers to elections officials and the statewide voter registration system.

Your Committee received testimony in support of this measure from the Office of Elections, Office of the County Clerk of the County of Maui, Office of the County Clerk of the County of Kauai, Common Cause Hawaii, Hawaii Appleseed Center for Law & Economic Justice, Sierra Club of Hawaii, AAUW of Hawaii, Hawaii Alliance of Nonprofit Organizations, Young Progressives Demanding Action, Hawaii Children's Action Network Speaks!, Faith Action for Community Equity, Hawaii Government Employees Association, Americans for Democratic Action – Hawaii, AVR Hawaii Coalition, Breastfeeding Hawaii, Hawaii Health & Harm Reduction Center, Indivisible Windward, Pono Hawaii Initiative, Planned Parenthood Votes Northwest and Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Pride at Work - Hawaii, League of Women Voters of Hawaii County, and eleven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Transportation and American Civil Liberties Union of Hawaii.

Your Committee finds that this measure will require applicants to directly consider the question of whether they wish to register to vote or to affirmatively opt out as part of the driver's-license and identification-card application process. In addition, this measure ensures the accuracy of voter-registration rolls by electronically transmitting voter-registration data between the driver's-license and identification-card database and the statewide voter registration system. Furthermore, this electronic sharing of data will help to ensure compliance with the National Voter Registration Act of 1993 and the Help America Vote Act of 2002.

Your Committee has amended this measure by:

- (1) Prohibiting the examiner of drivers from electronically transmitting any information if an applicant affirmatively declines for the applicant's information to be transmitted; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2119, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 99-20 Transportation on H.B. No. 1729

The purpose of this measure to allow the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before issuing a motor vehicle certificate of registration.

Your Committee received testimony in support of this measure from the County of Hawai'i, County of Kaua'i, Department of Finance of the County of Kaua'i, Police Department of the County of Kaua'i, and Department of Customer Services of the City and County of Honolulu.

Your Committee finds that there is a major issue with abandoned and derelict vehicles. Particularly, some individuals and entities intentionally abandon vehicles on roads and highways throughout the State and make it difficult for the counties to recoup the costs of towing and disposing of these vehicles. Requiring the costs of towing and disposal to be paid as condition precedent to registration of a vehicle will recoup these costs for the counties.

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1729, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Hashem).

SCRep. 100-20 Transportation on H.B. No. 2004

The purpose of this measure is to:

- (1) Amend child passenger restraint requirements by raising the permissible age of a child passenger to under ten years of age from under eight years old, while requiring the operator of the motor vehicle to provide child passenger restraints under various circumstances, including:
 - (A) If the child is under two years of age, the restraint must be a federally approved rear facing child safety seat; and
 - (B) If the child is seven to less than ten years of age, the operator is exempt from the requirements relating to child safety seats or booster seats and need only restrain the child by a lap and shoulder seat belt assembly if the child meets certain height and weight requirements;
- (2) Repeal the exemption from child passenger restraint requirements for vehicles with less seat belt assemblies than the number of passengers; and
- (3) Increase the fines for violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Keiki Injury Prevention Coalition, AAA Hawaii, and one individual.

Your Committee finds that traffic accidents continue to be a leading cause of death for Hawaii's children and youth. According to the American Academy of Pediatrics guidelines, infants and toddlers should ride in rear-facing car safety seats as long as possible, until they reach the highest weight or height allowed by their seats. Your Committee further finds that rear facing child safety seats spread crash forces over the whole area of a child's back, head, and neck, protecting the spinal cord from snapping, which can lead to death or permanent severe injury. This measure will help protect Hawaii's keiki from injury should they be in a car accident.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2004, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2004, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Hashem).

SCRep. 101-20 Transportation on H.B. No. 1651

The purpose of this measure is to statutorily establish certain certification, renewal, and violation processes for vehicle inspectors who conduct vehicle safety inspections under the Department of Transportation.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that vehicle inspectors serve an important function in the State by certifying the safety of vehicles in Hawaii. This measure codifies the process by which vehicle inspectors earn and renew their certification and are penalized for improper inspections.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1651, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1651, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 102-20 Transportation on H.B. No. 1808

The purpose of this measure is to allow the county directors of finance to issue certificates of ownership and salvage certificates to facilitate the disposition of abandoned vehicles in the State under specified circumstances.

Your Committee received testimony in support of this measure from Insurance Auto Auctions, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.

Your Committee finds that abandoned vehicles are unnecessarily accumulating at salvage facilities as a result of owners filing claims with insurance companies and then abandoning the vehicle without completing a title transfer. This measure establishes an expedited process to assist in the transition of ownership of salvaged vehicles between policyholders and insurers.

Your Committee has amended this measure by:

- (1) Removing the provision that requires the insurance company to indemnify county directors of finance from liability resulting from the issuance of a certificate of ownership or salvage certificate to the insurance company; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1808, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1808, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Hashem).

SCRep. 103-20 Transportation on H.B. No. 2674

The purpose of this measure is to provide that any authorization by a county director of finance for an electronic method for motor vehicle registration, including the acceptance of any supplemental documents in electronic form, shall extend to all types of motor vehicles.

Your Committee received testimony in support of this measure from the Hawaii Automobile Dealers' Association; Hawaii Transportation Association; B and C Trucking Co., Ltd.; and Servco. Your Committee received comments on this measure from Matson.

Your Committee finds that the counties are responsible for the registration of motor vehicles in the State. The process of registering motor vehicles can be cumbersome, especially if an individual or business is registering multiple motor vehicles of different types. This measure will allow the counties to take advantage of modern technology by allowing the use of an electronic method for motor vehicle registration of all types of motor vehicles.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2674, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2674, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 104-20 Water, Land, & Hawaiian Affairs on H.B. No. 2033

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources' Division of Forestry and Wildlife (Division) to purchase firefighting equipment.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii State Fire Council; Honolulu Fire Department; Maui Fire Department; Hawai'i Fire Department; and one individual.

According to the Department of Land and Natural Resources, the Division is the primary responder for wildland fires across 1,368,002 acres of the State's forested watersheds, which represents twenty-five percent of the land area in the State. As a result of climate change and associated droughts, the area in the State that has burned annually has grown in past decades. The Department noted the Division needs funds to modernize specialized equipment and vehicles, which are also used to assist the counties during natural disasters.

Your Committee supports the efforts of the Division in responding to fires and natural disasters through an appropriation to the Department.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2033, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2033, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 105-20 Water, Land, & Hawaiian Affairs on H.B. No. 1780

The purpose of this measure is to authorize the issuance of general obligation bonds for the purpose of funding construction costs of a water storage and distribution system on agricultural lands owned by the Office of Hawaiian Affairs in Wahiawa, Oahu surrounding the Kukaniloko Birthing Stones site.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Land and Natural Resources, Hawai'i Farm Bureau, and seventeen individuals.

Your Committee finds that agriculture is a driving component of the conceptual master plan for the area surrounding the Kukaniloko Birthing Stones. Access to sufficient water is crucial to the realization of the plan's goals, and your Committee also recognizes the need for the water storage and distribution system to be designed and implemented to protect the Kukaniloko Birthing Stones site's physical and cultural integrity.

Your Committee has amended this measure by:

- (1) Inserting a blank bond issuance and appropriation amount; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1780, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1780, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 106-20 Water, Land, & Hawaiian Affairs on H.B. No. 2031

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources Engineering Division Dam Safety Program (Department) to develop and implement an emergency intervention plan for the Wahiawa dam and reservoir;
- (2) Require the Department to submit the Wahiawa dam and reservoir emergency intervention plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022; and
- (3) Appropriate funds for the development and implementation of the Wahiawa dam and reservoir emergency intervention plan.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Emergency Management. Your Committee received comments on this measure from the Department of Land and Natural Resources and Life of the Land.

Your Committee finds that climate change increases the risk of drought and sea level rise, making it critical to maintain the State's water storage capabilities and protect downstream communities from flooding. This measure seeks to address those issues by requiring the Department to develop and implement an emergency intervention plan for the Wahiawa dam and reservoir, which serves as a major water supply for central and North Shore Oahu.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Department implement the intervention plan, as the Department has that authority only in the event of an emergency and the responsibility to remedy unsafe conditions rests with the dam's owner;
- (2) Clarifying that the Department position, for which funds are being appropriated, is to aid in the development of the intervention plan;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2031, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2031, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 107-20 Water, Land, & Hawaiian Affairs on H.B. No. 2600

The purpose of this measure is to transfer the water ratemaking authority from the county boards or departments of water supply to the Public Utilities Commission.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the County of Maui Department of Water Supply, County of Hawai'i Department of Water Supply, Board of Water Supply of the City and County of Honolulu, County of Kaua'i Board of Water Supply, one member of the Maui County Council, and one member of the Hawai'i County Council. Your Committee received comments on this measure from the Public Utilities Commission and Department of Commerce and Consumer Affairs.

Your Committee finds that the Public Utilities Commission currently regulates water for thirty-nine small, private companies. However, your Committee further finds that the Public Utilities Commission lacks the resources necessary to make it capable of carrying out ratemaking oversight over the county water systems. Your Committee therefore finds that removing the ratemaking authority of the county water systems from the various county boards or departments of water supply and vesting it in the Public Utilities Commission is premature.

Your Committee has amended this measure by:

- (1) Removing its contents and replacing it with language requiring the Department of Health to conduct a study of the water rates and water usage rates in counties with a population greater than 500,000;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2600, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2600, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 108-20 Water, Land, & Hawaiian Affairs on H.B. No. 2588

The purpose of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian home lands tract from obtaining a subsequent lease for the same class of land, with certain exceptions.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that certain Native Hawaiians who have qualified for and acquired a Hawaiian homelands lease have subsequently sold or transferred their interest in the lease, then placed their name on the waitlist for a second lease of Hawaiian homelands. This practice has contributed to many otherwise eligible Native Hawaiians never receiving a lease offer. This measure seeks to address this issue by prohibiting lessees who sell or transfer their interest in a Hawaiian homelands tract from obtaining a subsequent lease for the same class of land, except in certain situations.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2588, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2588, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har, Ward). Noes, none. Excused, none.

SCRep. 109-20 Water, Land, & Hawaiian Affairs on H.B. No. 2216

The purpose of this measure is to:

- (1) Amend the membership requirements for the Hawaiian Homes Commission (HHC) to require:
 - (A) At least five members to be Native Hawaiian and either existing or prospective lessees of Hawaiian homestead lands; and
 - (B) Two of the five members to be on the Department of Hawaiian Home Lands waitlist for a homestead land award;
- (2) Allow for the election of a Chairperson and Vice Chairperson from among the members of HHC by HHC members, rather than appointment by the Governor; and
- (3) Create the position of the Director of Hawaiian Home Lands and separate the Director's responsibilities from those of the Chairperson of HHC.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations, Association of Hawaiians for Hawaiian Lands, Kalama'ula Mauka Homestead Association, and one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee notes that title 43 Code of Federal Regulations part 48, as amended, outlines the process for amendments to the Hawaiian Homes Commission Act and whether or not Congressional approval is necessary. Your Committee finds that this measure does not require Congressional approval.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2216, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har). Noes, none. Excused, none.

SCRep. 110-20 Water, Land, & Hawaiian Affairs on H.B. No. 2191

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, or governmental leases, other than those to which the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to making substantial improvements to existing improvements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of the Mayor of the County of Hawai'i, Prince Kuhio Plaza, and one member of the Hawaii County Council. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and one individual.

Your Committee finds that lessees of public lands whose leases may be nearing the end of the lease term have little incentive to make major investments in infrastructural improvements and to ensure the long-term maintenance of the facilities. Your Committee further finds that because business lessees nearing the end of their lease often sell or assign their lease at a discount, it would be unfair to these prior assignors if the State granted extensions of leases that previously could not be extended under existing law, or extensions of lease terms to newly assigned lessees who acquired their leases at a discount due to the lease nearing the end of its term at the time of purchase. This measure will address the issue of deteriorating facilities by authorizing the Board of Land and

Natural Resources to extend certain leases, that have not been sold or assigned within the last ten years, for lessees who commit to making substantial improvements to the existing improvements.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2191, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2191, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 111-20 Water, Land, & Hawaiian Affairs on H.B. No. 2115

The purpose of this measure is to require each county to establish a procedure to ensure that an asbestos survey and any necessary abatement are performed prior to the issuance of any permit for the renovation or demolition of a residential property.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from one individual.

Your Committee finds that even though a national ban on the use of asbestos in building material was enacted in the 1970s, asbestos-containing material was still used in construction of residential properties in Hawaii until the mid-1980s. Your Committee further finds that although the harmful impacts of asbestos are widely known, asbestos has escaped regulation in Hawaii. However, your Committee finds that enacting statutory measures to address this issue may be premature.

Your Committee has amended this measure by:

- (1) Deleting proposed statutory language and inserting new language requiring the Department of Health to conduct an evaluation on asbestos exposure in single family residences;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2115, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2115, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 112-20 Water, Land, & Hawaiian Affairs on H.B. No. 2585

The purpose of this measure is to:

- (1) Provide that all grants and contracts awarded by the Office of Hawaiian Affairs (OHA) shall be subject to approval by its Board of Trustees;
- (2) Establish a Public Land Trust Revenues Negotiating Committee to determine the increase to the annual amount of the income and proceeds from the public land trust that OHA shall receive annually under the state constitution and other state law;
- (3) Require the Department of Budget and Finance to conduct a financial review of revenue generated in fiscal year 2018 from the public land trust; and
- (4) Appropriate funds for the financial review.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance, University of Hawai'i System, Office of Hawaiian Affairs, and Office of Planning.

Your Committee finds that there has been a longstanding debate over the calculation of OHA's pro rata share of public land trust revenue, with the most recent action resulting in Act 178, Session Laws of Hawaii 2006, which established an annual flat rate payment of \$15,100,000 to OHA, to be paid until further action on the matter was taken by the Legislature. This measure seeks to establish the appropriate pro rata share of revenue for OHA by creating the Public Land Trust Negotiating Committee (Committee) and requiring the Department of Budget and Finance to conduct a financial review of the amounts generated from the public land trust in fiscal year 2018.

Your Committee has amended this measure by:

- (1) Changing the date by which the Committee must submit a status report on its discussions to the Legislature from twenty days prior to the convening of the 2021 Regular Session to twenty days prior to the convening of the 2022 Regular Session;
- (2) Changing the date by which the Committee must submit its recommendations to the Legislature from twenty days prior to the convening of the 2021 Regular Session to twenty days prior to the convening of the 2023 Regular Session;
- (3) Sunsetting the Committee once it accomplishes its purposes or twenty days prior to the convening of the Regular Session of 2023, whichever is sooner;
- (4) Changing the financial review to be conducted by the Department of Budget and Finance from a sole review of fiscal year 2018 to an annual review starting with fiscal year 2018;
- (5) Exempting airport revenues from the definition of "revenue" for the purposes of the financial review;

- (6) Specifying that the State Auditor, or designee, rather than an independent auditor, shall also receive data relating to public land trust lands, revenue derived from those lands, and methodology for determining the revenue and OHA's pro rata share;
- (7) Requiring the Department of Land and Natural Resources to take all necessary steps to assist in the financial review;
- (8) Requiring the Office of Planning to assist and facilitate in the review by acting as a liaison between the Department of Budget and Finance and the affected departments and agencies;
- (9) Appropriating funds to the Office of Planning to carry out the purposes of this measure; provided that no funds shall be made available until the Office of Hawaiian Affairs provides matching trust funds in an unspecified amount;
- (10) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2585, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2585, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 113-20 Labor & Public Employment on H.B. No. 1960

The purpose of this measure is to establish within the Department of Accounting and General Services a public employees' compensation appeals board to hear appeals on the repricing of classes.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development and Hawaii Health Systems Corporation. Your Committee received comments on this measure from the Department of Human Resources of the City and County of Honolulu.

Your Committee notes that Act 253, Session Laws of Hawaii 2000, repealed a similar public employees' compensation appeals board that had been in existence since 1961. Elimination of the board made the repricing of classifications a negotiable item between unions and each jurisdiction. Under existing law, the exclusive representative may request the negotiation of repricing with the employer under the collective bargaining agreement. If repricing has not been negotiated, the employer is required to periodically review the repricing of classifications at least once every five years. Despite having these processes in place, employees have sought to reprice their classifications with limited success. Your Committee finds that statutorily establishing a public employees' compensation appeals board will provide an avenue for determining just and reasonable wages through appeals on the repricing of classes.

Your Committee has amended this measure by:

- (1) Clarifying the composition of the public employees' compensation appeals board by specifically listing out the number of members each bargaining unit will have on the board;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1960, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1960, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (McKelvey, Matsumoto).

SCRep. 114-20 Human Services & Homelessness on H.B. No. 1870

The purpose of this measure is to help Hawaii's kupuna prevent lapses or terminations of their long-term care insurance policies by requiring the thirty-day lapse or termination notices for long-term care policies to be sent by certified mail or commercial delivery services, or other method of delivery requiring proof of delivery.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the American Council of Life Insurers. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee recognizes the importance of establishing greater safeguards for Hawaii's seniors to prevent the unintentional lapse or termination of long-term care insurance for nonpayment of premiums. Your Committee notes that because seniors may have purchased a policy early on in their lives, they may not be aware of their right to designate a person to receive notice of lapse or termination or update the outdated contact information for their policy designee. Your Committee finds that long-term care policyholders, particularly seniors, need to be better apprised and notified of their long-term insurance policy safeguards to prevent intentional lapse or termination of their policy.

Your Committee has amended this measure by:

- (1) Requiring insurers to notify the insured at each renewal premium, but at least annually, of:
 - (A) The right to designate at least one person to receive notice of lapse or termination of the policy, certificate for nonpayment of premium, or waiver;
 - (B) The right to change the written designation; and
 - (C) The opportunity to update the name and address of the person on the written designation;
- (2) Requiring the thirty-day lapse or termination notice to be given to both the insured and any designee or holder of the insured's power of attorney;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and

- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1870, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1870, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 115-20 Agriculture on H.B. No. 1886

The purpose of this measure is to:

- (1) Require coffee blend labels to disclose geographic and regional origins and percent by weight of the blended coffees;
- (2) Prohibit using geographic origins of coffee in labeling or advertising for roasted or instant coffee that contains less than 51 percent coffee by weight from that geographic origin; and
- (3) Prohibit use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; Athena of Hawai'i LLC; Absolute Palate LLC; Monk's Delight Kona Coffee; Rancho Aloha Kona Coffee; Cassandra Farms; Kona Mountain Coffee; Huahua Farm; We Are One, Inc.; Konalicious Organic Coffee; Morning Glory Farms LLC; Smithfarms.com; Honalo Farm; Mahina Mele Farms LLC; South Kona Farms; and twenty individuals. Your Committee received comments on this measure from the Department of Agriculture and Kona Coffee Farmers Association.

Your Committee finds that existing labeling requirements for coffee cause consumers to falsely believe that a package of coffee blend contains coffee exclusively from Kona or other regions in Hawaii. In reality, ninety percent of the package could be from other regions of the world. Therefore, immediate legislative action is necessary to protect the reputation of Hawaii-grown coffees as premier, specialty coffees from further degradation.

Your Committee has amended this measure by:

- (1) For coffee blend labels, allowing a list of foreign-grown coffee, with percentages of foreign-grown coffee by weight, to be shown on the label in lieu of the separate listing of regional origins of coffee not grown in Hawaii;
- (2) Phasing in the minimum percentage of coffee requirement for the use of a geographic origin in labeling or advertising of roasted or instant coffee blends as follows:
 - (A) From July 1, 2020, through June 30, 2021, a minimum of 20 percent coffee by weight from that geographic origin;
 - (B) From July 1, 2021, through June 30, 2022, a minimum of 30 percent coffee by weight from that geographic origin; and
 - (C) On or after July 1, 2022, a minimum of 51 percent coffee by weight from that geographic origin;
- (3) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1886, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1886, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 116-20 Agriculture on H.B. No. 1897

The purpose of this measure is to ensure truthful representation of a coffee product's geographic origin by expanding Hawaii's labeling or advertising requirements to include ready-to-drink coffee beverages and any inner package or inner wrapping.

Your Committee received testimony in support of this measure from a Hawaii County Council member, the Kona Coffee Farmers Association, Cassandra Farms, Rancho Aloha Kona Coffee, Kona Mountain Coffee, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Coffee Association. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee notes that the Hawaii Coffee Association has expressed concerns regarding the definition of ready-to-drink coffee beverage. Specifically, the Association believes the terms "prepackaged" and "prepared" should be defined.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it consider this measure, to consider and take appropriate action on the concerns of the Hawaii Coffee Association.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1897, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1897, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Cachola, Onishi). Noes, 2 (Holt, Perruso). Excused, none.

SCRep. 117-20 Agriculture on H.B. No. 1849

The purpose of this measure is to appropriate funds for an additional extension agent position within the Hawaii Ant Lab West Hawaii office.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of the Mayor of the County of Hawaii, Hawaii Farm Bureau, Ka Ohana O Na Pua, Hawaii Cattlemen's Council, Big Island Invasive Species Committee, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the little fire ant population is quickly spreading across various islands of Hawaii and that little fire ants are now widespread in West Hawaii. From July to September 2019, the Hawaii Ant Lab West Hawaii office, with only one employee, reported having received 250 inquiries and 122 ant samples, conducted six farm visits and training sessions, organized two educational community presentations, hosted booths at community events, and provided ongoing assistance to Kaloko-Honokohau National Park and Kohalaiki Resort with eradication efforts of little fire ants on 16 acres. Your Committee believes that immediate action must be taken to fortify the Hawaii Ant Lab West Hawaii office to effectively control the spread of, or eradicate, little fire ants in West Hawaii.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1849, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1849, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Cabanilla Arakawa, Onishi). Noes, none. Excused, none.

SCRep. 118-20 Agriculture on H.B. No. 1891

The purpose of this measure is to reestablish and fund one full-time equivalent permanent veterinary medical officer position within the Department of Health.

Your Committee received testimony in support of this measure from the Hawaii Veterinary Medical Association and Hawaii Cattlemen's Council. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the health of humans and animals are inextricably related, a concept that is recognized as the "One Health" approach. Your Committee further finds that physicians and veterinarians need to interact and communicate on health issues, particularly with zoonotic diseases that are caused by infection from viruses, bacteria, parasites, or fungi, and can spread between animals and humans. The Centers for Disease Control and Prevention reports that zoonotic diseases are very common and every year tens of thousands of Americans will get sick from them.

Your Committee further finds that previously the Department of Health had a public health veterinarian position that was filled by a doctor of veterinary medicine, who, among other things, oversaw the production of public health publications that were distributed to Hawaii physicians and veterinarians. Your Committee also notes that many federal health agencies or departments and most state health departments have a public health veterinarian. Your Committee believes that having a veterinary medical officer in the Department of Health will, among other benefits, help combat the spread of rat lungworm and other zoonotic diseases in the State's human population and support statewide efforts to protect and improve human health.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1891, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1891, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 119-20 Agriculture on H.B. No. 2568

The purpose of this measure is to support and sustain the GoFarm Hawaii Program by:

- (1) Appropriating funds for the GoFarm Hawaii Program to provide business consulting, technical assistance, and beginner farmer training on at least four islands of the State; and
- (2) Requiring the Program to report to the Chairperson of the Board of Agriculture on its goals, outputs, and outcomes.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Ka Ohana O Na Pua; Ulupono Initiative; North Shore Economic Vitality Partnership; From Our Farm To Your Table; Hawaii Farmers Union United-Haleakala Chapter; Growing Together, LLC; and seven individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the GoFarm Hawaii Program is critical to growing, creating, and commercializing local farms that are capable of meeting Hawaii's food goals and preventing or reducing reliance by residents and local families on food importation. The Program, developed by the University of Hawaii College of Tropical Agriculture and Human Resources, provides business consulting, training, assistance in financing, and developing business plans and value-added products.

Your Committee further finds that the funding for the GoFarm Hawaii Program comes from government and private grants. Your Committee believes that a more stable and sustainable funding source is necessary to support such an important component in Hawaii's goal to achieve food sustainability and security.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation to an unspecified sum;
- (2) Changing its effective date to July 1, 2150, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2568, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2568, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Holt, Onishi). Noes, none. Excused, none.

SCRep. 120-20 Agriculture on H.B. No. 2528

The purpose of this measure is to:

- (1) Limit the civil liability of a licensed veterinarian who renders care to a sick or injured animal in an emergency or outside of a veterinarian-client-patient relationship;
- (2) Require a veterinarian to make an appropriate record of the circumstances that would limit the veterinarian's liability; and
- (3) Require a veterinarian to report to appropriate county law enforcement authorities, where there is reasonable belief, that animals were injured or killed in a staged animal fight or an animal under the care of the veterinarian is believed to be a victim of animal abuse or cruelty.

Your Committee received testimony in support of this measure from the Hawaii Veterinary Medical Association, Hawaiian Humane Society, Animal Welfare Institute, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Cattlemen's Council and one individual. Your Committee received comments on this measure from the Hawaii Board of Veterinary Medicine.

Your Committee believes that this measure will encourage veterinarians to provide care to injured or sick animals in situations where a clear veterinarian-client-patient relationship may be lacking, without fear of civil liability if in the absence of the veterinarian's gross negligence or wanton acts or omissions. Your Committee finds that this measure, through its reporting requirements, will also serve as a means to curtail staged animal fights and animal abuse and cruelty and relieve veterinarians of the responsibility of judgment regarding client confidentiality and animal protection.

Your Committee has amended this measure by changing its effective date to July 1, 2150, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2528, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2528, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 121-20 Agriculture on H.B. No. 2192

The purpose of this measure is to increase the maximum area to 60,000 square feet for agricultural shade cloth structures, cold frames, or greenhouses that can qualify for an exemption from building permit and building code requirements.

Your Committee received testimony in support of this measure from the Department of Agriculture; Big Island Produce; Hawaii Farming LLC; Hawaii Aquaculture & Aquaponics Association; Bamboo Farm; Shrimp Improvement Systems, LLC; Ulupono Initiative; and one individual. Your Committee received comments on this measure from the Hawaii Farm Bureau.

Your Committee finds that larger agricultural structures are important in scaling up agricultural production, which ultimately increase Hawaii's food security.

Your Committee further finds that county ordinances that impose substantial setback areas, such as 60 feet, around greenhouses using polycarbonate covering because of flammability concerns do not take into consideration the polycarbonate covering in current use on greenhouses, which will not sustain burning.

Your Committee has amended this measure by changing its effective date to July 31, 2150, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2192, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2192, H.D. 1, and be referred to your Committee on Water, Land, & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 122-20 Agriculture on H.B. No. 1923

The purpose of this measure is to prohibit certain food labeling practices regarding foods with non-genetically-modified organisms, organic foods, and gluten-free foods.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Hawaii Cattlemen's Council, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Center for Food Safety, Malama Kauai, GMO Free Hawaii Island, and eleven individuals. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that truth in labeling, particularly in food, is critical to the health and welfare of the residents of Hawaii and to curtail consumer fraud.

Your Committee has amended this measure by changing its effective date to July 1, 2150, to encourage further discussion.

Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it consider this measure, to examine the ramifications of excluding Hawaii retailers from the scope of this measure and accordingly act upon this measure.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1923, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1923, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 2 (Perruso, Thielen). Excused, none.

SCRep. 123-20 Agriculture on H.B. No. 1922

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for efforts to substantially reduce and eradicate the problem of invasive species in the County of Maui.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Economic Development of the County of Maui, Maui Chamber of Commerce, Hawai'i Farm Bureau, Hawaii Coffee Association, Big Island Invasive Species Committee, two members of the Maui County Council, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that invasive species can wreak havoc on the State's fragile ecosystem, environment, and agricultural lands. Your Committee further finds that because of interstate commerce and inter-island transportation of plants, there is a particular problem with invasive species in the County of Maui. This measure will address the issue of invasive species in the County of Maui by appropriating funds to support efforts to substantially reduce and eradicate the problem of invasive species in the County of Maui.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1922, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1922, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, 1 (Onishi). Excused, none.

SCRep. 124-20 Agriculture on H.B. No. 1770

The purpose of this measure is to create a rapid response mechanism through which newly detected invasive species may be quickly mitigated or eradicated.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Mayor of the County of Hawai'i, Maui County Council, one member of the Maui County Council, Big Island Invasive Species Committee, Hawai'i Farm Bureau, and one individual. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Agriculture, State Procurement Office, and Maui County Farm Bureau.

Your Committee finds that state agencies currently lack the resources and mechanisms to quickly mitigate or eliminate invasive species. Creating a rapid response mechanism will allow the State to prevent newly detected invasive species from becoming firmly established and thus save taxpayers money in the long term.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1770, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1770, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 2 (Holt, Onishi). Excused, none.

SCRep. 125-20 Water, Land, & Hawaiian Affairs on H.B. No. 2484

The purpose of this measure is to appropriate funds to purchase necessary equipment for state ocean safety officers to perform their ocean safety and rescue work at state parks.

Your Committee received testimony in support of this measure from the Honolulu Emergency Services Department of the City and County of Honolulu, Hawaiian Lifeguard Association, Ocean Safety and Lifeguard Services, and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the State does not have lifeguard positions and therefore contracts with the four counties to provide lifeguard services at state beach parks under the jurisdiction of the Department of Land and Natural Resources Division of State Parks. Your Committee also finds that current funding for these contracts is insufficient. This measure will enable the Division of State Parks to support the counties with necessary funding to purchase essential equipment to ensure public safety and maintain and improve services at state beach parks.

Your Committee has amended this measure by:

- (1) Deleting the appropriation amount;
- (2) Increasing the amount of equipment to be purchased with the sum appropriated;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2484, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2484, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 126-20 Water, Land, & Hawaiian Affairs on H.B. No. 2209

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the repair, restoration, and maintenance of Iolani Palace.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Historic Hawaii Foundation, Friends of Iolani Palace, Ka Lei Papahi O Kakuhihewa, Hawaiian Civic Club, Ka Lahui Hawai'i Political Action Committee, Queen's Court, and seven individuals.

Your Committee finds that the preservation and protection of Iolani Palace is critical to honoring Hawaiian heritage and history. This measure will ensure the continued existence of an important historical landmark by appropriating funds for the repair, restoration, and maintenance of Iolani Palace.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2209, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 127-20 Water, Land, & Hawaiian Affairs on H.B. No. 2555

The purpose of this measure is to appropriate funds from the Land Conservation Fund for acquisition of a portion of the Na Wai Eha watershed in Wailuku, Maui, to protect its scenic, environmental, and cultural value.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui, Department of Water Supply of the County of Maui, two members of the Maui County Council, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Wailuku Water Company LLC, and The Trust for Public Land.

Your Committee finds that the Na Wai Eha watershed provides significant ecological, cultural, and hydrological value to the island of Maui. This measure appropriates funds that will allow for the preservation of a large section of the watershed in perpetuity for public recreation and benefit.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2555, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 128-20 Lower & Higher Education/Human Services & Homelessness on H.B. No. 2483

The purpose of this measure is to require all entities that provide educational or recreational activities to youth to establish, maintain, and enforce written policies and procedures on bullying and related behaviors, and provide staff with appropriate annual training, regardless of whether the entity receives any government funding.

Your Committees received testimony in support of this measure from the Department of Human Services and LGBT Caucus of the Democratic Party of Hawaii. Your Committees received comments on this measure from the Department of Education and Hawaii Youth Services Network.

Your Committees find that youths participating in educational and recreational activities have the right to be free from bullying, and that bullying, and the related problems of harassment and retaliation, inhibit a young person's ability to learn and an educational or recreational activity provider's ability to teach students in a safe environment. Your Committees further find that a safe and civil environment helps youths to learn and thrive. This measure ensures that such an environment will be established by requiring providers of education and recreational activities to youths in the State to create and maintain clear and consistent policies and procedures to address bullying, harassment, and retaliation, and that their employees and staff who work closely with the youths receive appropriate training on how to recognize and address such problematic behaviors.

Your Committees have amended this measure by:

- (1) Deleting language specifying the design and parameters of the consequences that may result from an identified incident of bullying, harassment, or retaliation, and instead requiring the Department of Education to determine the list of consequences;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2483, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2483, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Lower & Higher Education: Ayes, 11. Noes, none. Excused, none.
Human Services & Homelessness: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Ward).

SCRep. 129-20 Health on H.B. No. 2340

The purpose of this measure is to clarify prohibited actions related to anatomical gifts and disposition of bodies.

Your Committee has received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that this measure will protect vulnerable donors and their loved ones from making anatomical gifts to people or entities other than recipients who are capable of handling bodies with care and respect for legitimate medical or research purposes. Your Committee also finds that this measure will prevent body donations to people or entities who may not take the necessary steps to create a death certificate and obtain a disposition permit for the body.

Your Committee has amended this measure by:

- (1) Specifying that the offense of abuse of a corpse, which occurs upon the disposal of a dead human body without a disposition permit, only applies to entities to whom body parts are entrusted, rather than persons, as that term is defined under the Hawaii Penal Code;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that this measure is necessary to maintain the dignity of deceased persons by creating tougher safeguards to whom the deceased persons may make anatomical gifts. Should your Committee on Consumer Protection and Commerce consider this measure, your Committee requests that the Department of Health collaborate with your Committee on Consumer Protection and Commerce to address any outstanding concerns with this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2340, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 130-20 Health on H.B. No. 2632

The purpose of this measure is to authorize the Governor to issue a proclamation of pre-disaster necessity for the purpose of assisting foodbanking organizations to maintain food stocks for an emergency.

Your Committee received testimony in support of this measure from the Hawaii Foodbank, Hawaii Food Industry Association, and one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

Your Committee finds that each disaster is unique and the cycle begins well before the disaster strikes and continues long after the winds and flood waters subside. To build its capacity to mount an effective disaster response, the State must invest in solutions that address all stages of the disaster cycle: preparedness, response, and recovery.

Your Committee further finds that this measure will enable the State to plan and prepare for adequate minimum food reserves without awaiting a proclamation of a state of emergency by the Governor. This measure also sets a ceiling of \$2,500,000 in any fiscal year that can be used for this purpose. According to testimony from the Hawaii Foodbank, this annual amount will provide enough food and water for at least three days for up to one thousand households in the event of a disaster, taking into consideration the population it currently serves.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount and designating the Department of Defense as the expending agency;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee respectfully requests the Department of Defense to focus its disaster response efforts not only on planning for food stocks, but also on water and shelter requirements that may arise in an emergency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2632, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2632, H.D. 1, and be referred to your Committee on Public Safety, Veterans, & Military Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 131-20 Health on H.B. No. 583

The purpose of this measure is to:

- (1) Legalize the manufacturing of edible cannabis products for medical purposes;
- (2) Establish standards, including regulations and education protocols, for edible cannabis products;
- (3) Require packaging to include a universal symbol, to be developed by the Department of Health, that identifies any product containing cannabis; and
- (4) Require the Department to implement a cannabis product recall system.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of the measure and inserts language that amends the medical cannabis dispensary law by:

- (1) Making clarifying amendments related to the process for the voluntary or involuntary sale or transfer of a dispensary license; removing the exclusion from dispensary employment for certain convictions; and repealing certain restrictions on medical cannabis dispensary siting; and
- (2) Including primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient as individuals able to access medical cannabis retail dispensing locations.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Health, Hawaii Cannabis Industry Association, and one individual. Your Committee received comments on the proposed H.D. 1 from Akamai Cannabis Clinic.

Your Committee finds that this measure will make improvements to the State's medical cannabis dispensary law and help fulfill the original intent of the program by clarifying provisions and implementing reasonable modifications to support patient access to medical cannabis and manufactured cannabis products.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 583, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 583, H.D. 1, and be referred to your Committees on Judiciary and Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Say). Noes, 1 (Ward). Excused, none.

SCRep. 132-20 Health on H.B. No. 1795

The purpose of this measure is to outline when a physician may hold oneself out as being certified by a specialty board or association of medicine.

Your Committee received testimony in support of this measure from the Hawaii Medical Board.

Your Committee finds that greater clarity in the law is needed regarding the types of entities that may certify physicians in the State before those physicians may hold themselves out as being certified by a specialty board or association in a specialty or subspecialty area of medicine.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1795, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1795, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 133-20 Health on H.B. No. 2676

The purpose of this measure is to:

- (1) Require health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures; and
- (2) Prohibit discrimination in the provision of reproductive health services.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women; Hawaii Women's Coalition; Hawaii Section of the American College of Obstetricians and Gynecologists; Planned Parenthood Votes Northwest and Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work-Hawaii; AAUW of Hawaii; Midwives Alliance of Hawaii; Breastfeeding Hawaii; WeAreOne, Inc.; Bayer US; ACLU of Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, Kaiser Permanente Hawaii, and Hawai'i Primary Care Association.

Your Committee finds that thousands of people in Hawaii lack access to the full range of sexual and reproductive health care services, benefits, and protections. Comprehensive sexual and reproductive health care, without discrimination, is essential for the health and economic security of the people of Hawaii. Your Committee further finds that it is vital to preserve certain important aspects of the federal Patient Protection and Affordable Care Act of 2010 and expand access to comprehensive sexual and reproductive health care for residents of Hawaii.

Your Committee notes that the expansion of coverage for reproductive services proposed by this measure would be a new mandated benefit, and as such, is subject to an impact assessment report by the Auditor pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2676, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Say, Tokioka). Noes, 1 (Ward). Excused, none.

SCRep. 134-20 Transportation on H.B. No. 1676

The purpose of this measure is to promote public safety by:

- (1) Establishing a three-year pilot program in major arterial zones on state or county highways within urban Honolulu to provide for the implementation of photo red light imaging detector systems to improve traffic enforcement;

- (2) Authorizing any affected county to implement the photo red light imaging detector systems pilot program; and
- (3) Appropriating funds for the establishment of a photo red light imaging detector systems pilot program.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Office of the Mayor of the County of Hawaii, Honolulu Police Department, Department of Transportation Services of the City and County of Honolulu, Hawaii Public Health Institute, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual. Your Committee received comments on this measure from the Judiciary, Department of Transportation, Department of Budget and Finance, AAA Hawaii, MADD Hawaii, Hawaii Bicycling League, Americans for Democratic Action – Hawaii, and PATH – Peoples Advocacy for Trails Hawaii.

Your Committee finds that that the prevalence of motorists who violate Hawaii's traffic laws, particularly those who fail to stop at red lights, has greatly increased. These violations endanger the lives of motorists, pedestrians, and other highway users and compound the already hazardous conditions on Hawaii's roads and highways.

Your Committee has amended this measure by:

- (1) Requiring that prior to the installation and operation of any photo red light imaging detector system, a county must conduct a comprehensive engineering review and study of each intersection considered for enforcement via the system and must implement all necessary and appropriate engineering, design, and traffic-control-signal timing measures;
- (2) Specifying that photo red light imaging detector equipment must not be positioned at intersections solely because these intersections experience high volumes of traffic;
- (3) Specifying that if a county procures the services of a private entity to establish, operate, manage, and maintain the photo red light imaging detector systems pilot program, the private entity must not be compensated in any manner that is based on the number of notices of traffic infraction issued;
- (4) Requiring, prior to the commencement of the photo red light imaging detector systems pilot program:
 - (A) A comprehensive informational and educational campaign to inform motorists and the general public about the photo red light imaging detector systems pilot program; and
 - (B) A grace period during which warnings, instead of notices of citations, will be issued;
- (5) Specifying that the information contained in the notice of traffic infraction will be deemed evidence that the registered owner of the motor vehicle disregarded a steady red traffic-control signal in violation of section 291C-32(a)(3), Hawaii Revised Statutes;
- (6) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1676, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Hashem).

SCRep. 135-20 Tourism & International Affairs on H.B. No. 1622

The purpose of this bill is to effectuate its title.

H.B. No. 1622 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to amend the allocation of the transient accommodation tax for the operation of a Hawaiian center and a museum of Hawaiian music and dance to also include development of the center and museum.

As affirmed by the record of votes of the members of your Committee on Tourism and International Affairs that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1622, as amended herein, and recommends that it be recommitted to your Committee on Tourism and International Affairs, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1622, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 3 (Cabanilla Arakawa, Cachola, Creagan).

SCRep. 136-20 Health on H.B. No. 1663

The purpose of this bill is to effectuate its title.

H.B. No. 1663 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure, as amended, is to protect the health of Hawaii's consumers by requiring that:

- (1) All United States mainland milk shipped to and sold in Hawaii is single pasteurized only and complies with all handling, transportation, and distribution requirements of the federal Food Safety Modernization Act, including handling procedures, temperature verifications, and proper refrigerated transportation of all perishable foods; and
- (2) Any processed milk or milk product must be entirely produced in the State in order to be labeled with any term or slogan that might imply that the milk or milk products are produced locally.

Your Committee has amended this measure by adopting the proposed H.D. 1.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1663, as amended herein, and recommends that it be recommitted to your Committee on Health, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1663, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 137-20 Energy & Environmental Protection on H.B. No. 1934

The purpose of this measure is to create jobs that advance the State's goals of achieving greater energy security and adapting to climate change.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition, Pono Hawaii Initiative, 350 Hawaii.org, Imua Alliance, Our Revolution Hawaii, Young Progressives Demanding Action, Hawaii Solar Energy Association, Sierra Club of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that in response to the growing threat of climate change, the State has set standards and launched initiatives to expand sustainable and efficient energy reliance, including setting a statewide benchmark of generating one hundred percent of the State's electricity through renewable resources by 2045. Meeting these initiatives will require increased employment in clean and renewable energy industries as part of a Green New Deal for Hawaii's workforce.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1934, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1934, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 138-20 Energy & Environmental Protection on H.B. No. 1855

The purpose of this measure is to require electric utilities to offer excess electricity to consumers to help create a more sustainable environment in the State.

Your Committee received testimony in support of this measure from 350Hawaii.org and numerous individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Hawaii State Energy Office, Public Utilities Commission, and Hawaiian Electric.

Your Committee finds that solar power is a key to achieving Hawaii's goal of generating 100 percent of its electricity from renewable energy sources by 2045. Hawaii can maximize the benefits of renewable energy resources by finding ways to efficiently utilize excess energy generation. One solution is for the electric utilities to sell excess electricity to consumers for purposes such as hydrogen production or protected agriculture, at a rate that encourages efficient utilization of available renewable energy resources. The sale of excess electricity from the grid to consumers is known as "smart imports".

Your Committee has amended this measure by:

- (1) Specifying that the State's electric utilities study include:
 - (A) Mechanisms to achieve smart imports from utility scale projects to avoid curtailing or otherwise not using available excess energy; and
 - (B) Recommendations about how energy intensive commercial and industrial customers can utilize smart imports to reduce costs and benefit the grid;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1855, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1855, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 139-20 Energy & Environmental Protection on H.B. No. 2188

The purpose of this measure is to establish a one-mile setback from the nearest farm or residential dwelling unit for certain wind energy facilities in the agricultural district.

Your Committee received testimony in support of this measure from the Kahuku Agricultural Park Association, Life of the Land, Surfrider Oahu, and numerous individuals. Your Committee received testimony in opposition to this measure from eight individuals. Your Committee received comments on this measure from the Hawaii State Energy Office and Hawaiian Electric.

Your Committee finds that wind energy facility siting or setback requirements vary across the nation, with various approaches to their establishment. Setback requirements are usually defined with respect to the height of the system. Of the states with substantial local autonomy, only two states have established statewide setback requirements. This measure is important to continuing the conversation about the appropriate distance for certain wind energy facilities from dwellings.

Your Committee has amended this measure by:

- (1) Amending the setback distance from one mile to an unspecified distance;

- (2) Inserting language to require the University of Hawaii at Manoa John A. Burns School of Medicine to conduct or contract for a study on the effects of noise produced by certain wind energy facilities in Hawaii on the health of residents and students;
- (3) Appropriating an unspecified amount for the University of Hawaii at Manoa John A. Burns School of Medicine to conduct the study; and
- (4) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2188, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 140-20 Energy & Environmental Protection on H.B. No. 2413

The purpose of this measure is to require the Hawaii State Energy Office, in consultation with the Department of Health, to conduct a comprehensive study to determine best practices for the disposal and recycling of solar panels, and appliances dependent on solar energy, such as solar water heaters.

Your Committee received testimony in support of this measure from Department of Health and two individuals. Your Committee received comments on this measure from the Hawaii State Energy Office, Hawaii PV Coalition, and Hawaii Solar Energy Association.

Your Committee finds that solar panels have a life expectancy of up to thirty years, and panels installed in the 1990s will start requiring disposal in the very near future. Many crystalline silicon solar panels will begin having significant dips in energy production and will need to be disposed of, recycled, or replaced. Therefore, your Committee finds that a study to determine best practices for the appropriate disposition of these panels and solar appliances would be prudent at this time.

Your Committee has amended this measure by:

- (1) Expanding the scope of the study to determine best practices for disposal and recycling of discarded clean energy products in the State;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2413, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 141-20 Energy & Environmental Protection on H.B. No. 2454

The purpose of this measure is to protect the public and electric utility employees, ensure reliable electrical service in the State, and decrease damage to critical electrical infrastructure caused by trespassing by establishing the offense of criminal trespass on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Kauai Fire Department, Hawaii Fire Department, and Hawaiian Electric. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure are fundamental to the health, safety, and welfare of the State's residents, visitors, and employees and to the national defense of the country. Your Committee further finds that this measure would provide a proportionate level of protection for this key resource by making criminal trespass on critical electrical infrastructure a felony.

Your Committee has amended this measure by:

- (1) Amending the requisite factors for the offense of criminal trespass on critical electrical infrastructure;
- (2) Providing that entering or remaining unlawfully on the premises of a critical electrical infrastructure constitutes prima facie evidence of a person's intention to commit thereupon a crime against a person or property rights;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2454, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 142-20 Energy & Environmental Protection on H.B. No. 2492

The purpose of this measure is to:

- (1) Preserve in state law certain federal regulations on the use of substitutes, including hydrofluorocarbons, for certain substances;
- (2) Establish a preference for products that do not contain hydrofluorocarbons in the Procurement Code; and
- (3) Direct the Hawaii State Energy Office and the Environmental Management Division of the Department of Health to study increasing the use of refrigerants with low global warming potential and provide recommendations about a state program that supports the elimination of legacy uses of hydrofluorocarbons.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Climate Protectors Coalition, National Resources Defense Council, Pono Hawaii Initiative, Our Revolution Hawaii, 350Hawaii.org, Honeywell, and numerous individuals. Your Committee received comments on this measure from the Department of Health; Department of the Attorney General; State Procurement Office; Air Conditioning, Heating, and Refrigeration Institute; and Association of Home Appliance Manufacturers.

Your Committee finds that hydrofluorocarbons are synthetic gases that pose a significant risk to the environment and therefore should be phased out and replaced with available alternatives that are safer and more cost-effective. Given the State's efforts to reduce greenhouse gas emissions and mitigate the effects of climate change, the phase-out of hydrofluorocarbons aligns with many existing goals and priorities.

Your Committee has amended this measure by:

- (1) Amending the regulations on the use of substitutes, including hydrofluorocarbons, by deleting or amending various definitions and amending the deadlines for compliance for various classes of products and equipment;
- (2) Removing the provisions that required a manufacturer to disclose the use of substitutes, including hydrofluorocarbons, in its products or equipment through labeling and other methods;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2492, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2492, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 143-20 Energy & Environmental Protection on H.B. No. 2404

The purpose of this measure as received is to incentivize the development of new recycling, bioconversion, or composting businesses within Hawaii by establishing a recycling facility grant program, to be administered by the Office of Solid Waste Management within the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Plastics Industry Association, Reynolds Recycling, Zero Waste Oahu, Zero Waste Kauai, Surfrider Oahu, 350Hawaii.org, Young Progressives Demanding Action, Pono Hawaii Initiative, Our Revolution Hawaii, and ten individuals.

Your Committee finds that Hawaii's small population, prohibitive land and infrastructure costs, and current recycling participation rates create significant challenges to operating new recycling facilities. Grants for the manufacturing of recycled products using the local waste stream and commercial composting using the local waste stream can help close the loop of inputs and outputs, thereby creating a circular economy for Hawaii's solid waste stream.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of this measure is to incentivize the development of new recycled products manufacturing, bioconversion, or composting businesses in Hawaii;
- (2) Identifying the program as the Recycled Products Manufacturing Grant Program for the manufacturing, bioconversion, or composting, of the local waste stream to produce recycled products within the State;
- (3) Changing its defective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2404, H.D. 1, and be referred to your Committee on Economic Development & Business.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 144-20 Tourism & International Affairs on H.B. No. 1678

The purpose of this measure is to:

- (1) Prohibit a person from advertising or conducting a live musical performance or production through the use of a false, deceptive, or misleading affiliation, connection, or association between a performing group and recording group, with certain exceptions; and
- (2) Allow a court to grant restitution.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection and one individual.

Your Committee finds that famous legacy musical acts or recording groups perform in various venues throughout the State, as do tribute bands or groups. Due to certain advertising practices, consumers in Hawaii may sometimes be confused or unsure as to whether various musical acts are the original legacy musical act or a tribute act. This measure seeks to protect the intellectual property of musical artists and protect consumers from deceptive practices by prohibiting advertising or conducting of live performances of legacy musical acts unless certain conditions are met.

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1678 and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Cabanilla Arakawa, Cachola, Creagan).

SCRep. 145-20 Lower & Higher Education on H.B. No. 2258

The purpose of this measure is to prohibit the expulsion and establish limitations for the suspension of children participating in the Executive Office on Early Learning Public Prekindergarten Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Hawaii State Teachers Association, and one individual. Your Committee received comments on this measure from the Early Learning Board.

Your Committee finds that every year, as many as 8,710 three- and four-year olds across the nation may be expelled from or pushed out of state-funded preschool or prekindergarten classrooms. Data from the federal Department of Education Office of Civil Rights indicates a significant percentage of these children are also suspended more than once, removing the opportunity to participate in high-quality early learning. Well-established research indicates that school suspension and expulsion practices are associated with adverse educational and life outcomes, potentially leading to suspension and expulsion later in school. This measure ensures that the youngest children in the State have access to the appropriate educational opportunities and prevent adverse educational and life outcomes resulting from suspension and expulsion early in the child's life.

Your Committee has amended this measure by:

- (1) Requiring that all processes involved in the implementation of the Executive Office on Early Learning Public Prekindergarten Program related to students with special needs shall comply with federal law;
- (2) Clarifying that the use of a temporary suspension of a child when there is a serious safety threat shall be determined by the administrator of the school;
- (3) Clarifying that the permanent removal of a child from the Executive Office on Early Learning Public Prekindergarten Program due to the child's behavior is prohibited; and that when a child exhibits persistent and serious challenging behaviors, the administrator of the school shall consult with the Executive Office on Early Learning to address the behaviors;
- (4) Requiring the Executive Office on Early Learning to implement chapter 8-19, Hawaii Administrative Rules, the Department of Education's rules on student misconduct, until the Office develops and adopts rules to carry out provisions on suspension and permanent removal of children participating in the Executive Office on Early Learning Public Prekindergarten Program as provided in this measure;
- (5) Inserting a preamble;
- (6) Changing its effective date to July 1, 2050; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2258, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2258, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 146-20 Lower & Higher Education on H.B. No. 2740

The purpose of this measure is to establish food waste and plant-based alternative meal goals to be met by January 1, 2035, as part of the Department of Education's sustainable schools initiative, and require the Department to include in its annual report to the Legislature certain information on its progress in meeting these goals.

Your Committee received testimony in support of this measure from the Department of Education, Surfrider Oahu, Climate Protectors Coalition, Kokua Hawaii Foundation, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Cattlemen's Council, Inc.; Hawaii Meats, LLC; and one individual.

Your Committee finds that 35 percent of food in public schools is wasted each day, costing the Department of Education millions of dollars each year. Safely sharing unused food that would be wasted with those who need it and implementing on-site campus composting programs that students can be involved with will help divert food waste from landfills, save millions of dollars annually, provide students with valuable and engaging learning experiences, and give farmers and communities fresh carbon-sequestering compost. Additionally, your Committee finds that providing access to healthy plant-based foods in state public schools is an effective way to improve sustainability and student health. This measure will engage students in sustainable living through learning about food waste management and incorporating plant-based alternatives in their diet.

Your Committee has amended this measure by:

- (1) Permitting, rather than requiring, the Department of Education to establish a goal of meaningfully engaging students and incorporating the sustainable schools initiative elements into curriculum across all public schools;
- (2) Authorizing the Department of Education to work with the Department of Health on procedures for the sharing of excess food, on-site campus composting program, and food waste mitigation;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2740, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (DeCoite, D. Kobayashi, Morikawa, Tarnas, Okimoto). Noes, none. Excused, 2 (Quinlan, Tokioka).

SCRep. 147-20 Lower & Higher Education on H.B. No. 2243

The purpose of this measure is to expand the Department of Education's certification incentive program to include school speech pathologists, whom have completed the components of the certification program of the American Speech-Language Hearing Association.

Your Committee received testimony in support of this measure from the Hawaii Speech-Language-Hearing Association and numerous individuals. Your Committee received comments on this measure from the Department of Education and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that in the Department of Education, speech pathologists are a vital member of a school's comprehensive student support team. Speech pathologists have specialized knowledge of the foundational speech and language skills needed for students to successfully participate in reading development, written expression, social interaction, and general academic readiness. This measure will have a positive effect on the recruitment and retention of highly qualified speech pathologists within the Department of Education.

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2243, H.D. 1, and be referred to your Committees on Health and Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 148-20 Lower & Higher Education/Labor & Public Employment on H.B. No. 1695

The purpose of this measure is to:

- (1) Require the Department of Education to only administer standardized tests as required by law;
- (2) Require each complex area superintendent to submit an annual report to the Board of Education on the number of standardized tests required for each school within the complex area and the amount of instructional time devoted to such tests;
- (3) Require the Board to notify students and their parents or guardians of the right to opt out of participating in standardized tests; and
- (4) Remove standardizes tests as an evaluation metric on performance reviews for teachers and educational officers.

Your Committees received testimony in support of this measure from Americans for Democratic Action, Democratic Party of Hawaii Education Caucus, MLTSinHawaii, Hawaii State Teachers Association, and eleven individuals. Your Committees received comments on this measure from the Department of Education and Department of the Attorney General.

Your Committees find that the No Child Left Behind Act of 2001 and federal Department of Education Race to the Top program of 2009 shifted education priorities from inquiry-based teaching to standardized testing, leading Hawaii's public school system to spend resources to standardized testing at the expense of authentic education. Your Committees further find that the Every Student Succeeds Act of 2015, which replaced the No Child Left Behind Act, permits states to reduce the amount of time that students spend preparing for and taking standardized tests. This measure seeks to promote real-world learning experiences for Hawaii's children by limiting the amount of time students spend participating in standardized tests.

Your Committees have amended this measure by:

- (1) Removing the provision which required each complex area superintendent to submit an annual report to the Board of Education on the number of standardized tests required for each school within the complex area and the amount of instructional time devoted to such tests;
- (2) Clarifying that the Board of Education shall exclude tests that are required under 20 U.S.C. section 6311(b)(2), which are described in the Hawaii Consolidated State Plan, when notifying students and their parents or guardians of the right to opt out of participating in standardized testing;
- (3) Deleting language which removed standardized tests as an evaluation metric on performance reviews for teachers and educational officers;
- (4) Changing its effective date to July 1, 2050; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1695, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1695, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 9. Noes, none. Excused, 2 (Johanson, Ohno).

Labor & Public Employment: Ayes, 5. Noes, none. Excused, 3 (Johanson, Yamashita, Matsumoto).

SCRep. 149-20 Labor & Public Employment on H.B. No. 1894

The purpose of this measure is to support farming in the State by:

- (1) Establishing the Beginning Farmer Training Program (Program) to be administered by the Department of Agriculture in conjunction with qualified farmer training providers, to provide training for eligible farmers for up to one year;
- (2) Requiring the Department of Agriculture to submit a report to the Legislature prior to each regular session on the Program; and
- (3) Appropriating funds to establish and implement the Program.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Hawaii Farmers Union United, Ulupono Initiative, Alternative Structures International (dba Kahumana Organic Farms), A'a Li'i Farm, and numerous individuals. Your Committee received testimony in opposition to this measure from the University of Hawaii System. Your Committee received comments on this measure from the State Procurement Office, Department of Agriculture, and Hawaii Farm Bureau.

Your Committee recognizes that education and training are essential to cultivating the next generation of students and others who are interested in pursuing a career in agriculture in Hawaii. This measure recognizes the array of technology, business, and other skills that are necessary to farming by providing training opportunities to new beginning farmers.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Removing the reference to the specific method of procurement source selection for qualified farmer training providers;
- (3) Removing the requirements relating to the requests for proposals;
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concerns raised in testimony by the University of Hawaii System that this measure lacks specificity about the criteria, funding, oversight, and other details of the Program, and suggests that these concerns be appropriately vetted by the Committee on Agriculture should it decide to hear this measure.

Your Committee also requests that should the Committee on Finance hear this measure, your Committee respectfully requests that it consider appropriating \$2,000,000 for fiscal year 2020-2021 to establish and implement the Program.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1894, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1894, H.D. 1, and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 150-20 Labor & Public Employment on H.B. No. 2350

The purpose of this measure is to improve compliance with Hawaii's labor laws by updating various assessments and penalties under the Department of Labor and Industrial Relations' jurisdiction, based on the Consumer Price Index.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii Regional Council of Carpenters, Pacific Resource Partnership, and one individual.

Your Committee finds that the penalties contained in this measure have not been raised recently or since the enactment of the affected statutes. According to the Bureau of Labor Statistics, the equivalent of many of the penalties with inflation were often double the existing statutory amounts. According to the Department of Labor and Industrial Relations, most of the revised amounts of the penalties contained in this measure were derived by using the Bureau of Labor Statistics Consumer Price Index Inflation Calculator. Your Committee believes that changes to the assessment and penalty amounts in this measure account for inflation and will improve compliance with the law.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2350, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 151-20 Labor & Public Employment on H.B. No. 2747

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to authorize the Legislature to provide by law for the forfeiture or reduction of benefits of any member, former member, or retirant of the employees' retirement system if the member, former member, or retirant is convicted of a felony related to the employment with the State or counties.

Your Committee received testimony in support of this measure from Common Cause Hawaii and four individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. Your Committee further finds that the public's belief in government and democracy become strained when public officers and employees participate in misconduct in their employment, while maintaining the benefits from their employment.

Your Committee has amended this measure by deleting the provision specifying when the measure is effective.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2747, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 152-20 Labor & Public Employment on H.B. No. 2748

The purpose of this measure is to provide strong penalties and competitive benefits to deter the corruption of government officials and employees. Specifically, this measure:

- (1) Authorizes the forfeiture of certain employees' retirement system benefits, pursuant to court order, for members convicted of an employee-related felony; and
- (2) Proposes other efforts to increase penalties when the perpetrator is a government official, to consider raising wages, and to create a task force to consider efforts to deter corruption (collectively "Other Proposals").

Your Committee received testimony in support of this measure from Common Cause Hawaii, Americans for Democratic Action Hawaii, and four individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. Your Committee further finds that the public's belief in government and democracy become strained when public officers and employees participate in misconduct in their employment, while maintaining the benefits from their employment.

Your Committee recognizes the need to address bribery of public officers and employees; however, your Committee believes that such an important issue warrants a more thorough review. In addition, making any violation of the Ethics Code, regardless of the severity of the violation a class A felony may result in a harsh penalty for a minor or otherwise inadvertent violation. As such, your Committee believes it is appropriate to narrow the focus of this measure to the forfeiture of retirement benefits.

Your Committee has amended this measure by:

- (1) Deleting the Other Proposals and only retaining the provisions related to forfeiting employees' retirement system benefits;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2748, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2748, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 153-20 Human Services & Homelessness/Lower & Higher Education on H.B. No. 1986

The purpose of this measure is to establish a Trauma-Informed Approach Task Force to develop a trauma-informed approach plan for the Department of Education.

Your Committees received testimony in support of this measure from the Executive Office on Early Learning, IMUAlliance, Education Caucus of the Democratic Party of Hawaii, Hawaii Primary Care Association, and four individuals. Your Committees received comments on this measure from the Department of Human Services and Department of Education.

Your Committees find that the Department of Education has several complex area, school, and community initiatives for providing models, training, and technical support to develop trauma-sensitive programming. Your Committees additionally find that the Department of Education was awarded a grant by the United States Department of Education to support students from low-income families who have experienced trauma that negatively affects their educational experience.

Your Committees further find that there are other task forces that have purposes which may overlap with the purpose of the Trauma-Informed Approach Task Force established by this measure. By participating in and collaborating with these other task forces, your Committees believe that the Trauma-Informed Approach Task Force may gain greater insight into developing the trauma-informed approach plan.

Your Committees have amended this measure by:

- (1) Placing the Task Force within the Department of Education and changing the chair of the Task Force to the Superintendent of Education;
- (2) Authorizing the Task Force to participate in and collaborate with any other task force;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1986, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1986, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Ward).

Lower & Higher Education: Ayes, 11. Noes, none. Excused, none.

SCRep. 154-20 Human Services & Homelessness on H.B. No. 1871

The purpose of this measure is to require the Executive Office on Aging to assess the progress made toward attaining the policy goals originally identified by the Long Term Care Commission and formulate additional recommendations as needed to accomplish these goals.

Your Committee received testimony in support of this measure from AARP Hawaii; Alzheimer's Association, Aloha Chapter; Faith Action for Community Equity; and two individuals. Your Committee received comments on this measure from the Executive Office on Aging.

Your Committee finds that Act 224, Session Laws of Hawaii 2008, established the Long Term Care Commission to identify reforms and develop a five-year comprehensive long term care plan to address long term care policy goals. Your Committee further finds that the Long Term Care Commission issued its final report in January 2012. However, your Committee notes that a follow-up assessment is necessary to determine steps that may be taken to accomplish these goals.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1871, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1871, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 155-20 Human Services & Homelessness on H.B. No. 2062

The purpose of this measure is to prevent the sexual exploitation of children and ensure the safety and support of these children by:

- (1) Requiring the Department of Human Services to develop a program to prevent the sexual exploitation of children and assist child victims of sexual exploitation;
- (2) Requiring the Director of Human Services to appoint a statewide coordinator on commercial sexual exploitation of children (coordinator);
- (3) Establishing the Commercial Sexual Exploitation of Children Steering Committee (Steering Committee) and requiring the Steering Committee to submit preliminary and final reports to the Legislature;
- (4) Establishing a commercial sexual exploitation of children multidisciplinary team in every county to immediately respond to cases of the sex trafficking of children; and
- (5) Appropriating funds for the program and coordinator.

Your Committee received testimony in support of this measure from the Department of Education, Department of Human Services, Office of the Public Defender, Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Americans for Democratic Action, The Sex Abuse Treatment Center, IMUAlliance, and three individuals. Your Committee received testimony in opposition to this measure from Harm Reduction Hawaii.

Your Committee finds that many of the most vulnerable children face the threat of being victimized by commercial sexual exploitation. These young victims are subject to physical, emotional, and psychological abuse by their traffickers. Your Committee notes that the Internet and other technological advances have facilitated the commercial exploitation of children nationally as well as globally. This measure supports the collaboration among state and county agencies to combat the abuse and exploitation of children.

Your Committee has amended this measure by:

- (1) Adding the Public Defender or the Public Defender's designee as a member of the Steering Committee;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2062, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2062, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 156-20 Human Services & Homelessness on H.B. No. 2067

The purpose of this measure is to establish a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:

- (1) Amending the offense of abuse of family or household members to provide for a lesser included petty misdemeanor offense and penalties;
- (2) Allowing a deferred acceptance of guilty plea or no contest plea in misdemeanor and petty misdemeanor abuse cases; and
- (3) Requiring the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household member cases.

Your Committee received testimony in support of this measure from The Judiciary, Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, Hawaii State Commission on the Status of Women, Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, and two individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your Committee received comments from the Department of the Attorney General.

Your Committee finds that this measure allows greater flexibility in the sentencing options regarding abuse of family or household members, while emphasizing accountability of the defendant, safety of the victims, and enhanced protection of children affected by domestic violence.

Your Committee has heard the concerns raised in testimony by the Domestic Violence Action Center regarding the ability for a person charged with a misdemeanor or petty misdemeanor abuse of a family or household member offense to plead no contest, as pleading no contest enables perpetrators of abuse to escape any acceptance of responsibility for their actions. Your Committee understands these concerns and concludes that references in this measure to no contest pleas should be deleted.

Your Committee has amended this measure by:

- (1) Decreasing the duration of the pilot project from five years to three years and making corresponding conforming amendments to the sunset date and reporting years;
- (2) Restructuring the abuse of family or household member statute to clearly differentiate between petty misdemeanor offenses and misdemeanor offenses;
- (3) Clarifying the elements of a petty misdemeanor offense of abuse of a family or household member by removing references to striking, shoving, or kicking and clarifying its associated sentencing provisions;
- (4) Clarifying when a court must revoke a defendant's probation or set aside a defendant's deferred acceptance of guilty plea if the defendant fails to complete a domestic violence intervention program or parenting class or otherwise violates the terms or conditions of the defendant's probation or deferral;

- (5) Removing language that would have enabled a person charged with a misdemeanor or petty misdemeanor abuse of a family or household member offense to plead no contest;
- (6) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2067, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2067, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 157-20 Health on H.B. No. 2108

The purpose of this measure is to require the Hawaii Health Authority to establish a five-year all-payer health care pilot program in a county with a population greater than five hundred thousand.

Your Committee received testimony in support of this measure from the Pono Hawaii Initiative, Democratic Party of Hawaii, Democratic Party of Hawaii Health Committee, Americans for Democratic Action, Progressive Democrats of Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association and Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Human Services, Department of the Attorney General, and Department of Health.

Your Committee finds that the health care and cost of living continue to rise in Hawaii and throughout the country. Finding a solution for these problems is essential. Your Committee notes that other states have tried single-payer health care and universal health care, but were unable to maintain these programs because of the high costs required. Exploring an all-payer health care pilot program could have success where single-payer and universal health care have fallen short.

However, your Committee notes the concerns raised in testimony that a project on this scale requires deliberate and careful planning with providers and stakeholders, including Medicare. Your Committee also notes the comments from the Department of the Attorney General that this measure may be preempted by section 1115 of the Social Security Act, and would likely need waivers from the federal Centers for Medicaid and Medicare Services in order for the Department of Human Services MedQUEST Division, as well as Medicare to participate in the pilot program.

In light of these concerns and in recognition of the significant undertaking such a pilot program would entail, your Committee believes implementing a pilot program is premature at this time. However, your Committee urges the Department of Human Services and Administrator of the MedQUEST Division to work together to determine the best steps moving forward.

Your Committee has amended this measure by:

- (1) Removing language that would have required the Hawaii Health Authority to establish a five-year all-payer health care pilot program in a county with a population greater than five hundred thousand;
- (2) Inserting language requiring the Department of Health, in conjunction with the Department of Human Services and the Insurance Commissioner, to conduct a study to determine the feasibility of establishing an all-payer health care pilot program in a county with a population greater than five hundred thousand;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2108, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2108, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Ward). Excused, 1 (Say).

SCRep. 158-20 Health on H.B. No. 2633

The purpose of this measure is to amend the State's medical cannabis dispensary system law to:

- (1) Authorize dispensaries to distribute medical cannabis propagules and cuttings to those individuals authorized to cultivate cannabis plants for medical use; and
- (2) Impose quantity limits and quality requirements on the distributed propagules and cuttings.

Your Committee received testimony in support of this measure from Kush Hawai'i, Maui Grown Therapies, Patients Without Time, Drug Policy Forum of Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that patients and primary caregivers cultivating medical cannabis at a registered grow site under the State's medical cannabis registry program have no legal means of obtaining safe, laboratory-tested genetic material from which to propagate their plants. In other words, patients have no means to legally buy the material to grow cannabis. Existing law often requires patients or their primary caregivers to obtain propagules, cuttings, or other cannabis genetic material from the illicit market. Amending the State's medical cannabis dispensary system law will allow qualifying patients to access safe and quality-assured medical cannabis and medical cannabis products.

Your Committee notes the concerns raised in testimony by the Department of Health that this measure does not appear to comport with the Legislature's intent in establishing the statewide dispensary system. The Department of Health also expressed concerns that this measure could potentially enable patients to exceed their statutory limit of medical cannabis and risks encouraging the illegal cannabis market.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2633, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2633, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 159-20 Health on H.B. No. 2110

The purpose of this measure is to:

- (1) Mandate the Department of Health (DOH) to investigate reports that a care facility is being operated without the required certificates or licenses;
- (2) Include social workers, navigators, and individual discharge planners in the group of health care providers who are prohibited from knowingly referring or transferring patients to uncertified or unlicensed care facilities; and
- (3) Repeal the provisions that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license.

Your Committee received testimony in support of this measure from the Alliance of Professional Primary Care Administrators, Adult Foster Homecare Association of Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the Department of Health aims to ensure quality of care by requiring all residential care homes to be licensed. The enforcement activities conducted by the Department are a critical component of the State's efforts to ensure the health, safety, and welfare of the State's kupuna. This measure is intended to assist the Department with these goals.

Your Committee has amended this measure by:

- (1) Removing language that would have mandated the Department of Health to investigate care facilities suspected of operating without the required certification or license and take action upon investigation, and thus retaining existing statutory language that made this authority permissive;
- (2) Clarifying that the group of professionals prohibited from knowingly referring or transferring patients to an unlicensed care facility includes any person, corporation, or other entity;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2110, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2110, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 160-20 Health on H.B. No. 2561

The purpose of this measure is to establish the Prescription Affordability Commission within the Department of Commerce and Consumer Affairs to review prescription drug costs and establish levels of reimbursement and rates.

Your Committee received testimony in support of this measure from AARP Hawaii and one individual. Your Committee received testimony in opposition to this measure from PhRMA, Hawaii Association of Health Plans, and one individual. Your Committee received comments on this measure from Department of Budget and Finance, Department of Commerce and Consumer Affairs, Department of Human Services, Office of Information Practices, Kaiser Permanente Hawaii, Hawaii Medical Service Association, and Civil Beat Law Center for the Public Interest.

Your Committee finds that prescription drug costs have become increasingly unaffordable to Hawaii residents, and that one proposed mechanism for lowering drug costs is to have the State take an active role in directing and limiting the amount consumers have to pay for prescription medication. However, your Committee understands that imposing upper payment limits on drug prices is a significant departure from current practices that warrants rigorous evaluation.

Your Committee notes the testimony of the Department of Budget and Finance that the proposed commission would require the hiring of an Executive Director and legal council to direct and support the commission. Your Committee further notes that the Insurance Commissioner will be working with the author of this measure going forward, but at this point, your Committee believes a study on this issue is a more prudent option than establishing a commission.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that would have established the Prescription Affordability Commission;
- (2) Inserting language requiring the Insurance Commissioner to conduct a study on the feasibility of establishing a mechanism to review prescription drug costs and set levels of reimbursements and rates without additional cost to the State;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2561, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2561, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 161-20 Health on H.B. No. 2097

The purpose of this measure is to amend the medical cannabis dispensary system by:

- (1) Allowing for a process to remediate and retest any batch of cannabis that fails laboratory testing standards so long as any final product passes such laboratory standards;
- (2) Authorizing licensed dispensaries to manufacture and distribute edible cannabis products, as a manufactured cannabis product, under certain conditions; and
- (3) Authorizing licensed dispensaries to circulate, sponsor, and promote educational and scientific information and events related to cannabis that shall not be considered advertising, under certain conditions.

Your Committee received testimony in support of this measure from Kush Bottles Hawaii, Hawaii Cannabis Industry Association, Drug Policy Forum of Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, and Patients Without Time.

Your Committee finds that amendments to the medical cannabis dispensary system laws are necessary to clarify legislative intent, ensure smooth administration of the law, allow for adequate patient access based on experiences in other states that have a reasonable medical cannabis program, and resolve other issues that have arisen.

Your Committee notes the concerns raised by the Department of the Attorney General regarding the ambiguity of whether the batch of product that is allowed to be remediated and retested refers only to manufactured cannabis products or both cannabis and manufactured cannabis products.

Your Committee also notes the concerns raised by the Department of Health regarding:

- (1) The lack of flexibility in the remediation of cannabis products for the Department to ensure that products that are safe for use and the ability to respond to industry and technological innovations going forward;
- (2) The inability for the Department to approve edible cannabis products on a case-by-case basis, including the inability to establish and modify requirements or limits to ingredients or flavorings of edible cannabis products;
- (3) The risk of accidental poisoning of children from edible cannabis products; and
- (4) The risk of increased youth exposure to and broad advertising of cannabis in certain materials that may be circulated by the medical cannabis industry.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2097, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2097, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Ward). Excused, 1 (Say).

SCRep. 162-20 Health on H.B. No. 2692

The purpose of this measure is to increase the maximum number of hours a primary caregiver may be absent from a community care foster family home to fifty hours per week and twenty-three hours per day; provided that a substitute caregiver is present.

Your Committee received testimony in support of this measure from Adult Foster HomeCare Association of Hawaii and six individuals. Your Committee received testimony in opposition to this measure from the Department of Health and one individual.

Your Committee notes that the Department of Health is not opposed to absences of the primary caregiver but believes that the matter of personnel and staffing of community care foster family homes is better addressed in Department administrative rules rather than in statute. Your Committee finds that the Department's administrative rules currently contain a section on the requirements of personnel and staffing of community care foster family homes.

Your Committee has amended this measure by:

- (1) Changing the minimum age requirement for caregivers caring for three clients in community care foster family homes to an unspecified number of years; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2692, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2692, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (B. Kobayashi, Nakamura, San Buenaventura, Tokioka). Noes, none. Excused, 1 (Say).

SCRep. 163-20 Health on H.B. No. 2234

The purpose of this measure is to discourage food waste and encourage food donation to needy recipients by:

- (1) Requiring education about food donation liability protections to be made a part of the health inspection process so that food establishments are aware and assured of these provisions;
- (2) Clarifying and expanding liability protections for good-faith food donors; and

- (3) Expanding liability protections to cover the donation of perishable or nonperishable food that has exceeded its labeled shelf life and farm produce if the donor reasonably believes that the food is fit for human consumption.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association, Surfrider Oahu, Aloha Harvest, Kokua Hawaii Foundation, and four individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that despite the high levels of food insecurity in the State and liability protections for donors of food products, Hawaii businesses and residents discard more than 237,000 tons of food waste per year. Your Committee has heard the testimony from the Department of Health, noting that the Department has existing guidelines on food safety and donation and expressing concerns over whether requiring regulatory agents of the Department to provide education on food donation is appropriate. Your Committee understands these concerns and finds that a study on the reasons why more businesses and nonprofit organizations are not donating surplus food is necessary.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that required health inspections to include education on food donations; clarified and expanded liability protections for food donation; and permitted the donation of certain food that has exceeded its shelf life;
- (2) Requiring the Department of Health to conduct a study on increasing the number of restaurants and nonprofit organizations donating surplus food and report to the Legislature;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2234, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2234, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 164-20 Health on H.B. No. 138

The purpose of this measure is to require owners and operators of food service establishments to provide calorie information for menu items.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 2, which deletes the contents of this measure and inserts language to provide a general excise tax exemption for medical services provided by physicians licensed in the State.

Your Committee received testimony in support of the proposed H.D. 2 from the Office of the Mayor of the County of Hawaii; American Physical Therapy Association; Hawaii Chapter of the American Academy of Pediatrics; Hawaii Radiologic Society; Hawaii Physician Shortage Crisis Task Force; Hawaii Medical Association; Wellness Partners Hawaii Inc.; East Hawaii Independent Physicians Association Board of Directors; Hawaii Association of Professional Nurses; and fifteen individuals. Your Committee received comments on the proposed H.D. 2 from the Department of Taxation and one individual.

Your Committee finds that the current physician shortage in Hawaii is well documented and particularly acute in the State's rural areas. The federal Centers for Medicare and Medicaid Services do not allow providers to pass the general excise tax on to patients, effectively creating a disincentive for providers to care for Medicare patients. This measure strives to improve access to health care for Hawaii's families by exempting the gross proceeds of medical services provided by physicians, and thereby removing that as a financial obstacle to practicing in this State.

Your Committee has amended this measure by adopting the proposed H.D. 2 and further amending the measure by:

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

Your Committee respectfully requests that should your Committee on Consumer Protection & Commerce choose to hear this measure, that it consider broadening the general excise tax exemption to cover medical services provided by advanced practice registered nurses.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 138, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 138, H.D. 2, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 165-20 Health on H.B. No. 2630

The purpose of this measure is to set a date for the transition of the Oahu Region of the Hawaii Health Systems Corporation to the Department of Health and establish a working group to develop a plan for the transition.

Your Committee received testimony in support of this measure from the Department of Health; Board of Directors of the Hawaii Health Systems Corporation; Oahu Region of the Hawaii Health Systems Corporation; United Public Workers, AFSCME, Local 646, AFL-CIO; and one individual.

Your Committee finds that although the Hawaii Health Systems Corporation and its regions were originally established and designed to be run like a health care business, the Oahu Region operates more as a necessary social service than a health care business. The Oahu Region has very little opportunity to increase revenues, but its services are vital to the community, especially given recent projections by the Department of Business, Economic Development, and Tourism that the island of Oahu will require an additional 1,100 long-term care beds in the next five to ten years alone. Your Committee further finds that to ensure the continued availability of long-term care beds for Oahu's aging population and facilitate more efficient use of the Oahu Region's facilities to address the need for additional social services, such as mental health and substance abuse treatment, it is beneficial to transition the Oahu Region from the Hawaii Health Systems Corporation to the Department of Health.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and

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

Your Committee hereby grants prior concurrence to your Committee on Labor & Public Employment regarding the composition of the working group for the transition. Furthermore, your Committee urges that the Oahu Region remain intact through the transition.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2630, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2630, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Say). Noes, none. Excused, 1 (Belatti).

SCRep. 166-20 Health on H.B. No. 2451

The purpose of this measure is to:

- (1) Explicitly recognize advanced practice registered nurses (APRNs) as attending providers and consulting providers capable of performing all necessary duties under the Our Care, Our Choice Act in accordance with their scope of practice and prescribing authority;
- (2) Reduce the mandatory waiting period between oral requests made by a terminally ill individual from twenty to fifteen days; and
- (3) Allow an attending provider to waive the waiting period for terminally ill individuals not expected to survive the mandatory waiting period.

Your Committee received testimony in support of this measure from the Department of Health; University of Hawaii; Hawaii Death with Dignity Society; Hawaii Association of Professional Nurses; Compassion & Choices; Hawaii – American Nurses Association; Filipina Advocacy Network; North Hawaii Hospice, Inc.; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum and sixteen individuals. Your Committee received comments on this measure from the Board of Nursing and Hawaii State Center for Nursing.

Your Committee finds that this measure will provide greater access for mentally capable, qualified terminally ill individuals to the full range of end-of-life care options under the Our Care, Our Choice Act.

Your Committee notes that, according to testimony from the Department of Health, from January 1, 2019, to December 26, 2019, a total of twenty-seven qualified patients received aid-in-dying prescriptions. Of those twenty-seven patients, nineteen patients died. Of that cohort, fifteen patients suffered from some form of cancer, fourteen patients ingested aid-in-dying medication, and five did not ingest aid-in-dying medication. All nineteen patients who died had private health insurance and/or Medicare.

Your Committee has heard the concerns that were raised that if this measure passes, APRNs should receive specialized training, including the medical and legal issues surrounding the Our Care, Our Choice Act law. Your Committee also recognizes the comments that the Our Care, Our Choice Act is rarely used, which has been compounded by the shortage of medical professionals, and questions about how much this measure is really needed. Moreover, your Committee notes that the point was made that just a handful of Hawaii's approximately 5,000 doctors participate in medical aid in dying and that access does not appear to be a problem.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2451, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2451, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, 1 (Ward). Excused, 2 (Say, Tokioka).

SCRep. 167-20 Health on H.B. No. 2540

The purpose of this measure is to ban the sale of cigarettes and electronic cigarettes in the State by gradually increasing the minimum age to purchase cigarettes and electronic cigarettes, but not other tobacco products, over a period of five years.

Your Committee received testimony in support of this measure from Hawaii Pacific Health, Surfrider Oahu, Hawaii Primary Care Association, and three individuals. Your Committee received testimony in opposition to this measure from JT International U.S.A., Inc.; Hawaii Smokers Alliance; and five individuals. Your Committee received comments on this measure from the Coalition for a Tobacco-Free Hawaii.

Your Committee finds that cigarettes pose serious health risks to persons in the State. Your Committee further finds that one of the most effective ways of deterring cigarette use is to regulate the legal use of cigarettes in combination with a tax increase on cigarettes that disincentivizes such use.

Your Committee has amended this measure by:

- (1) Removing the gradual prohibition based on age on the sale or furnishment of cigarettes and electronic cigarettes;
- (2) Increasing the excise tax to an unspecified amount for each cigarette sold, used, or possessed by a wholesaler or dealer;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2540, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2540, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Say).

SCRep. 168-20 Health on H.B. No. 2507

The purpose of this measure is to reduce the harmful effects that smoking has on society by:

- (1) Prohibiting the sale or furnishing of tobacco products, including electronic smoking devices, to persons under twenty-five years of age;
- (2) Increasing the minimum age for purchases and possession of tobacco products, including electronic smoking devices, to twenty-five years of age; and
- (3) Increasing the fines for persons under twenty-five years of age who purchase or possess tobacco products, including electronic smoking devices.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Pacific Health, Hawaii Primary Care Association, Coalition for a Tobacco-Free Hawaii, Hawaii Petroleum Marketers Association, and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association, Retail Merchants of Hawaii, Hawaii Smokers Alliance, and eight individuals. Your Committee received comments on this measure from the American Heart Association.

Your Committee notes that the Department of Health and American Heart Association requested in testimony for the increased fines for purchase or possession of tobacco products by persons under twenty-five years of age to be removed. According to this testimony, penalizing minors and young adults is not nationally recommended because it punishes and stigmatizes these individuals, particularly individuals of color, who are marketed tobacco and tobacco products, including electronic smoking devices, while deflecting responsibility from tobacco companies.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2507, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2507, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 169-20 Intrastate Commerce on H.B. No. 1680

The purpose of this measure is to:

- (1) Establish a prepaid wireless enhanced 911 (E911) surcharge, separate from the existing E911 surcharge for communications service connections, on all prepaid wireless telecommunications service purchased in retail transactions occurring within the State;
- (2) Allow sellers to deduct three percent of all prepaid wireless E911 surcharges collected to offset administrative expenses associated with collecting the surcharge;
- (3) Require semiannual remittance of surcharge amounts to the Enhanced 911 Fund by sellers; and
- (4) Decrease the existing E911 surcharge rate for communications service connections.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, one member of the Enhanced 911 Board, the Kauai Police Department, and one individual. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee finds that the monies collected and placed into the Enhanced 911 Fund provide funding to deploy and sustain E911 service and to develop and fund future E911 technologies. Your Committee also finds, however, that monies are only collected from postpaid wireless consumers, not prepaid wireless consumers. This measure will address the inequity of one consumer group subsidizing an essential service utilized by all consumer groups.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1680, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1680, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 170-20 Intrastate Commerce on H.B. No. 2323

The purpose of this measure is to expand the pool of persons eligible to receive restitution from the Mortgage Loan Recovery Fund to include those persons the Commissioner of Financial Institutions has determined are entitled to restitution.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Hawaii Association of Mortgage Professionals.

Your Committee finds that under the existing system, a restitution payment to an aggrieved person from the Mortgage Loan Recovery Fund is limited to court orders or final judgments against a licensee. This measure seeks to streamline the restitution process by allowing aggrieved parties to obtain restitution by order of the Commissioner of Financial Institutions after an appropriate examination or investigation of the licensee by the Division of Financial Institutions.

Your Committee has amended this measure by:

- (1) Authorizing the Director of Commerce and Consumer Affairs, rather than the Commissioner of Financial Institutions to issue orders for restitution;
- (2) Clarifying that the aggravating conduct by a licensee includes fraud, misrepresentation, or deceit; and

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2323, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 171-20 Intrastate Commerce on H.B. No. 2246

The purpose of this measure is to:

- (1) Require each tax return preparer to have a valid preparer tax identification number issued by the Internal Revenue Service and disclose this number on any return or claim for refund if required to do so by the Department of Taxation;
- (2) Beginning on January 1, 2021, establish penalties for violations; and
- (3) Authorize the Department of Taxation to bring a civil action for equitable relief against a tax return preparer.

Your Committee received testimony in support of this measure from the Department of Taxation and Hawaii Association of Public Accountants. Your Committee received comments on this measure from H&R Block.

Your Committee finds that many tax return preparers operate with little State oversight or accountability. Requiring all tax return preparers to have a preparer tax identification number will help ensure tax return preparers are held accountable for the returns they prepare. This measure also enables the Department to track tax return preparers in the State by leveraging the Internal Revenue Service identification number that is already required for preparing federal tax returns.

Your Committee has amended this measure by:

- (1) Authorizing the Director of Taxation to file a claim to enjoin a tax return preparer from acting as a tax return preparer or engaging in certain prohibited conduct;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2246, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2246, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 172-20 Intrastate Commerce on H.B. No. 2327

The purpose of this measure is to exempt from the state laws regulating cemeteries:

- (1) Any cemetery authority (Authority); provided that the Authority may be ordered by the Director of Commerce and Consumer Affairs to comply with the state cemetery laws; and
- (2) Churches, with a federal tax law exemption, that were previously exempted from the state cemetery laws.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs (DCCA) and Hawaii Funeral & Cemetery Association, Inc.

Act 14, Session Laws of Hawaii 1968, authorized the then Cemetery Board to exempt any Authority from the bonding and fee requirements for licensure, renewal, and reinstatement, if it did not actively engage in pre-need sales, have a licensed cemetery salesperson, or sell for financial profit. Since 1968, exempt Authorities have not been regulated and have been treated as exempt from the state cemetery laws. Exempt Authorities provide burial to their communities based upon goodwill, rather than operate the cemetery as a business and would therefore have difficulty in complying with the state cemetery laws. Your Committee believes that codifying the past practices of DCCA's Cemetery and Funeral Trusts Program (Program) through this measure will help the Program become more efficient in overseeing cemeteries and provide clarification on the exemption provision of the state cemetery laws. Your Committee also believes that churches and other non-profit exempt Authorities will continue to be responsible for maintaining and caring for their cemeteries.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2327, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2327, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 173-20 Intrastate Commerce on H.B. No. 2321

The purpose of this measure is to:

- (1) Clarify that the practicum internship experience requirement is to be included with the coursework in counseling requirement for a mental health counselor; and
- (2) Permit applicants to fulfill all or part of their face-to-face clinical supervision requirement through a videoconference service.

Your Committee received testimony in support of this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, The University of Hawaii at Hilo, Democratic Party of Hawaii, and five individuals.

Your Committee finds that the Hawaii Mental Health Counselors Licensing Program (Program) does not align to other jurisdictions with regard to the hours required of course work in counseling. Under existing law, applicants for a mental health counselor license in Hawaii must provide fifty-four semester hours or eighty-two quarter hours of course work training. However, under the national standard, applicants need only to provide forty-eight semester hours or seventy-two quarter hours of course work training. This measure aligns the licensing requirement standards under state law to the national standard.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2321, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2321, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 174-20 Intrastate Commerce on H.B. No. 2000

The purpose of this measure is to require the examiner of drivers to disqualify, for life, any person from driving a commercial motor vehicle if the person uses a commercial motor vehicle in the commission of any felony involving an act or practice of severe forms of human trafficking.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Transportation Association, and one individual.

Your Committee finds that the Federal Motor Carrier Safety Administration finalized administrative regulations that permanently disqualify from driving a commercial motor vehicle individuals convicted of a felony involving a severe form of human trafficking while operating a commercial motor vehicle. These regulations became effective September 23, 2019, and set a deadline of three years for states to come into substantial compliance with the regulations. This measure would put the State in substantial compliance with the federal regulations.

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2000, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2000, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 175-20 Intrastate Commerce on H.B. No. 2316

The purpose of this measure is to increase the maximum monetary amount that an injured homeowner may recover under the Contractors Recovery Fund.

Your Committee received testimony in support of this measure from the Contractors License Board and Subcontractors Association of Hawaii.

Your Committee finds that the Contractors Recovery Fund provides financial assistance to homeowners injured by the act, representation, transaction, or conduct of a licensed contractor. This measure will enhance an injured homeowner's relief from the homeowner's financial loss resulting from such act, representation, transaction, or conduct.

Your Committee has amended this measure by:

- (1) Changing the maximum liability payout for a licensed contractor under the Contractors Recovery Fund from \$75,000 to \$50,000; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2316, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2316, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 176-20 Intrastate Commerce on H.B. No. 2322

The purpose of this measure is to:

- (1) Authorize the Board of Massage Therapy to adopt and enforce sanitary rules for massage establishments;
- (2) Repeal statutory language that classifies the unlicensed operation of a massage therapy establishment as a petty misdemeanor in favor of existing statutory language that treats unlicensed activity as a misdemeanor; and
- (3) Increase the minimum fine from \$100 to \$250 and the maximum fine from \$1,000 to \$2,000 for each violation of massage therapy laws.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association-Hawaii Chapter, and one individual.

Your Committee finds that in October 2018, the sanitation rules for massage establishments under the Department of Health were repealed. Since that time massage therapy establishments have not been required to comply with any sanitation requirements. Your Committee further finds that the Board of Massage Therapy lacks the statutory authority to adopt and enforce sanitation rules. This measure protects the public by granting rulemaking authority to and clarifying enforcement powers of the Board of Massage Therapy.

Your Committee has amended this measure by:

- (1) Requiring, rather than permitting, the Board of Massage Therapy to adopt and enforce sanitary rules for massage therapy establishments;

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2322, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2322, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 177-20 Intrastate Commerce on H.B. No. 2325

The purpose of this measure is to clarify the criteria used by the Board of Public Accountancy (Board) in selecting members to serve on the Board's Peer Review Oversight Committee.

Your Committee received testimony in support of this measure from the Board of Public Accountancy and Hawaii Association of Public Accountants.

Your Committee finds that the accountancy profession's standards of review change frequently. With recent changes, the duties of the Board's Peer Review Oversight Committee are expected to substantially increase. Your Committee further finds that it is necessary for the Board to have flexibility and discretion in selecting members who have the ability and aptitude to serve on its Peer Review Oversight Committee.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2325, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2325, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 178-20 Intrastate Commerce on H.B. No. 2594

The purpose of this measure is to establish a Blockchain Working Group to recommend a definition for blockchain technology and provide recommendations for individuals, businesses, and state agencies on how to use blockchain technology.

Your Committee received testimony in support of this measure from Blockchain Solutions Hawaii LLC and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that blockchain technology has the potential to provide significant benefits to the public and private sectors. This measure will assist future legislators in regulating blockchain technology by establishing a working group to develop a standard definition of blockchain technology and develop recommendations on the use of blockchain technology across multiple sectors.

Your Committee has amended this measure by:

- (1) Establishing the working group in the Office of Enterprise Technology Services (ETS), rather than the Department of Commerce and Consumer Affairs (DCCA);
- (2) Changing the chairperson of the working group from the Director of DCCA to the Chief Information Officer of ETS;
- (3) Expanding the membership of the working group;
- (4) Amending language to permit, rather than require, the chairperson to invite non-agency representatives to serve as members of the working group;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2594, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2594, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 179-20 Lower & Higher Education on H.B. No. 2703

The purpose of this measure is to:

- (1) Establish a pilot program to establish a start-to-finish response to threats of targeted school violence; and
- (2) Appropriate funds to the Department of Defense for resources to help prevent targeted school violence.

Your Committee received testimony in support of this measure from the Department of Human Services. Your Committee received testimony in opposition to this measure from the Hawaii Youth Services Network. Your Committee received comments on this measure from the Department of Defense; Department of Defense Students, Teachers, and Officers Preventing School Violence Program; Department of Education; and State Public Charter School Commission.

Your Committee finds that between January 1, 2019, and November 19, 2019, forty-five school shootings occurred over forty-six weeks across the United States at various elementary, middle, and high schools as well as on college and university campuses. Although Hawaii schools have not yet fallen victim to completed acts of mass violence, the State's schools do regularly experience threats of shootings and bombings. Your Committee further finds that currently, gaps exist in inter-agency coordination, communication, and standardized responses to threats of targeted school violence in Hawaii. This measure is intended to address those gaps and prevent targeted school violence in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the pilot program may include one independent school and one public charter school;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it consider the amendments raised in the Department of Defense Students, Teachers, and Officers Preventing School Violence Program's testimony and work with the Program on this measure.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2703, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2703, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 180-20 Tourism & International Affairs on H.B. No. 2467

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to study the need for a tourism information center in the State Capital District.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that the State Capital District is a vital tourist area in Hawaii located just minutes from Waikiki and surrounded by popular attractions such as Iolani Palace, Washington Place, and the State Capitol building. A tourism information center would provide tourists information and directions while in the State Capital District and enhance their vacation experiences.

Your Committee also notes that the Department of Business, Economic Development, and Tourism does not have the adequate resources and expertise to conduct this study. Transferring the study to the Hawaii Tourism Authority will be more cost-efficient and practical since it already has a section dedicated to conducting surveys.

Your Committee has therefore amended this measure by:

- (1) Directing the Hawaii Tourism Authority, rather than the Department of Business, Economic Development, and Tourism, to perform the study and changing the expending agency for the appropriation accordingly;
- (2) Expanding the scope of the study to include an estimate of visitor services provided and visitor needs;
- (3) Changing the effective date to July 1, 2099, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As this measure progresses through the legislative process, your Committee recommends that \$100,000 be appropriated out of the general revenues of the State to finance the study proposed by this measure.

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2467, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 3 (Cabanilla Arakawa, Cachola, Creagan).

SCRep. 181-20 Judiciary on H.B. No. 1740

The purpose of this measure is to:

- (1) Allow the Governor to refer applications for pardon to the Attorney General for consideration and investigation, and require the Attorney General to make a recommendation;
- (2) Establish a comprehensive application process for executive pardons; and
- (3) Require the Director of Public Safety and Hawaii Paroling Authority to investigate every application for pardon referred to them by the Governor, if necessary.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of the Prosecuting Attorney. Your Committee received comments on this measure from the Hawaii Paroling Authority.

Your Committee finds that county prosecutors and crime victims in Hawaii do not receive advance notice of applications for executive pardons. Your Committee further finds that this measure will allow prosecutors and victims to provide input for the Governor's consideration.

Your Committee has amended this measure by:

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

Should your Committee on Legislative Management deliberate on this measure further, your Committee notes the concerns raised by the Hawaii Paroling Authority and the overall time considerations imposed by this measure, as well as the complexity of the process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1740, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 182-20 Judiciary on H.B. No. 1787

The purpose of this measure is to allow child custody appeals to be transferred from the Intermediate Court of Appeals to the Supreme Court, except in cases brought under the Child Protective Act.

Your Committee received testimony in support of this measure from the Judiciary and Appellate Section of the Hawaii State Bar Association.

Your Committee finds that family court cases involving the termination of parental rights already have an expedited appeals process. Your Committee further finds that this measure will help the Judiciary meet the Family Court's stated mission of providing a fair, speedy, economical, and accessible forum for the resolution of matters involving families and children.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1787 and recommends that it pass Second Reading and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 183-20 Public Safety, Veterans, & Military Affairs/Transportation on H.B. No. 1810

The purpose of this measure is to:

- (1) Authorize the Department of Public Safety's Sheriff Division to inspect shipping containers at commercial harbors or work sites;
- (2) Establish the Shipping Container Inspection Program and the Shipping Container Inspection Program Special Fund; and
- (3) Increase the maximum fine for each violation of the fireworks law.

Your Committees received testimony in support of this measure from Matson and five individuals. Your Committees received testimony in opposition to this measure from the Department of Public Safety and Hawaii Transportation Association. Your Committees received comments on this measure from the Department of the Attorney General, Department of Transportation, Department of Budget and Finance, International Longshore and Warehouse Union Local 142, and Chamber of Commerce Hawaii.

Your Committees find that the problem of illegal fireworks entering the State is long-standing. The illegal fireworks task force established pursuant to Act 170, Session Laws of Hawaii 2010, recommended increasing random inspections for illegal fireworks by expanding inspection authority and focusing cargo inspections to make them more manageable. This measure implements the task force's recommendation.

Your Committees believe that, due to constitutionality concerns, it may be appropriate to limit inspections to harbor facilities. Currently the harbors permit "safe zones", where various types of inspections, including agricultural inspections, are conducted, to minimize disruption to port operations.

Your Committees also find that the \$1 fee for each shipping container arriving in the State would raise approximately \$300,000 annually, based on the testimony of the Department of Transportation's Harbors Division that an estimated three hundred thousand twenty-foot-equivalent shipping containers enter Honolulu Harbor from the mainland U.S. each year.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the broad language that:
 - (A) Authorized the Department of Public Safety's Sheriff Division to inspect any shipping container situated anywhere at any commercial harbor or work site and to detect and confiscate any material constituting a threat directly or indirectly to the security of life or property;
 - (B) Allowed collaboration with other entities to carry out these types of inspections; and
 - (C) Specified that the Department of Public Safety Sheriff Division's authority under paragraphs (1) and (2) superseded any labor work rules or contracts that are contrary to that authority;
- (2) Deleting language that would have allowed the Shipping Container Inspection Program to:
 - (A) Conduct a majority of inspections away from ports;
 - (B) Include random inspections of freight forwarder warehouses and other facilities; and
 - (C) Include random inspections of common carriers at the discretion of the Department of Public Safety's Sheriff Division;
- (3) Clarifying certain terms;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary decide to hear this measure, your Committees respectfully request that it consider the constitutional concerns raised by the Department of the Attorney General over searches at harbors facilities and on private property.

As affirmed by the records of votes of the members of your Committees on Public Safety, Veterans, & Military Affairs and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1810, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1810, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Public Safety, Veterans, & Military Affairs: Ayes, 5. Noes, 1 (D. Kobayashi). Excused, 1 (McDermott).

Transportation: Ayes, 7; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Matayoshi).

SCRep. 184-20 Agriculture on H.B. No. 2565

The purpose of this measure is to:

- (1) Require the Department of Agriculture, in consultation with the Department of Health, to develop and implement a Restricted Use Pesticide Disposal Amnesty Program (Program) to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted use pesticides from a bona fide agricultural entity;
- (2) Convene a steering committee to guide and monitor the Program; and
- (3) Appropriate funds for purposes of the Program.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Farm Bureau; Western Plant Health Association; Larry Jefts Farms, LLC; Hawaii Rifle Association; CropLife America; Hawaii Crop Improvement Association; and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Center for Food Safety; We Are One, Inc.; UpCountry Doctor; Young Progressives Demanding Action; Hawaii Alliance for Progressive Action; and over one hundred individuals. Your Committee received comments on this measure from the Department of Agriculture and two individuals.

Your Committee finds that responsible environmental stewardship requires management and supervision of safe collection and lawful disposal of banned, outdated, or unwanted pesticides. Your Committee believes that this measure addresses this need by establishing a one-time, affordable, and environmentally accessible means for the disposal of pesticides. Your Committee notes the concerns that large agricultural corporations will take this as an opportunity for free disposal of unwanted pesticides; however, your Committee believes that setting the fee waiver limit at fifty pounds clarifies that this measure is intended for small farmers and agricultural businesses.

Your Committee has therefore amended this measure by:

- (1) Expanding the Program to include non restricted use pesticides, renaming the Program as the Pesticide Disposal Amnesty Program, and updating references throughout;
- (2) Changing the appropriation to an unspecified amount;
- (3) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2565, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2565, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Perruso, Thielen). Noes, none. Excused, none.

SCRep. 185-20 Agriculture on H.B. No. 1819

The purpose of this measure is to:

- (1) Establish a statutory framework for the Department of Agriculture (DOA) to monitor and regulate hemp;
- (2) Establish and provide temporary legislative funding for the Hemp Regulatory Special Fund, which will be funded through inspection fees in the longer term, for necessary staff to administer the program;
- (3) Exclude hemp from the State's prohibitions against marijuana;
- (4) Expedite the repeal of the existing Industrial Hemp Pilot Program;
- (5) Require the Chairperson of the Board of Agriculture to seek approval from the United States Department of Agriculture of a state plan to monitor and regulate hemp; and
- (6) Appropriate funds to DOA for the monitoring and regulation of hemp production and College of Tropical Agriculture and Human Resources at the University of Hawaii (CTAHR) for hemp research.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Kihei Community Association; Pacific Biodiesel Technologies; Hawaii Hemp Farmers Association; Hawaii Hemp Solutions; Vote Hemp; We Are One, Inc.; and five individuals.

Your Committee received comments on this measure from the Department of Agriculture, University of Hawaii System, Department of the Attorney General, Department of Public Safety, and one individual.

Your Committee finds that hemp is a high-value crop that can be of significant benefit to Hawaii's economy. At least forty-six states have passed legislation to facilitate hemp cultivation in recognition of a marked increase in hemp cultivation from 2018 to 2019. Your Committee notes that Hawaii's hemp industry remains in a nascent stage, in part due to restrictive regulatory actions taken by DOA under existing law.

Your Committee is satisfied that this measure's provisions requiring compliance with federal hemp laws will address concerns relating to marijuana. The Department of the Attorney General has expressed concern that this measure removes penalties both for violations of the program that are less than negligent and for the cultivation of hemp without a license. Your Committee believes that the concerns of the Attorney General are more suited for your Committee on Judiciary. Accordingly, your Committee respectfully requests your Committee on Judiciary, should it consider this measure, to consider and appropriately address the concerns of the Attorney General.

Your Committee has amended this measure by:

- (1) Establishing procedural requirements whereby a licensee can transport, in a DOA-approved manner, the licensee's crop to another site for processing;
- (2) Changing the amount of the appropriation to CTAHR to an unspecified sum;
- (3) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1819, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1819, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, 1 (Onishi). Excused, 2 (Cabanilla Arakawa, Holt).

SCRep. 186-20 Agriculture on H.B. No. 2190

The purpose of this measure is to establish the Agricultural Enterprise Program under the Department of Agriculture (Department) to allow the Department or a lessee to plan, design, construct, operate, maintain, manage, repair, demolish, and remove infrastructure or improvements on lands over which the Department has jurisdiction, to support and promote agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Crop Improvement Association, Hawaii Cattlemen's Council, Maui County Farm Bureau, Hawaii Meats LLC, Land Use Research Foundation of Hawaii, Local Food Coalition, East Oahu County Farm Bureau, Hawaii Aquaculture & Aquaponics Association, Hawaii Farm Bureau, Hawaii Coffee Association, Meadow Gold Dairies, and numerous individuals. Your Committee received comments on this measure from the Department of Taxation and one individual.

Your Committee finds that significant investment is needed in order for Hawaii's agriculture to become modernized. Increased management and control over lands under the Department's jurisdiction will support adapting to new developments in technology and methodology in agriculture and aquaculture. This flexibility will allow the Department to attain the food sustainability goals of the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Onishi, Perruso, Thielen). Noes, none. Excused, none.

SCRep. 187-20 Transportation on H.B. No. 2556

The purpose of this measure is to:

- (1) Authorize the county directors of finance to withhold the issuance or renewal of a certificate of registration until the county is reimbursed for all costs relating to the disposition of an abandoned vehicle;
- (2) Make it a misdemeanor, with a \$250 to \$500 fine, if a person abandons any vehicle on any public or private roadway or any property without the consent of the owner or lessee;
- (3) Require the court to report the misdemeanor conviction to the county director of finance, who may proceed to prohibit the person from operating a vehicle; and
- (4) Authorize the county to assess and collect fees, fines, and penalties for actions relating to the disposition of abandoned and derelict vehicles.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui, a Councilmember of the County Council of Maui, the Department of Customer Services of the City and County of Honolulu, and one individual. Your Committee received comments on this measure from the Department of Transportation and Office of the Mayor of the County of Hawaii.

Your Committee finds that abandoned vehicles on public roads are a widespread environmental concern that adversely impacts human health and safety, and in recent years appears to be increasing exponentially. This measure seeks to reduce the number of abandoned vehicles in the State by penalizing owners of abandoned cars through restrictions and fines.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2556, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2556, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 188-20 Transportation on H.B. No. 2566

The purpose of this measure is to require the driver of the lead vehicle on Hāna highway, between mile marker 00 and mile marker 34, to use turnouts and allow vehicles to pass.

Your Committee received testimony in support of this measure from the Maui County Council, Maui Metropolitan Planning Organization Policy Board, and one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that unsafe driving conditions may be created on two-lane roadways where the lead vehicle is moving slowly, there is a backup of vehicles behind the lead vehicle, and traffic moving in the opposite direction makes it unsafe to pass. This measure requires the driver of a lead vehicle with five or more vehicles in a line behind the driver on a segment of Hāna highway to use turnouts and allow vehicles to pass, thereby promoting traffic safety. Your Committee further finds that the application of this measure to roads statewide will improve operational efficiency and minimize road rage.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that requires the lead driver on Hāna highway between mile markers 00 and 34 to use turnouts and allow vehicles to pass the driver under certain circumstances;
- (2) Inserting language that requires vehicles on any two-lane roadway providing for two-way movement of traffic, proceeding at less than the speed limit, where passing or overtaking another vehicle is not possible or permitted, and a line of five or more vehicles has formed immediately behind, to move off the roadway at the nearest location where sufficient space exists for trailing vehicles to overtake;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2566, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2566, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 189-20 Transportation on H.B. No. 2002

The purpose of this measure is to establish statewide regulation of transportation network companies to provide operational consistency across Hawaii and to set up a permitting process within the Department of Transportation.

Your Committee received testimony in support of this measure from the Department of Transportation; Uber Technologies, Inc.; Lyft; and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Passenger and Property Carriers Association and Roberts Hawaii, Inc. Your Committee received comments on this measure from the Consumer Data Industry Association.

Your Committee finds that statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network company drivers, as well as to preserve and enhance access to important transportation options for residents and visitors of the State.

Your Committee has amended this measure by:

- (1) Explicitly granting full authority to the Director of Transportation to enforce the statutes and rules relating to transportation network companies and transportation network drivers;
- (2) Providing for the certification of transportation network company vehicles;
- (3) Removing the requirement that the third-party commercial background check company must be accredited by the Professional Background Screening Association;
- (4) Authorizing:
 - (A) The Director of Transportation to revoke or suspend the registration of a transportation network company that has engaged in unlawful conduct; and
 - (B) Any person who has been harmed by a transportation network company's unlawful conduct to file suit against the company;
 and granting full authority to the Director of Transportation to implement these provisions;
- (5) Allowing persons who believe that a violation of the statutes or rules governing transportation network companies has occurred to file a written complaint and granting the Director of Transportation full authority to conduct investigations, examinations, and hearings regarding such complaints;
- (6) Granting full authority to the Director of Transportation to retain personnel and employ public or private analytical systems, methods, or software to conduct investigations or examinations;
- (7) Granting full authority to the Director of Transportation to charge an examination or investigation fee;
- (8) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2002, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2002, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 190-20 Transportation on H.B. No. 2750

The purpose of this measure is to prohibit the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations. This measure is not intended to affect driver's license suspensions related to excessive speeding, lack of motor vehicle insurance, or non-compliance with a child support order.

Your Committee received testimony in support of this measure from the state Office of the Public Defender, County of Kauai Office of the Prosecuting Attorney, American Civil Liberties Union of Hawaii, Hawai'i Alliance for Progressive Action, LGBT Caucus of the Democratic Party of Hawaii, Pono Hawaii Initiative, Young Progressives Demanding Action, and thirteen individuals. Your Committee received comments from the Judiciary.

Your Committee finds that the inability to obtain or renew a driver's license for unpaid debt has the counterproductive effect of pushing individuals further into debt. The American Bar Association recently adopted guidelines on preventing fines and fees that penalize poverty, and this measure will address that inequity.

According to testimony presented by the Office of the Public Defender and Kauai County Office of the Prosecuting Attorney, this measure will reduce the number of Hawaii residents criminalized due to poverty, reduce the burden on their offices' District Court staff, and allow for office resources to be invested on cases that impact public safety. Your Committee supports these outcomes.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2750, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2750, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 191-20 Transportation on H.B. No. 2590

The purpose of this measure is to authorize the use of automated-driving-system-equipped vehicles, automated driving systems, driverless-capable vehicles, and on-demand driverless-capable vehicle networks in Hawaii.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, Alliance for Automotive Innovation, Hawaii Automobile Dealers' Association, and Ulupono Initiative. Your Committee received comments on this measure from the Department of Taxation and 350Hawaii.

Your Committee finds that the automotive industry is rapidly evolving. Today's vehicles are more advanced than ever and feature remarkable capabilities, all with the primary goal of passenger safety and saving lives. According to the United States Department of Transportation, more than 37,000 lives were lost on United States roadways in 2017, with human error accounting for more than 94 percent of these fatalities. These numbers underscore the importance for automobile manufacturers to develop life-saving autonomous vehicle technologies. Furthermore, autonomous vehicles increase transportation options, allowing individuals to navigate and participate more meaningfully in their communities.

Your Committee has amended this measure by:

- (1) Establishing a two-year autonomous vehicles testing pilot program within the Department of Transportation;
- (2) Making an appropriation in an unspecified amount to the Department of Transportation for the pilot program;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2590, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2590, H.D. 1, and be referred to your Committees on Judiciary and Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 192-20 Transportation on H.B. No. 2174

The purpose of this measure is to:

- (1) Amend the penalties, license revocation periods, and lookback periods for offenses involving operating a vehicle under the influence of an intoxicant; and
- (2) Establish sentencing requirements for and define "highly intoxicated operator".

Your Committee received testimony in support of this measure from the Honolulu Police Department, Maui Metropolitan Planning Organization Policy Board, and Smart Start LLC.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language that:

- (1) Defines "highly intoxicated driver";
- (2) Provides the evidentiary standard for establishing that a person was a "highly intoxicated driver";
- (3) Requires that ignition interlock devices be installed and maintained on one or more vehicles registered to and all vehicles operated by anyone convicted of operating a vehicle under the influence of an intoxicant, during the applicable period of license revocation;
- (4) Increases the license revocation period ordered by the Administrative Driver's License Revocation Office and extending the applicable lookback periods from five to ten years;
- (5) Establishes higher penalties for a highly intoxicated driver operating a vehicle; and
- (6) Amends the penalties for offenses of operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Transportation and Mothers Against Drunk Driving Hawaii. Your Committee received comments on the proposed H.D. 1 from one individual.

Your Committee finds that the proposed H.D. 1 is a product of the collaborative effort by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group, Hawaii Association of Criminal Defense Lawyers, and Office of the Public Defender to address Hawaii's increasing number of traffic fatalities involving alcohol and drugs.

Your Committee has amended this measure by adopting the proposed H.D. 1.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2174, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 193-20 Transportation on H.B. No. 1833

The purpose of this measure is to authorize peer-to-peer car sharing in Hawaii.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Commerce and Consumer Affairs, Avail/Allstate, Turo, Getaround, and TechNet. Your Committee received comments on this measure from the Hawaii Insurers Council and Enterprise Holdings.

Your Committee finds that peer-to-peer car-sharing programs have been shown to reduce traffic congestion and reduce greenhouse gas emissions because it encourages individuals to share access to cars rather than owning cars themselves. As this business model is markedly different from the traditional rental car model, the establishment of new regulations is necessary to address this emerging transportation industry.

Your Committee has amended this measure by:

- (1) Removing language that limited liability for a peer-to-peer car-sharing program that maintained insurance coverage during the car-sharing period;
- (2) Requiring that a peer-to-peer car-sharing program enter into a contract or other agreement with the Airports Division of the Department of Transportation pursuant to section 261-7(a), Hawaii Revised Statutes, prior to operating at any airport in Hawaii;
- (3) Requiring a peer-to-peer car-sharing program to comply with all rules of the Airports Division of the Department of Transportation;
- (4) Specifying what is included in the daily and periodic cost to the shared car driver and requiring the peer-to-peer car-sharing program to disclose any quotations of price as part of the car-sharing program agreement;
- (5) Imposing a peer-to-peer car-sharing surcharge tax, which the peer-to-peer car-sharing program is responsible for collecting and remitting to the Department of Transportation for deposit into the state highway fund;
- (6) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1833, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1833, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 194-20 Transportation on H.B. No. 2003

The purpose of this measure is to expand the role of the Department of Health's state drug and alcohol toxicology testing laboratory by establishing a state drug and alcohol toxicology testing laboratory special fund.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Kauai, Honolulu Police Department, MADD Hawaii, PATH - Peoples Advocacy for Trails Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Health, Department of Public Safety, Department of Transportation, and Department of Budget and Finance.

Your Committee finds that presently, testing of blood and urine samples obtained for the purpose of cases involving the operation of a motor vehicle while under the influence of an intoxicant is performed by private laboratories, with the exception of blood alcohol testing within the City and County of Honolulu. This drug and alcohol testing performed by private laboratories, including out-of-state laboratories, is costly and time-consuming. Occasions have occurred where the test results were not timely for trial, thereby causing cases to be dismissed.

Your Committee has amended this measure by:

- (1) Specifying that monies in the state drug and alcohol toxicology testing laboratory special fund will be expended by the Department of Health, rather than the Department of Public Safety; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2003, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2003, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Hashem).

SCRep. 195-20 Health on H.B. No. 2201

The purpose of this measure is to:

- (1) Require the Board of Massage Therapy to adopt rules to set qualifications for license and licensure renewal; and
- (2) Prohibit advertising as a massage therapist without a valid massage therapy license or from using advertisements on the internet and social media platforms that depict the human form other than hands, wrists, and forearms.

Your Committee received testimony in support of this measure from the American Massage Therapy Association – Hawaii Chapter. Your Committee received comments on this measure from the Department of the Attorney General, Board of Massage Therapy, and IMUAlliance.

Your Committee acknowledges the testimony from the Department of the Attorney General, noting that this measure may be subject to a challenge under the Free Speech Clauses of the United States Constitution and Hawaii State Constitution for broadly prohibiting certain advertisements on the Internet and social media platforms. Should your Committee on Intrastate Commerce deliberate on this measure, your Committee respectfully requests that it work with the Board of Massage Therapy for a remedy.

Your Committee notes that the Board of Massage Therapy specifically requested an effective date on this measure of July 1, 2024.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2201, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2201, H.D. 1, and be referred to your Committee on Intrastate Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 196-20 Health on H.B. No. 2105

The purpose of this measure is to authorize physicians to engage in collective mediation with health benefit plans.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawaii, Hawaii Medical Association, Hawaii College of Emergency Physicians, Hawaii Physician Shortage Crisis Task Force, and twelve individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association and Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of the Attorney General, Hawaii Medical Board, Civil Beat Law Center for the Public Interest, and Kaiser Permanente Hawaii.

Your Committee finds that this measure is modeled after an Alaska law enacted in 2002, which allows physicians and insurers to collectively convene for discussion, with the goal of improving contractual relations and improving access to care. However, your Committee notes the concerns raised by the Department of the Attorney General in testimony that this measure may be subject to federal preemption by the federal Employee Retirement Income Security Act, since it exempts self-insured health benefit plans. Concerns were also raised that this measure may conflict with federal antitrust laws. In light of these concerns, your committee believes that a study on this issue is prudent.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language authorizing physicians to engage in collective mediation with health benefit plans;
- (2) Requiring the Department of the Attorney General to conduct a feasibility study on whether the Legislature may authorize competing physicians to engage in collective mediation with health benefit plans, including federal preemption and other legal concerns associated with this type of collective action;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2105, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 197-20 Health on H.B. No. 2348

The purpose of this measure is to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language to establish a schedule of penalties for holders of retail tobacco permits and persons registered to sell electronic smoking devices, and their employees, who illegally sell tobacco products and electronic smoking devices to persons under twenty-one years of age.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Health, Hawaii Primary Care Association, Hawaii Public Health Institute, Hawaii Pacific Health, Hawaii Petroleum Marketers Association, and two individuals. Your Committee received testimony in opposition to the proposed H.D. 1 from the Retail Merchants of Hawaii. Your Committee received comments on the proposed H.D. 1 from the American Cancer Society Cancer Action Network and Hawaii Food Industry Association.

Your Committee finds that this measure establishes clear legal responsibility of retailers, permittees, and registrants who sell tobacco products and the liability incurred when illegal sales are made to anyone under twenty-one years of age. The increased penalties proposed by this measure, which include license suspension, provide a meaningful incentive for retailers, permittees, and registrants to comply with tobacco and electronic smoking device sales laws. Your Committee also finds this measure holds licensees responsible for the actions of their employees, reinforces their supervisory responsibilities, and emphasizes the need for onsite employee training and education to reduce youth access to these products.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

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

Your Committee respectfully requests your Committees on Consumer Protection & Commerce and Judiciary, should they choose to hear this measure, to consider adding a definition for "e-liquid".

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

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 198-20 Health on H.B. No. 1619

The purpose of this measure is to address issues of mental health during a judicial proceeding by:

- (1) Authorizing the courts to enter into collaborative agreements with the parties where there is reason to believe that the defendant has a physical or mental disease, disorder, or defect that will or has become an issue in the criminal case; and
- (2) Requiring an examination for penal responsibility to be conducted within fifteen days after a finding of fitness to proceed.

Your Committee received testimony in support of this measure from the Department of Health and one individual. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Hawaii Psychological Association. Your Committee received comments on this measure from the Judiciary, Office of the Public Defender, and Hawaii Disability Rights Center.

Your Committee finds that jails nationwide have become the default mental health method of treatment for numerous low-level defendants whose needs could be far more effectively addressed by diversion into behavioral health treatment services.

Your Committee notes the concerns of the Office of the Public Defender that a mentally impaired person allegedly committing a non-violent felony should not be treated differently from a mentally impaired person allegedly committing a violent felony. Specifically, the Office of the Public Defender is concerned with the reduction of qualified examiners from three to one for class C felonies not involving violence or attempted violence.

Your Committee also notes that the agreements referred to in this measure are those made in collaboration with the parties, the court, defendants, psychologists, psychiatrists, and examiners.

Your Committee has amended this measure by:

- (1) Based on the testimony of the Judiciary, removing the term "collaborative" when referring to the agreements covered by this measure;
- (2) Clarifying that in felony cases requiring three examiners, either one psychiatrist or one psychologist must be appointed;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1619, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1619, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 199-20 Health on H.B. No. 2248

The purpose of this measure is to prohibit the sale, offer for sale, or distribution in the State of any sunscreen that contains any active ingredient not classified by the United States Food and Drug Administration as a category I, generally recognized as safe and effective, beginning January 1, 2023.

Your Committee received testimony in support of this measure from a member of the Hawaii County Council; Surfrider Oahu; Friends of Hanauma Bay; Hawaii Reef and Ocean Coalition; Hawaii Advocates for Consumer Rights; Coastal Planners, LLC; Fair Wind Cruises; Kona Sunrise Charters Inc.; Haereticus Environmental Laboratory; Activities & Attractions Association of Hawaii; and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association, Personal Care Products Council, American Chemistry Council, Consumer Brands Association, and Consumer Healthcare Products Association. Your Committee received comments on this measure from the Department of Health.

Your Committee has heard the testimony presented by the Department of Health, recognizing the benefits of the recent legislation prohibiting the sale of oxybenzone and octinoxate containing sunscreen products and sharing the concerns about potential impacts of some sunscreen chemicals on coral reefs and human health. Your Committee also understands the concerns raised by the Department, that restricting the sale and distribution of sunscreens to only two approved active ingredients has the potential to increase the risk of skin cancer to Hawaii's residents and visitors.

Your Committee therefore concludes that establishing a task force to conduct a study is warranted before further limiting sun protection factor ingredients in sunscreens available for use in the State. Your Committee finds that a sun protection factor task force would allow an examination of policy recommendations for the Legislature, which balance the health and safety of the public, ocean and reef life, and the environment.

Your Committee has amended this measure by:

- (1) Removing language that would have prohibited the sale, offer for sale, or distribution in the State of sunscreens that do not contain certain active ingredients;
- (2) Establishing a task force within the Department of Health to conduct a study on sun protection factor ingredients and the feasibility of further limiting these ingredients' use in sunscreens in the State;
- (3) Requiring the task force to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2021;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2248, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2248, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 200-20 Health on H.B. No. 1843

The purpose of this measure is to authorize the manufacture and distribution of cannabis seeds and cannabis clones by medical cannabis dispensary licensees.

Your Committee received testimony in support of this measure from Big Island Grown, Kush Hawaii, Patients Without Time, Drug Policy Forum of Hawaii, and nine individuals. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that for twenty years medical cannabis patients have been allowed to self-cultivate cannabis; however, there has been no legal way to acquire cannabis seeds or clones. Allowing medical cannabis patients to grow their own cannabis from seeds or clones will enable these patients to obtain strains with medicinal properties while minimizing the risk of unwanted pests and pathogens from being introduced into a homegrown environment.

Your Committee notes the concerns raised in testimony by the Department of Health that this measure does not appear to comport with the Legislature's intent in establishing the statewide dispensary system and may allow for the purchase of unlimited numbers of cannabis seeds and clones. The Department of Health also expressed concerns that this measure could potentially enable patients to exceed their statutory limit of medical cannabis and allow out-of-state patients to purchase cannabis clones in violation of state law, and risks encouraging the illegal cannabis market.

Your Committee has amended this measure by:

- (1) Adding a preamble; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1843, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1843, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 1 (Ward). Excused, 1 (Say).

SCRep. 201-20 Health on H.B. No. 1881

The purpose of this measure is to protect patient access to health care by addressing unanticipated medical coverage gaps for patients who receive emergency services from non-participating providers.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs Insurance Division, Hawaii Health Systems Corporation, Hawaii Medical Service Association, Hawaii Pacific Health, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association, Hawaii American College of Emergency Physicians, and Hawaii Emergency Physicians Associated. Your Committee received comments on this measure from Healthcare Association of Hawaii, Kaiser Permanente Hawaii, and Adventist Health Castle.

Your Committee finds that surprise bills are an unwelcome shock to patients who receive unanticipated or emergency out-of-network health care services from a provider. These surprise bills place significant financial burdens on patients. These financial burdens are especially painful in a State with a high cost of living. Your Committee finds that this measure offers an opportunity to continue the conversation in addressing these surprise billing practices.

Your Committee has amended this measure by:

- (1) Amending the billing requirements for emergency services;
- (2) Requiring the use of dispute resolution when a dispute exists as to the reimbursement of a nonparticipating provider;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1881, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1881, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 202-20 Health on H.B. No. 2456

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of e-liquid products;
- (2) Include e-liquid and electronic smoking devices containing e-liquid within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law;
- (3) Allocate a portion of funds collected from excise taxes on tobacco products to health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth; and
- (4) Repeal certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

Your Committee received testimony in support of this measure from the Department of Health; Department of Taxation; Hawaii Primary Care Association; Hawaii Pacific Health; Kapiolani Smokefree Families: Tobacco & Nicotine Cessation Program; American Heart Association; American Cancer Society Cancer Action Network; Hawaii Youth Services Network; Hawaii Substance Abuse Coalition; Hui No Ke Ola Pono; University of Hawaii Student Health Advisory Council; Pioneering Healthier Communities Initiative; Coalition for a Tobacco-Free Hawaii; Hawaii Food Industry Association; Kahoomiki - the Hawaii Council on Physical Activity and Nutrition; Friends of Kamalani & Lydgate Park Beach Cleanup Team; Hawaii State Teachers Association; We Are One, Inc.; American Academy of Pediatrics - Hawaii Chapter; American Lung Association; and numerous individuals. Your Committee received testimony in opposition to this measure from Logic Technology Development, LCC; Hawaii Smokers Alliance; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that there is a serious nationwide concern over the use of electronic smoking devices containing e-liquids. Particularly, there is a grave concern over the historic rise in their use by youth and young adults. Currently, there is no state tobacco tax applied to e-liquid, even though the use of electronic smoking devices containing e-liquid carry similar health risks as cigarettes or tobacco products. Imposing a tax on e-liquids and electronic smoking devices will encourage users to quit or reduce consumption among those who continue to use those products, including youth and young adults.

Your Committee further notes the support indicated in testimony from the Department of Health of taxing e-liquid products, which include e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2456, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 203-20 Health on H.B. No. 2504

The purpose of this measure is to specify:

- (1) Disclosure and consent requirements for health care providers, health care facilities, and hospitals that are nonparticipating providers in a patient's health care plan;
- (2) The circumstances in which a patient is not liable to a health care provider for any sums owed by an insurer, mutual benefit society, or health maintenance organization; and
- (3) The rate at which a health insurance plan must reimburse a nonparticipating provider who provides health care to a patient, unless otherwise agreed to by the nonparticipating provider and health insurance plan.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii, Hawaii Medical Service Association, Hawaii Primary Care Association, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Chapter of the American College of Emergency Physicians, Hawaii Emergency Physicians Associated, and Maui Emergent Medical Associates. Your Committee received comments on this measure from the Department of Health, Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Health Systems Corporation, Hawaii Medical Association, AARP Hawaii, Healthcare Association of Hawaii, The Queen's Health Systems, Adventist Health Castle, Hawaii Pacific Health, and one individual.

Your Committee finds that surprise bills are an unwelcome shock to patients who unknowingly receive health care services from a provider outside of their network. These surprise bills place significant financial burdens on patients. These financial burdens are especially painful in a State with a high cost of living. Your Committee finds that proposals, such as this measure, are important steps needed to continue the conversation in addressing these surprise billing practices.

Your Committee has amended this measure by:

- (1) Incorporating stakeholder amendments collaborated on by the Hawaii Health Systems Corporation, Adventist Health, The Queen's Health Systems, and Hawaii Pacific Health, which, among other things:
 - (A) Clarifies the disclosure and communication requirements of health care plans;
 - (B) Removes certain provisions that prohibit court actions to collect sums;
 - (C) Requires insurers, mutual benefit societies, and health maintenance organizations to negotiate with nonparticipating providers for sums owed by the insurers, mutual benefit societies, and health maintenance organizations for emergency and non-emergency services;
 - (D) Specifies the obligations of insurers, mutual benefit societies, and health maintenance organizations to nonparticipating providers to resolve outstanding sums owed by these entities;
 - (E) Removes the requirement that rates be paid at the usual and customary rate or in relation to Medicare reimbursements when there is a failure to reach a resolution with nonparticipating providers; and
 - (F) Outlines the procedures for dispute resolution between insurers, mutual benefit societies, health maintenance organizations, and nonparticipating providers;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2504, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 204-20 Health on H.B. No. 2096

The purpose of this measure is to ensure the safety of consumers by requiring all cannabidiol products sold in the State to be:

- (1) Tested by an independent testing laboratory for contaminants unsafe for human consumption and THC levels; and
- (2) Packaged with information concerning THC levels and other product safety requirements.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which amends this measure by deleting its contents and inserting language to:

- (1) Adopt a framework for regulating cannabidiol under the Department of Health to be consistent with the State's Food, Drug, and Cosmetic Act, including provisions related to laboratory testing, labeling, marketing, and other provisions; and
- (2) Allow licensees under the Industrial Hemp Pilot Program to market their products to the consumer market in a manner that is regulated and tested for safety, purity, and potency.

Your Committee received testimony in support of the proposed H.D. 1 from Pan Pacific Ventures, LP; Irie Hawaii; and fourteen individuals. Your Committee received testimony in opposition to the proposed H.D. 1 from the U.S. Hemp Roundtable. Your Committee received comments on the proposed H.D. 1 from the Department of Health, Department of Agriculture, and The Drug Policy Forum of Hawaii.

Your Committee finds that there is a proliferation of cannabidiol and cannabidiol products for use and sale. Your Committee further finds that a regulatory framework must be established to ensure that products are safe and provide clear guidance as to the quality, marketing, and packaging of cannabidiol and cannabidiol products.

Your Committee has amended this measure by adopting the proposed H.D. 1 and making further amendments by:

- (1) Removing the requirement that all packaging of cannabidiol and cannabidiol products be labeled with the phrase "For medical use only", as this label would be misleading;
- (2) Granting the Department of Health rulemaking authority necessary to effectuate the requirements of the regulatory framework, including interim rulemaking authority;
- (3) Requiring medical cannabis dispensaries to apply with the Department of Health to use cannabidiol and cannabidiol products in their manufactured cannabis products, rather than granting them the direct authority to use such products;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Department of Health raised concerns about the scope of the regulatory framework. Specifically, the Department requested that the regulatory framework also include products with the other cannabinoids, cannabigerol and cannabiol, not only cannabidiol. Your Committee requests your Committees on Consumer Protection & Commerce and Judiciary, should they consider this measure, to give consideration to this suggestion by the Department of Health.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2096, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 205-20 Health on H.B. No. 2347

The purpose of this measure is to prohibit the sale or distribution of all flavored tobacco products, including products with menthol, in the State of Hawaii.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1. The proposed H.D. 1 retained the contents of this measure and also inserted provisions that:

- (1) Clarify the procedure for when a flavored tobacco product found unlawfully in a retailer's possession is taken and destroyed;
- (2) Require, rather than permit, any retailer and any agent or employee of the retailer to be sentenced to a fine not exceeding \$500; and
- (3) Clarify the definitions of "electronic smoking device" and "tobacco product".

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Health; Honolulu Police Department; Blue Zones Project – Central Maui; Man Cave; Flavors Hook Kids Hawaii Campaign; American Association of University Women of Hawaii; Kapiolani Smokefree Families; Hawaii Pacific Health; Hawaii Primary Care Association; Hawaii Youth Services Network; American Academy of Pediatrics, Hawaii Chapter; Hawaii Public Health Institute; Hawaii COPD Coalition; Pono Hawaii Initiative; JT International U.S.A., Inc.; Pioneering Healthier Communities Initiative; American Heart Association; Hawaii Substance Abuse Coalition; American Cancer Society Cancer Action Network; Hui No Ke Ola Pono; We Are One, Inc.; American Lung Association; Emma Whitney Photography; Friends of Kamalani and Lydgate Park Beach Cleanup Team; Hawaii State Teachers Association; Kahoomiki, the Hawaii Council on Physical Activity and Nutrition; Hawaii Dental Hygienists Association; over one hundred individuals; and a petition signed by numerous individuals. Your Committee received testimony in opposition to the proposed H.D. 1 from Vape Kings; Hawaii Food Industry Association; Hawaii Smokers Alliance; Cigar Association of America, Inc.; Retail merchants of Hawaii; Hawaii Petroleum Marketers Association; and numerous individuals. Your Committee received comments on the proposed H.D. 1 from one individual.

Your Committee finds that tobacco use is a serious public health problem, especially for the State's youth. Eighty-one percent of youth who have ever used a tobacco product report that the first tobacco product they used was flavored. Flavored tobacco products reduce or mask the natural harshness and taste of tobacco smoke, which increases the appeal of tobacco products. The proposed H.D. 1 addresses the youth vaping epidemic and will reduce tobacco-related health disparities by banning the sale or distribution of all flavored tobacco products in Hawaii.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Excluding menthol from the definition of "characterizing flavor";
- (2) Clarifying that the definition of "e-liquid" excludes liquids or like substances designed or intended to be used in an electronic smoking device that has a distinguishable taste or aroma of tobacco or menthol;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2347, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2347, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 206-20 Health on H.B. No. 2046

The purpose of this measure is to designate the month of September as Fetal Alcohol Spectrum Disorder Awareness Month to promote public awareness of the risks of alcohol consumption during pregnancy.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center, Waianae Coast Comprehensive Health Center, Hawaii Psychological Association, Hawaii FASD Action Group, Hawaii Substance Abuse Coalition, and seven individuals.

Your Committee notes that this measure adheres to the Department of Health's strategic plan to create a culture of health throughout Hawaii; take health to where people live, work, learn, and play; and invest in healthy babies and families.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2046, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2046, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 207-20 Health on H.B. No. 2068

The purpose of this measure is to limit to one hundred eighty days:

- (1) The period of conditional release granted to defendants charged with class C felonies that do not involve violence or attempted violence; and
- (2) The period of commitment to the Department of Health of defendants charged with class C felonies that do not involve violence or attempted violence.

Your Committee received comments on this measure from the Department of Health and Hawaii Disability Rights Center.

Your Committee finds that the State's finite resources should be prioritized to provide the utmost care and supervision for defendants who have a propensity for violent behavior due to mental illness, rather than keeping non-violent defendants committed longer than necessary. Your Committee believes that this measure will concentrate the State's limited resources to helping persons that are in dire need of intervention.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2068, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2068, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 208-20 Health on H.B. No. 140

The purpose of this measure is to encourage postgraduate medical student physicians to participate in peer-review processes by affording them the same incentives and protections as licensed physicians engaging in effective peer review.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 2, which deletes the contents of this measure and inserts language that amends the Electronic Prescription Accountability System by allowing controlled substance prescribers, dispensers, and pharmacists of the United States Department of Veterans Affairs and Med-QUEST employees access to information stored in the electronic prescription accountability system.

Your Committee received testimony in support of the proposed H.D. 2 from the Department of Health, Department of Human Services, and Department of Public Safety.

Your Committee finds that adding authorized employees of the Department of Human Services Med-QUEST Division to the list of individuals who may receive investigative information from the electronic prescription accountability system will enhance the Department's clinical and program integrity efforts. This measure is aligned with the goals of the Hawaii Opioid Action Plan to address the problems of opioid misuse and abuse, as well as address the needs for substance use disorder treatment.

Your Committee has amended this measure by adopting the proposed H.D. 2 and further amending the measure by:

- (1) Specifying that licensed healthcare providers, or their delegates, employed by the United States Department of Veterans Affairs shall have access to information stored in the electronic prescription accountability system to be consistent with federal law;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 140, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 140, H.D. 2, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 209-20 Agriculture on H.B. No. 2689

The purpose of this measure is to facilitate the regulation and production of industrial hemp in the State by:

- (1) Requiring the Department of Agriculture (DOA) to establish a permanent Industrial Hemp Program to license individuals to cultivate industrial hemp in the State;
- (2) Authorizing licensees to utilize hemp genetics that meet federal definitions of hemp and other requirements;
- (3) Authorizing DOA to use temporary inspectors to perform industrial hemp inspections;
- (4) Exempting the transportation of certain hemp plant materials from penalties relating to the possession of those materials outside of a field of lawful cultivation;
- (5) Requiring the Department of Health to adopt rules for the licensing, inspection, and regulation of industrial hemp processing facilities;
- (6) Establishing an Industrial Hemp Special Fund for the purposes of the permanent Industrial Hemp Program, and appropriating monies from that fund for:
 - (A) Establishment of positions relating to the regulation of industrial hemp; and
 - (B) Licensing, inspection, and regulation of industrial hemp processing facilities by the Department of Health;
- (7) Establishing an affirmative defense to certain criminal drug promotion offenses;
- (8) Reducing or repealing certain regulatory requirements under the existing Industrial Hemp Pilot Program;
- (9) Amending definitions of "marijuana" in state law to clarify that hemp grown by a licensee is not marijuana and amending references to tetrahydrocannabinols in the state law to exclude tetrahydrocannabinols in hemp; and
- (10) Requiring the Chairperson of the Board of Agriculture to:
 - (A) Prepare and submit a proposed state plan to monitor and regulate hemp production, including commercial production and research, to the federal Secretary of Agriculture; and
 - (B) Report to the Governor, Speaker of the House of Representatives, and President of the Senate on the status of the federal Secretary of Agriculture's pending approval of the state plan and, if approved, the subsequent implementation of the plan.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Hawaii Hemp Farmers Association, and one individual. Your Committee received comments on this measure from the Department of Health, Department of Public Safety, Department of the Attorney General, and one individual.

Your Committee finds that the University of Hawaii's research on hemp shows that there is significant potential for a successful hemp agricultural industry in Hawaii. In addition to creating new agricultural commerce, hemp is also beneficial in removing toxins from the soil (phytoremediation), which is important because past agricultural operations in the State have deposited toxins in vast tracts of land. Hemp grows quickly and is a superior phytoremediation crop. Your Committee also finds that hemp is an environmentally-friendly and efficient feedstock for biofuel. Hemp can be made into clothing and used in other products to promote the growth of small businesses.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2689, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2689, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Onishi). Noes, none. Excused, 2 (Cabanilla Arakawa, Holt).

SCRep. 210-20 Agriculture on H.B. No. 1714

The purpose of this measure is to manage, rather than eradicate, the overpopulation of axis deer in the County of Maui by appropriating funds for management activities.

Your Committee received testimony in support of this measure from the Department of Agriculture; Office of the Mayor of the County of Maui; two Maui County Council members; County of Maui Office of Economic Development; Hawaii Cattlemen's Council, Inc.; Maui County Farm Bureau; Maui Cattlemen's Association; Hawaii Farm Bureau; Big Island Invasive Species Committee; Parker Ranch; and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the overpopulation of axis deer has caused significant damage to farms and ranches in the County of Maui. Your Committee also finds that while the axis deer population is a serious threat to agriculture and the environment, the axis deer is a significant component to the subsistence hunting lifestyle and cultural practices of the residents of Maui. Your Committee further finds that a plan is necessary to prudently implement the reduction and management of the overpopulation of axis deer in the County of Maui.

Your Committee has amended this measure by:

- (1) Deleting the amount of the appropriation for axis deer management activities in the County of Maui;

- (2) Inserting an appropriation to the County of Maui for preparation of a plan detailing how the County will reduce and manage the overpopulation of axis deer in the County;
- (3) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this matter further, to consider appropriating \$3,500,000 for axis deer management activities and preparation of a plan to reduce and manage the overpopulation of axis deer in the County of Maui.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1714, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1714, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Cabanilla Arakawa, Cachola, Holt).

SCRep. 211-20 Health on H.B. No. 141

The purpose of this measure is to:

- (1) Establish a state telehealth advisory council and a state telehealth coordinator position in the Department of Health to advise the Governor in the development and implementation of a comprehensive state telehealth plan; and
- (2) Establish a working group in the Department of Health to research and make recommendations on various access to health care barriers.

Your Committee received testimony in support of this measure from seven individuals.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 2, which deletes the contents of the measure and inserts language to:

- (1) Require public, private, and charter schools to have an employee trained to administer seizure disorder rescue medication, except under certain circumstances;
- (2) Require a seizure action plan for every diagnosed student and distribution of the plan to employees charged with supervising the student; and
- (3) Requiring all principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials.

Your Committee received testimony in support of the proposed H.D. 2 from the Special Education Advisory Council, Hawaii Primary Care Association, Epilepsy Foundation of America, Epilepsy Foundation of Hawaii, and nine individuals. Your Committee received comments on the proposed H.D. 2 from the Department of Education.

Your Committee finds that the proposed H.D. 2 is based on model legislation proposed by the national Epilepsy Foundation to increase the public's awareness of seizure disorders and make schools safer for students affected by seizure disorders. Your Committee notes that this measure is a critical priority for the epilepsy community, to promote safety and continuity of care in the event of a seizure. Your Committee further finds that the proposed H.D. 2 contains important protections necessary to enhance the safety of Hawaii's students living with seizure disorders while they are attending school.

Your Committee has amended this measure by adopting the proposed H.D. 2, and further amending the measure by:

- (1) Removing provisions that would have made the requirements in this measure applicable to private schools;
- (2) Changing the appropriation to an unspecified amount;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 141, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 141, H.D. 2, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, 2 (San Buenaventura, Say).

SCRep. 212-20 Health on H.B. No. 2706

The purpose of this measure is to:

- (1) Require the Department of Health to promote food donation during normal, routine inspections of food establishments;
- (2) Expand liability protections for the donation of food; and
- (3) Authorize the donation of food directly to the needy under certain circumstances.

Your Committee received testimony in support of this measure from the Hawaii Restaurant Association, Aloha Harvest, Hawaii Food Industry Association, and several individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that food donors need education in how to exercise the already existing protections in statute for food donations, as well as information on how to donate in a reasonable and safe manner. This measure discourages food waste and encourages food donation.

Your Committee has amended this measure by:

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

Should your Committee on Judiciary deliberate on this measure, your Committee respectfully requests that it encourage the Department of Health and Department of the Attorney General to collaborate on the potential issues regarding the liability exception in this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2706, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 213-20 Labor & Public Employment on H.B. No. 2251

The purpose of this measure is to improve retirement savings opportunities in the State by:

- (1) Establishing a retirement savings task force to secure a consultant to:
 - (A) Assess the feasibility of a Hawaii retirement savings program;
 - (B) Research the implications of the federal SECURE Act, enacted on December 20, 2019;
 - (C) Draft an implementation plan for a retirement savings program; and
 - (D) Submit a report of its findings and recommendations, including any proposed legislation, to implement the plan; and
- (2) Appropriating funds to manage the Hawaii retirement savings program.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elder Affairs; Hawaii Appleseed Center for Law & Economic Justice; Hawaii Family Caregiver Coalition; AARP Hawaii; Priam's Automotive Service & Repair, Inc.; Burgers on Bishop; Hawaiian Cool Water; Art Nelson Sailmaker/Ullman Sails Hawaii; 3 Financial Group LLC; Gochi Grill on Bishop Street; Maui Chamber of Commerce; and eight individuals. Your Committee received testimony in opposition to this measure from the American Council of Life Insurers and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, State Procurement Office, Hawaii Bankers Association, and the National Association of Insurance and Financial Advisors- Hawaii.

According to a 2018 study by the U.S. Bureau of Labor Statistics, nearly 40,000,000 private-sector employees do not have access to a retirement plan through their employer. Many working Americans struggle when it comes to saving money for their short-term and long-term goals. Americans are not saving as much as they should for their retirement. Your Committee recognizes that this savings deficit threatens the quality of life of people in our State who are approaching retirement or are already retired.

Your Committee finds that states such as California, Connecticut, Illinois, Maryland, Massachusetts, New Jersey, New York, Oregon, Vermont, and Washington have state-sponsored retirement programs. Many other states have introduced legislation for state-sponsored retirement programs. This measure establishes a task force to look at the feasibility of establishing a retirement savings program in Hawaii.

Your Committee has amended this measure by:

- (1) Requiring the task force consultant to assess the viability of current state retirement savings programs in other states and to determine the feasibility of joining a multi-state, state-facilitated retirement savings program;
- (2) Making the drafting of an implementation plan for a retirement savings program contingent on the task force's determination that a retirement savings program is feasible;
- (3) Separating the appointment of task force members who were jointly appointed by the President of the Senate and the Speaker of the House of Representatives, to be appointed by one or the other;
- (4) Adding to the task force membership, the Director of Taxation or the Director's designee, and a representative of business who offers a 401(k) plan, individual retirement account plan, or other similar retirement plan, who shall be selected by the President of the Senate;
- (5) Prohibiting certain task force members and any entity that employs the task force member from bidding on any potential contract arising from this measure;
- (6) Defining "small business";
- (7) Changing the appropriation to an unspecified sum;
- (8) Changing the number of full-time equivalent positions to manage the retirement savings program to an unspecified number;
- (9) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to hear this measure, your Committee respectfully requests that it consider appropriating \$500,000 for fiscal year 2020-2021 to retain a consultant to conduct the activities specified in this measure and to pay for associated expenses, including allocating \$150,000 for one full-time equivalent (1.0 FTE) position to manage the retirement savings program.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2251, H.D. 1, and be referred to your Committee on Human Services & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 214-20 Labor & Public Employment on H.B. No. 2720

The purpose of this measure is to require publicly held domestic and foreign corporations to include a certain number of women among the directors of their corporate boards.

Your Committee received testimony in support of this measure from the American Association of University Women of Hawaii, Common Cause Hawaii, Midwives Alliance of Hawaii, Breastfeeding Hawaii, Planned Parenthood Votes Northwest and Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that women still lag substantially behind men in terms of their representation in leadership positions. With increased awareness of the gender gap, there is greater emphasis on work environments to create a more diverse and inclusive workplace culture. Your Committee notes that this measure supports an organizational culture that embraces greater representation of women in decision making and leadership positions.

Your Committee has amended this measure by:

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

At its hearing, your Committee noted that the Department of Commerce and Consumer Affairs' Business Registration Division's primary function is the registration, processing, and maintenance of the State's business industry. Should your Committee on Consumer Protection and Commerce choose to hear this measure, your Committee respectfully requests that it consider the Department of Commerce and Consumer Affairs' testimony that the requirements contained in this measure require the Business Registration Division to carry out duties that are beyond the Division's statutory function as a ministerial agency.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2720, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2720, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 215-20 Labor & Public Employment on H.B. No. 2679

The purpose of this measure is to establish, within the Traffic Violations Bureau of the District Court of the First Circuit, a three-year pilot project that requires the court to adjust court-imposed monetary assessments resulting from motor vehicle moving violations and establishes income-based adjustments for related fines.

Your Committee received testimony in support of this measure from the American Civil Liberties of Hawaii, Community Alliance on Prisons, Hawaii Health & Harm Reduction Center, and four individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that a "one-size fits all" fine system that applies the same fine amount to persons of different economic means does not result in the same deterrent and retribution effects on violators, nor does such a system have meaningful consequences. Your Committee believes that scaling fines to income will improve the effectiveness of fines as a sanction and address the unequal burden imposed on individuals with few financial means.

Your Committee has amended this measure by:

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

Should this measure be heard by the Committee on Judiciary, your Committee respectfully requests that it consider the impact of this proposed fine system on habitual offenders who do not pay their fines and/or incur multiple violations, with the potential of compromising public safety.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2679, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 216-20 Intrastate Commerce on H.B. No. 2315

The purpose of this measure is to grant the Contractors License Board and Real Estate Commission the statutory authority to adjust, reduce, suspend, or cease collection of fees for the recovery funds and education funds under their respective purviews without first needing to request fee reductions from the Governor.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Contractors License Board, Hawaii Real Estate Commission, Hawaii Chapter of the Community Associations Institute Legislative Action Committee, and Associa.

Your Committee finds that a "reasonable relation" between the fees generated and the cost of service rendered by the Contractors Recovery Fund, Real Estate Recovery Fund, and Condominium Education Trust Fund respectively requires consideration of historical expenditures. A "reasonable relation" is calculated as follows:

- (1) The balance of the Contractors Recovery Fund shall not exceed the sum of the fund's highest annual expenditure in the past ten years and its statutory floor, \$250,000. The fund's highest expenditure in the last ten years was \$170,893 in fiscal year 2012. Thus, a reasonable relation will have this fund not exceed \$420,893 in 2020;
- (2) The balance of the Contractors Education Trust Fund shall not exceed three times the fund's highest annual expenditure in the past four years. The fund's highest expenditure in the last four years was \$5,105 in fiscal year 2017. Thus a reasonable relation will have this fund not exceed \$15,315 in 2020;
- (3) The balance of the Real Estate Recovery Fund shall not exceed the sum of the fund's highest annual expenditure in the past ten years and its statutory floor, \$350,000. The fund's highest expenditure in the last ten years was \$131,799 in fiscal year 2011. Thus, a reasonable relation will have this fund not exceed \$481,799 in 2020;
- (4) The balance of the Real Estate Education Trust Fund shall not exceed the sum of the fund's highest annual expenditure in the past four years. The fund's highest expenditure in the past four years was \$626,636 in fiscal year 2019. Thus, a reasonable relation will have this fund not exceed \$1,879,908 in 2020; and

- (5) The balance of the Condominium Education Trust Fund shall not exceed three times the fund's highest annual expenditure in the past four years. The fund's highest expenditure in the last four years was \$715,954 in fiscal year 2019. Thus, a reasonable relation will have this fund not exceed \$2,147,862 in 2020.

Your Committee has amended this measure by:

- (1) Clarifying that the Real Estate Commission may make a finding that a fee adjustment is appropriate and adjust fees paid into the Real Estate Recovery Fund, Real Estate Education Fund, and Condominium Education Fund to maintain a reasonable relation between the fees generated and the services provided by the applicable fund;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2315, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 217-20 Intrastate Commerce on H.B. No. 2324

The purpose of this measure is to expand the authority to increase or decrease fees or nontax revenues, subject to the approval of the Governor, to include all fees collected by the Department of Commerce and Consumer Affairs.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs (DCCA).

Your Committee has amended this measure by:

- (1) Reverting statutory language that itemizes the chapters subject to DCCA's authority to increase or decrease fees;
- (2) Specifying that DCCA's authority to set fees applies to decreasing fees only rather than increasing or decreasing fees, except for chapters otherwise itemized under section 92-28(1), Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2324, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2324, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 218-20 Intrastate Commerce on H.B. No. 2595

The purpose of this measure is to:

- (1) Remove requirements that the Director of Commerce and Consumer Affairs consider topography and geography of a proposed service area and expansion opportunities when determining an applicant's service area; and
- (2) Require a cable operator to make cable service available in areas that have a minimum density of at least twenty-five homes per linear mile, unless another cable operator or any other multichannel video programming distributor already provides cable services in those areas.

Your Committee received testimony in support of this measure from Charter Communications, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds access to television is of critical importance in the modern world, and that lack of access places a unique burden and hardship on some Hawaii residents. This measure seeks to address that issue by increasing access to cable services.

Your Committee has amended this measure by:

- (1) Retaining the statutory requirement for the Department of Commerce and Consumer Affairs to consider the topography and geography of a cable service area;
- (2) Changing the exemption from the service deployment threshold from any portion of a service area where service is available from another cable operator to an unspecified number of cable operators;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2595, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2595, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 219-20 Intrastate Commerce on H.B. No. 2628

The purpose of this measure is to:

- (1) Direct the Department of Commerce and Consumer Affairs to conduct a comprehensive review of relevant state laws to develop legislation to establish a state-operated bank of the State; and
- (2) Appropriate funds to conduct the review.

Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League and Hawaii Bankers Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Financial Institutions.

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2628, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2628, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 220-20 Economic Development & Business on H.B. No. 2715

The purpose of this measure is to establish and appropriate funds for the Research and Technology Grant Program to be administered by the Hawaii Technology Development Corporation.

Your Committee received testimony in support of this measure from Oceanit; Makai Ocean Engineering, Inc.; Maui Chamber of Commerce; Chamber of Commerce Hawaii; and two individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee recognizes the importance of fostering science, technology, engineering, and mathematics (STEM) education in the public education system from grade school through the university level and beyond. However, each year many residents leave Hawaii for STEM careers across the United States and other countries. Your Committee finds that educational efforts must be matched with initiatives to foster jobs in research and technology, as research and technology are the core of innovation and the critical first step in a product development cycle. Your Committee further finds that innovation is essential for creating new jobs in the high technology sector; keeping the State competitive globally; creating new and better STEM jobs for Hawaii's residents; and creating a resilient economy. This measure will support research and development by providing grants to qualified research and technology companies in Hawaii for eligible projects that will foster STEM education and involve participation from the State's students.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2715, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2715, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

SCRep. 221-20 Water, Land, & Hawaiian Affairs on H.B. No. 2132

The purpose of this measure is to establish a water sports equipment decal program within the Department of Land and Natural Resources.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that existing state law does not provide a mechanism for voluntary registration of water sports equipment. Your Committee further finds that creating a system to allow for voluntary registration of water sports equipment will facilitate the confirmation of the registered owner's safety when the equipment is recovered unaccompanied and the return of the recovered equipment to the registered owner. This measure establishes a water sports equipment decal program in the Department of Land and Natural Resources that will allow for the voluntary registration of water sports equipment.

Your Committee has amended this measure by:

- (1) Clarifying that the transfer of each piece of registered water sport equipment without notice to the Department of Land and Natural Resources constitutes a separate violation; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2132, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 222-20 Water, Land, & Hawaiian Affairs on H.B. No. 2040

The purpose of this measure is to:

- (1) Expand the application of the transaction fee to include all services rendered by the Bureau of Conveyances;
- (2) Expand the uses of the transaction fee authorized under Act 120, Session Laws of Hawaii (SLH) 2009, to include purchases of software, project management and implementation, staffing, workflow improvements, and services related to the management, archiving, preservation, and accessibility of records at the Bureau of Conveyances and the Office of the Assistant Registrar of the Land Court; and
- (3) Clarify that the transaction fee shall be repealed on either the effective date of administrative rules adopted by the Department of Land and Natural Resources (DLNR) or July 1, 2023, whichever occurs first.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that Act 120, SLH 2009, directed DLNR to assess a \$5 transaction fee on each recording in the Bureau of Conveyances and the Office of the Assistant Registrar of the Land Court for services rendered by the Bureau of Conveyances in deregistering land, with the money collected to be used to support purchases of hardware, system design, and staff training related to automation of the Bureau of Conveyances. Your Committee further finds that Act 120, SLH 2009, specified the transaction fee would be repealed on the effective date of rules adopted by DLNR that address the establishment of a transaction fee for each recording in the Bureau of Conveyances and the Office of the Assistant Registrar of the Land Court. This measure expands the application of the transaction fee to all services rendered by the Bureau of Conveyances, expands the uses of the fee, and clarifies the date when the transaction fee shall be repealed.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2040, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2040, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 223-20 Water, Land, & Hawaiian Affairs on H.B. No. 2602

The purpose of this measure is to:

- (1) Amend the definition of "farm dwelling" that applies to allowed uses in the agricultural district; and
- (2) Amend certain land subdivision and condominium property regime laws related to agricultural land, as recommended by the Office of Planning in its study of subdivision and condominium property regimes on agricultural lands on Oahu conducted pursuant to Act 278, Session Laws of Hawaii 2019.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning, Department of Planning and Permitting of the City and County of Honolulu, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and two individuals. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that allowing county input in the condominium property regime process involving agricultural lands allows the county to timely assess the availability of necessary infrastructure. County input may also allow the identification of concerns about potential effects on environmentally or culturally significant resources prior to the piecemeal sale of property.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2602, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2602, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 224-20 Water, Land, & Hawaiian Affairs/Energy & Environmental Protection on H.B. No. 1878

The purpose of this measure is to require that mandatory seller disclosures in residential real property transactions identify property within the sea level rise exposure area as officially designated by the relevant county.

Your Committees received testimony in support of this measure from Surfrider Oahu and ten individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Hawaii Climate Change Mitigation & Adaptation Commission, and Sierra Club of Hawaii.

Your Committees find that a property's vulnerability to sea level rise, as identified by county climate maps, is a material fact for the purposes of mandatory disclosures of residential property sales, as it would be expected to measurably affect the value of the property.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1878 and recommend that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Thielen).

SCRep. 225-20 Water, Land, & Hawaiian Affairs/Energy & Environmental Protection on H.B. No. 2704

The purpose of this measure is to:

- (1) Establish long-term commitments to reduce energy use and fresh water consumption at all Department of Land and Natural Resources state facilities and all state facilities operated by the Judiciary; and
- (2) Encourage the use of innovative means of energy-savings and water reclamation financing to reduce taxpayer costs for capital improvement and energy efficient and water reclamation projects.

Your Committees received testimony in support of this measure from the Climate Protectors Coalition and one individual. Your Committees received comments on this measure from the Department of Land and Natural Resources and Judiciary.

Your Committees find that Hawaii has made a commitment to sustainability and renewable energy by setting goals for net-zero energy use across all public school facilities and University of Hawaii campuses by January 1, 2035, and by directing the Hawaii water plan to achieve a 100 percent utilization of reclaimed water for uses other than drinking and for potable water needs by December 31, 2045. This measure extends those commitments by expanding the goals of net-zero energy use and reclaimed water consumption to all state facilities operated by the Department of Land and Natural Resources and Judiciary.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2704, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2704, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Thielen).

SCRep. 226-20 Judiciary on H.B. No. 1739

The purpose of this measure is to appropriate funds as a grant-in-aid to the Career Criminal Prosecution Unit of the Department of the Prosecuting Attorney for the City and County of Honolulu.

Your Committee received testimony in support of this measure from the Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, and County of Hawaii Office of the Prosecuting Attorney.

Your Committee finds that the Legislature established the Career Criminal Prosecution Program because it found that a substantial and disproportionate amount of serious crimes are committed by a relatively small number of multiple repeat felony offenders. Your Committee further finds that Career Criminal Prosecution cases are often labor intensive and require experienced and well-trained deputy prosecutors. Therefore, this measure is needed to adequately fund the staff of the Career Criminal Prosecution Program.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1739, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1739, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 5 (Creagan, Perruso, Say, Yamane, Thielen).

SCRep. 227-20 Lower & Higher Education on H.B. No. 2048

The purpose of this measure is to appropriate funds to train selected public middle school teachers on bullying intervention and have those selected public middle school teachers provide training on bullying intervention to other public school employees in their respective schools.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, American Association of University Women of Hawaii, Hawaii Women's Coalition, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Children's Action Network Speaks!, and four individuals. Your Committee received comments on this measure from the Department of Education and State Public Charter School Commission.

Your Committee finds that, according to the Centers for Disease Control and Prevention and the 2017 Youth Risk Behavior Survey, more than twenty-two percent of middle school students in Hawaii were victims of cyber-bullying and forty percent were bullied on school property during the twelve-month period addressed by the survey. Additionally, more than twenty-three percent seriously considered suicide and more than twelve percent attempted suicide one or more times during the twelve-month period addressed by the survey. This measure is intended to reduce bullying in public schools by providing funding for certain public middle school teachers to attend an evidence-informed or evidence-based and culturally relevant bullying intervention training session and pass on that training to other public school employees in their respective schools.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to an unspecified amount; and
- (2) Changing its effective date to July 1, 2050.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it appropriate \$20,000 for eight bullying intervention training sessions to be attended by selected public middle school teachers and for the selected public middle school teachers to provide training on bullying intervention to other public school employees in their respective schools.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2048, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (DeCoite, Morikawa).

SCRep. 228-20 Human Services & Homelessness on H.B. No. 2338

The purpose of this measure is to clarify certain requirements regarding licensure of child care facilities, including exemptions from licensure, health and safety standards, and investigations of violations.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that this measure will ensure the Department of Human Services has the authority to enforce regulations when individuals or organizations are providing child care without a license or registration from the Department.

Your Committee has amended this measure by:

- (1) Amending the preamble for clarity;
- (2) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2338, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2338, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 229-20 Human Services & Homelessness on H.B. No. 2420

The purpose of this measure is to clarify the jurisdiction of the Hawaii Civil Rights Commission. Specifically, this measure:

- (1) Clarifies the intent for a state law counterpart for disability discrimination in federally-funded programs and services; and
- (2) Excludes jurisdiction over programs or activities that are covered by the Individuals with Disabilities Education Act.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Disability and Communication Access Board, and one individual.

Your Committee finds that the Hawaii Civil Rights Commission carries out the constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. The State has a long tradition of enacting its own civil rights protections that either complement or provide stronger protections than those provided at the federal level.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2420, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2420, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 230-20 Human Services & Homelessness on H.B. No. 2707

The purpose of this measure is to establish a behavioral health social worker scholarship program (scholarship program) to be administered by the University of Hawaii.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Health, Department of Public Safety, Judiciary, University of Hawaii System, Democratic Party of Hawaii, National Association of Social Workers – Hawaii Chapter, Catholic Charities Hawaii, HOPE Services Hawaii, and two individuals.

Your Committee finds that increasing the number of social workers in Hawaii is necessary to address the prevalence of individuals requiring mental health services in the State. This measure addresses the need for well-trained social workers who can respond to the behavioral health needs of individuals, many of whom experience homelessness. Providing opportunities through the scholarship program will encourage and attract more students to pursue a career in behavioral health social work and provide greater access to mental health services and treatment.

Your Committee has amended this measure by:

- (1) Including the Department of Health, Department of Public Safety, Judiciary, and service providers contracted by these departments and branch in the five-year service commitment component of the scholarship program;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2707, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2707, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 231-20 Human Services & Homelessness on H.B. No. 2057

The purpose of this measure is to standardize the types of documents accepted as proof of domestic or sexual violence victim status.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, Domestic Violence Action Center, Hawaii Women's Coalition, Hawaii State Coalition Against Domestic Violence, and three individuals. Your Committee received testimony in opposition to this measure from CTIA.

Your Committee believes that making the types of documents accepted as proof of domestic or sexual violence victim status more consistent will ease the paperwork burden and stress for victims of domestic or sexual violence seeking essential services and assistance.

Your Committee notes that courts and rules of evidence allow for self-authenticating documents by certification or exemplification.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that certified or exemplified restraining orders, rather than valid restraining orders and records or files of a court or government agency are documents that will be accepted as proof of domestic or sexual violence victim status;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2057, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2057, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 232-20 Human Services & Homelessness on H.B. No. 2317

The purpose of this measure is to protect vulnerable adults from financial exploitation in relation to securities.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Securities Industry and Financial Markets Association, Securities Industry Association of Hawaii, and one individual. Your Committee received comments on this measure from the Executive Office of Aging, NAIFA Hawaii, and Civil Beat Law Center for the Public Interest.

Your Committee finds that protecting the State's seniors and vulnerable adults from financial exploitation is vital to the community. Increasing the number of reports of suspected financial exploitation cases will eliminate or at least minimize financial losses while also preserving the dignity, financial independence and control, and overall quality of life of vulnerable adults.

Your Committee has amended this measure by:

- (1) Clarifying that a qualified person may, rather than shall, notify the Commissioner of Securities of a reasonable belief that financial exploitation of a vulnerable adult has occurred;
- (2) Clarifying the individuals who have immunity as a result of disclosure of information concerning the financial exploitation of a vulnerable adult;
- (3) Specifying the individuals that a qualified person may notify if the qualified person has a reasonable belief that financial exploitation has occurred;
- (4) Clarifying that only a broker-dealer or investment adviser may initiate an internal review relating to suspected financial abuse of a vulnerable adult;
- (5) Adding qualified individuals to the persons who are immune from liability for delaying disbursements;
- (6) Clarifying the confidentiality requirements for records made available pursuant to this measure;
- (7) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2317, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2317, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 233-20 Human Services & Homelessness on H.B. No. 2238

The purpose of this measure is to require that a child consult with legal counsel or with a parent, guardian, or legal custodian before any custodial interrogation and prior to waiving any rights against self-incrimination.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Community Alliance on Prisons, Human Rights for Kids, and four individuals. Your Committee received testimony in opposition to this measure from the Prosecuting Attorney of the City and County of Honolulu and the Honolulu Police Department.

Your Committee finds that children's brains are still developing and that cognition and judgment continue to form well into young adulthood. Courts have recognized that children often lack the experience, perspective, or understanding necessary to make legal decisions on their own behalf. Your Committee further finds that, without consulting with an adult, children under sixteen years of age cannot adequately understand the meaning of their rights or the consequences of waiving their rights. This measure will provide children under the age of sixteen the opportunity to consult with legal counsel or their parent, guardian, or legal custodian before any custodial interrogation and before waiving any rights against self-incrimination.

Your Committee has amended this measure by:

- (1) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2238, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2238, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 234-20 Human Services & Homelessness on H.B. No. 2336

The purpose of this measure is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations.

Your Committee received testimony in support of this measure from the Department of Human Services. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that on January 7, 2019, the federal Victims of Child Abuse Act Reauthorization Act of 2018 (Public Law 115-24) was enacted, further amending the Child Abuse and Prevention Act (CAPTA). The amendment grants immunity from civil and criminal prosecution to people who provide information or assistance to a good faith report of child abuse or neglect, including medical evaluations or consultations. Your Committee also finds that

Hawaii's child abuse and neglect mandatory reporting law must be amended for consistency with the CAPTA requirement. This measure will bring the State into compliance with the federal law.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider testimony received from the Department of Human Services, which explains that it has been informed by the federal Administration for Children and Families that the State's failure to comply with the amended section of CAPTA by June 30, 2020, will result in the withholding of fiscal year 2021 CAPTA state grant funding. To avoid this withholding of funds, the effective date of this measure must be on or before June 30, 2020.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2336, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 235-20 Human Services & Homelessness on H.B. No. 2141

The purpose of this measure is to increase the number of parking spaces at commercial places of public accommodation, including retail malls and shopping centers, beyond the number required by Title III of the Americans with Disabilities Act of 1990, as amended.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and two individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee finds that the minimum number of accessible parking spaces is currently regulated by the 2010 Americans with Disabilities Act Accessibility Guidelines. For parking lots with 500 or less total parking spaces, the formula is not a percentage. Rather, the guidelines provide brackets based on total lot size and the minimum number of accessible spaces for each bracket. This measure requires that beginning January 1, 2021, retail malls, shopping centers or malls, and other commercial places of public accommodation must provide a minimum of six percent of their parking spaces for persons with disabilities.

At its public hearing, your Committee contemplated how the six percent requirement for parking for persons with disabilities under this measure will apply in different circumstances and environments. Members of your committee expressed concerns that application of the six percent requirement may not take into account different considerations and situations, such as a rural versus an urban setting, a shopping center versus a medical or hospital facility, and public accommodations in each of the counties.

Upon consideration, your Committee has amended this measure by:

- (1) Removing language that would have increased the number of parking spaces beyond that required by Title III of the Americans with Disabilities Act of 1990, as amended;
- (2) Requiring the Department of Health to:
 - (A) Convene a working group to examine the issues surrounding increasing the number of accessible parking stalls in the State based on various cost versus need factors; and
 - (B) Submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2021;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2141, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 236-20 Human Services & Homelessness on H.B. No. 2117

The purpose of this measure is to establish a pilot program within the Department of Human Services that:

- (1) Seeks out homeless individuals throughout the State to participate in the program, with a focus on those who have yet to receive services;
- (2) Assists homeless individuals by providing them temporary jobs in public service; and
- (3) Connects homeless individuals with service providers.

Your Committee received testimony in support of this measure from the State Procurement Office, Honolulu Police Department, Hawaii Youth Services Network, Democratic Party of Hawaii, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Human Services.

Your Committee finds that despite increased efforts and resources to reduce homelessness in Hawaii, it has remained a significant issue. Pilot programs throughout the country provide homeless individuals with temporary work while also creating avenues for access to services these individuals need. This measure will provide work opportunities and connections to essential services for those in need.

Your Committee has amended this measure by:

- (1) Specifying that the Procurement Code exemption for contracts entered into by the Homeless Employment Grant Program shall not extend beyond the term of the program;

- (2) Requiring the Department of Human Services to examine the effectiveness, progress, and success of employment programs that target homeless young adults and youth within the Department, including those within the Homeless Programs Office and Office of Youth Services, and submit a report to the Legislature;
- (3) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2117, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2117, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 237-20 Human Services & Homelessness on H.B. No. 2680

The purpose of this measure is to more effectively protect mentally ill individuals and the public by:

- (1) Restoring the categories of "gravely disabled" and "obviously ill" to the criteria for involuntary hospitalization; and
- (2) Increasing the maximum period of emergency hospitalization from 48 hours to 72 hours.

Your Committee received testimony in support of this measure from the Department of Health, Department of Public Safety, and five individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and one individual. Your Committee received comments on this measure from the Department of the Attorney General, The Queen's Health Systems, and one individual.

Your Committee finds that the use of involuntary hospitalizations must strike the appropriate balance between protecting the community and providing treatment to individuals posing a danger to themselves or others, while also protecting the constitutional rights of those individuals. In attempting to achieve this balance, your Committee finds merit in attempting to broaden the criteria for involuntary hospitalization. However, your Committee has heard the concerns that this measure, as written, may be subject to constitutional challenge because imminent danger is required prior to involuntary hospitalization, although it is unclear whether grave disability or obvious illness are equivalent to imminent danger. Broadening the interpretation of this term could better fulfill the intent of this measure to protect communities and provide necessary treatment to individuals who pose a danger to themselves or others.

Your Committee is aware of the concerns raised by The Queen's Health Systems that this measure may increase volume for involuntarily committed patients who are transferred to hospitals. Your Committee acknowledges these concerns; however, it is the Legislature's intent to increase the capacity of mental health services beds, which hopefully will help address any increase in patients that may be covered by this measure.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that would have statutorily restored the categories of "gravely disabled" and "obviously ill" to the criteria for involuntary hospitalization;
- (2) Broadening the term of "imminently dangerous to self and others" to persons who will likely be dangerous within the next 90 days, rather than within the next 45 days;
- (3) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2680, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2680, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 238-20 Human Services & Homelessness on H.B. No. 2466

The purpose of this measure is to establish a Child Care at Capital District Buildings Pilot Project to establish child care facilities at Capital District buildings.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that establishing child care facilities at the State Capitol would support the Legislature in its role of supporting parents who must balance family responsibilities with succeeding in the workplace environment and would enable the State Capitol to serve as a role model for child care facilities in state buildings. However, your Committee also recognizes that the physical limitations of the State Capitol, including the reflecting pool that surrounds the building, as well as the need to place child care facilities on the ground floor, poses challenges to establishing child care facilities at the State Capitol.

Accordingly, your Committee has amended this measure by:

- (1) Amending language that requires the first child care facility to be established at the State Capitol building to instead just place an emphasis on establishing a facility at the State Capitol building;
- (2) Inserting language clarifying that the pilot project may consider establishing child care facilities at any building in the Capital District except Honolulu Hale;
- (3) Inserting a sunset date of June 30, 2023 for the pilot project;
- (4) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2466, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 239-20 Human Services & Homelessness on H.B. No. 2098

The purpose of this measure is to:

- (1) Require the Department of Human Services (DHS) to establish and implement a program to provide additional home- and community-based services to individuals with autism, intellectual disabilities, or developmental disabilities who are at risk of institutionalization;
- (2) Require DHS to apply for an amendment to the QUEST Integration Section 1115 Demonstration Project to provide coverage for home- and community-based services for individuals with autism, intellectual disabilities, or developmental disabilities by December 31, 2020; and
- (3) Appropriate funds to DHS to establish and implement the program.

Your Committee received testimony in support of this measure from the Hawaii Psychological Association and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, Department of Health, State Council on Developmental Disabilities, and two individuals.

Your Committee finds that there is a gap in the continuum of care for at-risk individuals with intellectual disabilities or developmental disabilities who are transitioning out of services provided by the Department of Education and the Department of Health Child and Adolescent Mental Health Division. These individuals are often at-risk of institutionalization because they may not receive proper supports to ensure their transition to and through adulthood. This measure is intended to provide essential supports to at-risk individuals as they transition from youth to adulthood to maximize their independence and potential to thrive throughout life.

At its public hearing, your Committee noted the testimony of DHS and stakeholders that S.B. No. 3122 (Regular Session of 2020) is a substantially similar measure and is the preferred starting point for continued discussion on this topic.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3122, a substantially similar measure, which:
 - (A) Requires DHS, upon approval from the federal Centers for Medicare and Medicaid Services, to establish and implement a program for providing home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services;
 - (B) Requires DHS to seek approval from the Centers for Medicare and Medicaid Services, no later than June 30, 2021, to provide coverage for home- and community-based services for Medicaid eligible individuals with intellectual or developmental disabilities who are at risk for institutionalization; and
 - (C) Appropriates funds for DHS to establish and implement a home- and community-based services program for these at-risk individuals;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2098, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2098, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 240-20 Energy & Environmental Protection on H.B. No. 2025

The purpose of this measure is to adjust the deposit beverage container fee annually by the percentage that the Consumer Price Index for All Urban Consumers (CPI) in the Honolulu area exceeds the previous year's CPI.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and American Beverage Association. Your Committee received comments on this measure from Reynolds Recycling.

Your Committee finds that this measure would allow the deposit beverage container fee to be adjusted annually for inflation. However, your Committee finds that adjusting the handling fee, rather than the deposit beverage container fee, for inflation would enable the recycling industry to continue to operate a recycling network that adequately services the public.

Your Committee has amended this measure by:

- (1) Annually adjusting the amount of the handling fee, instead of the deposit beverage container fee, for inflation using the CPI; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2025, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2025, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 241-20 Energy & Environmental Protection on H.B. No. 1653

The purpose of this measure is to:

- (1) Require a residential real estate purchase contract to include a time period for the potential buyer to inspect cesspools and septic tanks, and review building permit and final inspection records, before becoming obligated under the contract to purchase the property; and
- (2) Impose penalties for failure to disclose unpermitted work or open permits in a mandatory seller's disclosure statement and authorize buyers to recover the costs of remedying any nondisclosed unpermitted work on the property.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that the Department of Health and Department of Business, Economic Development, and Tourism receive approximately \$1,100,000 in annual federal grants for the Coastal Nonpoint Pollution Control Program pursuant to the Coastal Zone Act Reauthorization Amendments of 1990. This funding is contingent on the State taking measures to address and minimize polluted runoff, including runoff from individual wastewater systems.

Your Committee has amended this measure by:

- (1) Deleting the contents relating to residential real estate purchase contracts, mandatory seller's disclosure statement requirements, and recovery of costs;
- (2) Inserting language to establish a Time of Transfer Individual Wastewater Inspection Program within the Department of Health to oversee the inspection and repair of any individual wastewater system at the time of sale or transfer of ownership of residential real property attached to the wastewater system;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1653, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1653, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 242-20 Energy & Environmental Protection on H.B. No. 2698

The purpose of this measure is to require the Department of Health to convene a Construction Waste Reuse and Recycling Working Group to develop recommendations on how to implement requirements for the reuse, recycling, or donation of construction waste.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Building Industry Association of Hawaii, International Code Council, Sierra Club of Hawaii, Re-Use Hawaii, Surfrider Oahu, and one individual. Your Committee received comments on this measure from the Department of Health and PVT Land Company, Ltd.

Your Committee finds that it is desirable to enhance the quality of the natural environment by implementing sound practices that reduce negative impacts from building and development projects. Sustainable practices emphasize the preservation of natural resources and the efficient use of construction materials.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation from general revenues to fund the working group's duties;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2698, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2698, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 243-20 Energy & Environmental Protection on H.B. No. 1052

The purpose of this measure is to limit electric vehicles from parking in non-metered parking stalls free of charge to an initial four-hour period.

Your Committee received testimony in support of this measure from the Hawaii Automobile Dealers' Association and one individual. Your Committee received testimony in opposition to this measure from 350Hawaii.org and seven individuals. Your Committee received comments on this measure from the Department of Accounting and General Services, Department of Transportation, Hawaii State Energy Office, Blue Planet, Ulupono Initiative, and one individual.

Your Committee finds that the public parking garages at airports, such as the Daniel K. Inouye International Airport (Airport), have reached capacity. On average, the Airport has up to 20 percent of the 4,740 public parking stalls occupied by 933 electric vehicles on an average day. Your Committee further finds that there is a need to extend the sunset date for parking fee benefits for electric vehicles, and to clarify and strengthen the enforcement of electric vehicle parking laws, including penalties for electric vehicle charging stations where no reasonable effort is made to maintain the station in working order.

Your Committee has amended this measure by:

- (1) Excluding from the electric vehicle parking fee exemption any parking at any airport in the State;
- (2) Extending the repeal date of the electric vehicle parking benefits law, Act 168, Session Laws of Hawaii 2012, as amended, until 10 percent of passenger vehicles registered in Hawaii are electric vehicles;
- (3) Requiring certain places of public accommodation to make reasonable efforts to maintain electric vehicle charging systems in working order;

- (4) Requiring each new electric vehicle charging system installed or placed in service pursuant to the electric vehicle charging system requirement to be at least a Level 2 charging system and network capable;
- (5) Inserting a savings clause;
- (6) Changing its effective date to July 1, 2050; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1052, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1052, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har). Noes, none. Excused, none.

SCRep. 244-20 Energy & Environmental Protection on H.B. No. 1846

The purpose of this measure is to:

- (1) Require all state facilities to undergo an energy audit by July 1, 2021, and implement efficiency measures or enter into performance contracts for efficiency measure by January 1, 2022;
- (2) Beginning July 1, 2020, require the design of all new state building construction to meet certain standards;
- (3) Beginning July 1, 2021, require that all state buildings be benchmarked to track energy use and performance over time and make this data publicly available through the Hawaii State Energy Office, so that the data can be used to better understand the buildings' energy use and inform future decision making; and
- (4) Require certain state departments to periodically assess the equipment and systems of their public buildings and facilities to improve their efficiency.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Energy Office, Pono Hawaii Initiative, Climate Protectors Coalition, Ulupono Initiative, Elemental Excelsior, Blue Planet, Our Revolution Hawaii, CarbonCure Technologies, Hawaii Electric Vehicle Association and Big Island Electric Vehicle Association, Surfrider Oahu, 350Hawaii.org, and twenty individuals. Your Committee received comments on this measure from the Department of Accounting and General Services and Hawaii Energy.

Your Committee has amended this measure by:

- (1) Extending the deadline by which all state facilities must undergo an energy audit until January 1, 2022; provided that smaller facilities with an area less than 10,000 square feet are exempt;
- (2) Requiring state facilities to begin implementation of efficiency measures as follows:
 - (A) On January 1, 2022, for state facilities that have not evaluated or implemented energy efficiency retrofitting through performance contracting since 2010; and
 - (B) On January 1, 2024, for all other facilities; provided that the simple payback period does not exceed the performance period of the contract;
- (3) Modifying the design requirements of all new state building construction by:
 - (A) Instead of the net-zero capable requirement, requiring that the design maximize energy generation potential where feasible and cost-effective; and
 - (B) Allowing the use of other building materials that reduce the carbon footprint of the project where feasible and cost-effective, in addition to post-industrial carbon dioxide mineralized concrete;
- (4) Removing the state building benchmarking requirements;
- (5) Authorizing the Hawaii State Energy Office to have access to all utility bills and energy usage data for state-owned facilities;
- (6) Requiring that the Hawaii State Energy Office collect the information and data monthly and maintain all current and past data in a publicly accessible format;
- (7) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1846, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1846, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 245-20 Energy & Environmental Protection on H.B. No. 1863

The purpose of this measure is to require the Hawaii State Energy Office to conduct a study to make recommendations for a comprehensive approach to the development of electric vehicle infrastructure.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Pono Hawaii Initiative, Our Revolution Hawaii, Hawaiian Electric, Hawaii Automobile Dealers' Association, 350Hawaii.org, Climate Protectors Coalition, and fifteen individuals. Your Committee received testimony in opposition to this measure from Life of the Land and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, State Procurement Office, Hawaii Climate Change Mitigation and Adaptation Commission, and Ulupono Initiative.

Your Committee finds that there are many questions to consider in the development of statewide electric vehicle infrastructure to ensure that the infrastructure serves areas and populations that are currently underserved. There are also concerns about how to ensure that infrastructure is functional, reliable, accessible, and operated in a way that contributes to the functionality of the grid and its ability to accommodate more renewable energy and distributed generation.

Your Committee has amended this measure by:

- (1) Amending the scope of the study and removing the reference to studying incentives that the utility could offer to develop electric vehicle infrastructure and accelerate adoption of electric vehicles in the State;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1863, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 246-20 Energy & Environmental Protection on H.B. No. 1848

The purpose of this measure is to amend chapter 205A, Hawaii Revised Statutes, to strengthen state policies to reduce residential exposure to coastal hazards and protect state beaches and to update language for consistency with other Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Sierra Club of Hawaii, Surfrider Oahu, Climate Protectors Coalition, Hawaii Youth Climate Coalition, Life of the Land, Imua Alliance, and six individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Hawaii Climate Change Mitigation and Adaptation Commission, Office of Planning, and Department of Design and Construction of the City and County of Honolulu.

Your Committee finds that current coastal zone management policies and regulations concerning protection of beaches, beach access, and beach ecosystems are inadequate, primarily because of sea level rise and other natural and human impacts, but also because the policies and regulations are unable to reconcile development along dynamic beach systems while protecting these natural environments. To address these inadequacies, state coastal zone management policies must be strengthened to conserve beaches for present and future generations while also reducing hazard exposure to shorefront communities.

Your Committee has amended this measure by:

- (1) Incorporating clarifying language provided by the Department of Land and Natural Resources about when a person who is experiencing hardship may not apply for a shoreline setback variance;
- (2) Incorporating language by the Office of Planning to make consistent coastal zone policies about protection of beach systems;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1848, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1848, H.D. 1, and be referred to your Committee on Water, Land, & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 247-20 Energy & Environmental Protection/Transportation on H.B. No. 2462

The purpose of this measure is to require the Public Utilities Commission to establish an Electric Vehicle Rebate Program (Program) to award rebates for the purchase of new vehicles and allocate a portion of the barrel tax to a newly established Electric Vehicle Rebate Special Fund to fund the Program.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Climate Change Mitigation and Adaptation Commission, Life of the Land, Imua Alliance, Hawaii Electric Vehicle Association, Big Island Electric Vehicle Association, Hawaiian Electric, Ulupono Initiative, Blue Planet, 350Hawaii, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Accounting and General Services, Department of Taxation, Public Utilities Commission, and Tesla.

Your Committees find that it is important to continue to incentivize the purchase of new electric vehicles, and that a viable incentive is a tax credit.

Your Committees have amended this measure by:

- (1) Deleting the language that would have established an Electric Vehicle Rebate Program, including a funding mechanism, and inserting language to establish a refundable electric vehicle tax credit:
 - (A) Of up to \$2,500 per new electric vehicle with a cost of up to \$50,000;
 - (B) That is available only for qualified taxpayers with an adjusted gross income below an unspecified income threshold;
 - (C) With a total aggregate amount capped at an unspecified amount for each taxable year; and
 - (D) That applies to taxable years beginning after December 31, 2020, and ending before January 1, 2029;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2462, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2462, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, none.

Transportation: Ayes, 6. Noes, 1 (Okimoto). Excused, 1 (Woodson).

SCRep. 248-20 Energy & Environmental Protection/Transportation on H.B. No. 2699

The purpose of this measure is to establish clean ground transportation goals for state agencies and all light-duty motor vehicles in the State.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Life of the Land, Imua Alliance, Blue Planet, Elemental Excelsior, Ulupono Initiative, 350Hawaii.org, Surfrider Oahu, Mission Zero Hawaii, and three individuals. Your Committees received comments on this measure from the State Procurement Office, Hawaii Climate Change Mitigation & Adaptation Commission, Tesla, Hawaiian Electric, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, and Alliance for Automotive Innovation.

Your Committees find that it is important to begin the transition to one hundred percent clean ground transportation in the State by establishing goals for the reduction and ultimate elimination of the use of fossil fuels. Your Committees recognize the challenges of transitioning medium- and heavy-duty vehicles and the resultant impacts on the feasibility of completely eliminating the use of fossil fuels.

Your Committees have amended this measure by:

- (1) Clarifying that the procurement policy for agencies purchasing or leasing medium- and heavy-duty vehicles shall:
 - (A) Seek to reduce dependence on petroleum-based fuels that meet the needs of the agency where feasible and cost-effective; and
 - (B) Align the priorities for the selection of vehicles for purchase and lease with those priorities set forth in section 103D-412(b), Hawaii Revised Statutes;
- (2) Moving the clean ground transportation goals from chapter 103D to chapter 225P, Hawaii Revised Statutes;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2699, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2699, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, none.

Transportation: Ayes, 7; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Woodson).

SCRep. 249-20 Health on H.B. No. 2712

The purpose of this measure is to:

- (1) Clarify the duties and responsibilities of pharmacy benefit managers;
- (2) Establish quarterly reporting requirements to the Insurance Commissioner by pharmacy benefit managers;
- (3) Authorize the Insurance Commissioner to conduct audits of pharmacy benefit managers;
- (4) Expand and clarify the definition of "pharmacy benefit manager"; and
- (5) Increase the penalty amount for acting as an unregistered pharmacy benefit manager.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association, Waianae Coast Comprehensive Health Center, Hana Health, KKV, West Hawaii Community Health Center, The Queen's Health Systems, and one individual. Your Committee received testimony in opposition to this measure from the Pharmaceutical Care Management Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, Office of Information Practices, Civil Beat Law Center for the Public Interest, and CVS Health.

Your Committee finds that although pharmacy benefit managers are currently required to register with the Insurance Commissioner and comply with certain state transparency requirements, there is no enforcement mechanism or incentive for pharmacy benefit managers to comply with the requirements to disclose maximum allowable cost lists. This measure helps address that oversight by establishing quarterly reporting requirements and authorizing the Insurance Commissioner to commence audits of pharmacy benefit managers.

Your Committee has amended this measure by:

- (1) Requiring annual reports to the Insurance Commissioner by pharmacy benefit managers and other specified entities on the amounts, terms, and conditions relating to copayments, reimbursement options, and other payments associated with a prescription drug benefit plan;
- (2) Establishing additional penalties for violations of the pharmacy benefit manager law;
- (3) Clarifying when disclosure of aggregate or deidentified information from a report submitted by a pharmacy benefit manager to the Insurance Commissioner is permissible;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2712, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2712, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 250-20 Health on H.B. No. 2459

The purpose of this measure is to allow conscientious beliefs as sufficient grounds for exemption to any vaccination requirements in the State.

Your Committee received testimony in support of this measure from the Informed Consent Action Network, National Vaccine Information Center, Patients Without Time, Hawaii For Informed Consent, Arthritis Laser Center, Association of American Physicians and Surgeons, Hawaii Society of Naturopathic Physicians, Seeds of Truth, Hawaii Association of Independent Schools, and over two hundred individuals. Your Committee received testimony in opposition to this measure from the Department of Health, Hawaii Medical Association, Kona Community Hospital, West Hawaii Region, Hawaii Health Systems Corporation, American Academy of Pediatrics, Hawaii Chapter, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that while vaccines may be safe and effective for many individuals, like all pharmaceutical products, they may also carry risk of injury, death, and failure to prevent infection in others. Individuals may object to vaccines for medical and religious reasons. Additionally, some individuals may object to one, some, or all vaccines based on moral conscience alone.

Your Committee further finds that immunization programs are sources of contention, but also can serve as protection. Although no vaccine is completely effective, for some diseases, a highly vaccinated population is needed to prevent the spread of disease. Concerns surrounding measles outbreaks, such as the recent outbreak in Samoa, and the concerns surrounding the coronavirus, are two examples of situations where individuals would likely want access to vaccinations.

Your Committee notes that concerns have been raised about the Department of Health's current procedures, under which medical authorized exemptions to vaccinations may be granted. Your Committee believes that a study associated with medical authorized exemptions from required vaccinations, which is designed to identify and report on various procedures within the State and around the country, is a prudent way to examine this important issue.

Your Committee has amended this measure by:

- (1) Deleting contents that would have authorized conscientious beliefs as a basis for exemption from vaccination requirements;
- (2) Requiring the Department of Health to perform a study regarding various procedures associated with medically authorized exemptions from required vaccinations, including a report on the Department's current procedures for medical authorized exemptions, best practices and procedures around the country for medical authorized exemptions, and requirements in other states for the human papillomavirus vaccine;
- (3) Requiring the Department of Health to submit a report to the Legislature prior to the Regular Session of 2021;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2459, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, 2 (Say, Ward). Excused, none.

SCRep. 251-20 Health/Human Services & Homelessness on H.B. No. 933

The purpose of this measure is to provide those in need with appropriate care by establishing within the Department of Health a crisis intervention and diversion program to divert individuals in crisis from the criminal justice system and into the health care system.

Your Committees received testimony in support of this measure from the Hawaii Substance Abuse Coalition and two individuals. Your Committees received comments on this measure from the Judiciary, Department of Health, Hawaii Health Systems Corporation, and The Queens Health Systems.

Your Committees find that each year, thousands of individuals in Hawaii are cited or arrested for offenses such as drinking liquor in public; being in public parks after the hours of closure; and camping on sidewalks, beaches, and other restricted public places. Most of these individuals suffer from issues related to drugs, alcohol, or mental illness. Many of those cited do not appear in court, which leads to the issuance of bench warrants for their arrest. Time and resources are being used to bring these individuals to court. The court system, prosecutors, and police are caught up in a never-ending revolving door situation. Your Committees further find that mental health service providers have been working with the appropriate law enforcement agencies and criminal justice system in order to implement a crisis intervention program on Oahu.

Your Committees have amended this measure by:

- (1) Expanding its preamble;
- (2) Naming this measure in memory of slain Honolulu police department officers Tiffany-Victoria Enriquez and Kaulike Kalama;
- (3) Updating the appropriation section to reflect the current fiscal year;
- (4) Adding a sunset date of June 30, 2023;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees respectfully urge that county, state, and federal sources of funding be considered for the crisis intervention and diversion program.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 933, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 933, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 8. Noes, none. Excused, none.

Human Services & Homelessness: Ayes, 8. Noes, none. Excused, none.

SCRep. 252-20 Health/Human Services & Homelessness on H.B. No. 1865

The purpose of this measure is to ensure that staff in care facilities are adequately trained to work with individuals with Alzheimer's disease and related dementias by:

- (1) Requiring the Department of Health to develop and coordinate an Alzheimer's disease and related dementia training program for care workers whose work involves extensive contact with participants or residents; and
- (2) Authorizing the Department of Human Services to negotiate an increased reimbursement rate to facilities for individuals with Alzheimer's disease and related dementias.

Your Committees received testimony in support of this measure from Manoa Cottage and two individuals. Your Committees received testimony in opposition to this measure from the Department of Health. Your Committees received comments on this measure from the Department of Human Services, Executive Office on Aging, Alzheimer's Association – Aloha Chapter, and Healthcare Association of Hawaii.

Your Committees find that an estimated 29,000 individuals in Hawaii suffer from Alzheimer's disease, a progressive brain disease that is the sixth leading cause of death in the nation. Your Committees further find that due to the nature of Alzheimer's disease, there is a high and growing demand for in-home care, adult daycare, assisted living facilities, and care homes. Assistance for most of the daily life activities at these facilities is performed by nurse aides or nursing assistants. As a result, staff at these facilities need to be properly trained to interact with individuals suffering from Alzheimer's disease.

Your Committees note that the federal Centers for Medicare and Medicaid Services may not approve a general increase in reimbursement for services provided to individuals with Alzheimer's disease and related dementias in facilities. If the Centers for Medicare and Medicaid Services does not approve a rate change, then the reimbursement increase would need to be solely funded by the State.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its substance and requiring the Executive Office on Aging to convene a working group to:
 - (A) Review the best practices of other states as they relate to dementia training requirements in care facilities;
 - (B) Make recommendations on standards of training regarding the number of hours, learning objectives, to which staff the standards should apply, and other relevant criteria determined by the working group; and
 - (C) Make recommendations on strategies to implement these standards.
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1865, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1865, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 7. Noes, none. Excused, 1 (Say).

Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 253-20 Health/Human Services & Homelessness on H.B. No. 2580

The purpose of this measure is to:

- (1) Allow law enforcement officers to take into custody persons who are apparently mentally ill and behaving in a manner which in a mentally well person would be disorderly;
- (2) Clarify certain procedures used to determine if a person is imminently dangerous to self or others;
- (3) Establish a statewide temporary restraining order database within the Judiciary;
- (4) Appropriate funds to the Department of Health for new and existing licensed psychiatric facilities; and
- (5) Establish the Emergency Examination and Hospitalization Subsidy Program within the Department of Health.

Prior to decision making on this measure, your Committees made available for public review a proposed H.D. 1, which deletes the contents of this measure, other than the establishment of the subsidy program, and inserts language to require the Judiciary to establish a mental health first aid training program that provides mandatory eight-hour sessions triennially for personnel in the District and Family Courts whose duties include proceedings for restraining or protective orders.

Your Committees received testimony in support of the proposed H.D. 1 from the Democratic Party of Hawaii and three individuals. Your Committees received comments on the proposed H.D. 1 from the Judiciary, Hawaii Health Systems Corporation, and The Queen's Health Systems.

Your Committees find that there is a need to provide mental health first aid training to personnel in the District and Family Court systems whose duties include proceedings for restraining or protective orders. Your Committees believe that this training will provide personnel with the skills necessary to assist a person who is developing or has developed a mental health crisis, and to de-escalate crisis situations as needed.

Accordingly, your Committees have amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Removing language establishing the Emergency Examination and Hospitalization Subsidy Program and appropriating funds for this program;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2580, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2580, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 8. Noes, none. Excused, none.

Human Services & Homelessness: Ayes, 8. Noes, none. Excused, none.

SCRep. 254-20 Health/Lower & Higher Education on H.B. No. 2049

The purpose of this measure is to:

- (1) Direct public school teachers and educators to confiscate electronic cigarettes and electronic cigarette products; and
- (2) Require public schools to coordinate with the appropriate county police departments for the proper disposal of confiscated electronic cigarettes and electronic cigarette products.

Your Committees received testimony in support of this measure from the Hawaii Primary Care Association, Irie Hawaii, Tobacco King LLC, and numerous individuals. Your Committees received testimony in opposition to this measure from the Hawaii State Teachers Association, Hawaii Smokers Alliance, and thirteen individuals. Your Committees received comments on this measure from the Department of Education, Department of Health, and Coalition for a Tobacco-Free Hawaii.

Your Committees find that under existing law, any tobacco product or electronic smoking device found in a student's possession is seized by the school administration and forfeited to law enforcement. Your Committees note that requiring public school teachers and educators to confiscate electronic cigarettes and electronic cigarette products may be problematic and difficult to implement. Your Committees further find that it is imperative for confiscated electronic smoking devices to be removed on a consistent and timely schedule.

Accordingly, your Committees have amended this measure by:

- (1) Changing references to "electronic cigarettes" and "electronic cigarette products" to "electronic smoking devices" and "electronic smoking device products";
- (2) Authorizing, rather than requiring, teachers and educators to confiscate electronic smoking devices and electronic smoking device products;
- (3) Requiring public schools to coordinate with county police departments for the proper disposal of confiscated items within three months of confiscation;
- (4) Inserting a repeal date of January 1, 2023;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2049, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2049, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 6; Ayes with Reservations (Tokioka). Noes, none. Excused, 2 (Belatti, Say).

Lower & Higher Education: Ayes, 7; Ayes with Reservations (Quinlan, D. Kobayashi, Tokioka). Noes, 2 (DeCoite, Okimoto). Excused, 2 (Johanson, Ohno).

SCRep. 255-20 Health/Lower & Higher Education on H.B. No. 2457

The purpose of this measure is to prohibit the sale or distribution of all flavored tobacco products in the State. Among other things, this measure:

- (1) Bans the sale of flavored tobacco products; prohibits the mislabeling of e-liquid products containing nicotine; and establishes fines and penalties for violations, beginning on January 1, 2021;
- (2) Requires the Department of Education to establish a safe harbor program by which persons under 21 years of age may dispose of electronic cigarettes in their possession;
- (3) Requires public school teachers or educators to confiscate electronic cigarettes;
- (4) Increases fines for the purchase or possession of tobacco products and electronic smoking devices by persons under 21 years of age;
- (5) Authorizes a court to impose, as a penalty on a person 18-21 years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine; and
- (6) Requires a parent or guardian of a minor to select from among the penalties for a minor convicted of possession of a tobacco product or electronic smoking device.

Your Committees received testimony in support of this measure from the Office of the Prosecuting Attorney, County of Hawaii; Hawaii Primary Care Association; Hawaii Dental Hygienists' Association; Irie Hawaii; Tobacco King LLC; Hawaii Pacific Health; Hawaii COPD Coalition; Coalition for a Tobacco-Free Hawaii; American Cancer Society Cancer Action Network; Hui No Ke Ola Pono; Flavors Hook Kids Hawaii; Kapiolani Smokefree Families; Hawaii Dental Association; The Friends of Kamalani and Lydgate Park; American Academy of Pediatrics, Hawaii Chapter; Hawaii Association of Independent Schools; American Heart Association; over a hundred individuals, and a petition signed by numerous individuals. Your Committees received testimony in opposition to this measure from Hawaii Smokers Alliance; Hawaii Food Industry Association; Cigar Association of America, Inc.; and numerous individuals. Your Committees received comments on this measure from the Department of Education, Department of Health, Department of the Attorney General, and Hawaii State Teachers Association.

Your Committees find that flavored tobacco products are a significant threat to public health. Further, twenty-six local jurisdictions in four states—California, Colorado, Massachusetts, and Minnesota—have enacted legislation to prohibit the sale of flavored tobacco products, including menthol. Your

Committees also find that Hawaii should also take steps to regulate flavored tobacco products to reduce tobacco-related health disparities and address the youth vaping epidemic.

Your Committees further find that the Hawaii Tobacco Prevention and Control Trust Fund is comprised of tobacco settlement monies and interest accrued from the investment of monies in the trust fund. The purpose of the trust fund is dictated by the terms of the tobacco master settlement agreement, pursuant to chapter 328L, Hawaii Revised Statutes. Therefore, monies paid from fines in this measure should not be deposited into the trust fund.

Your Committees note that the Department of Health and other organizations did not support the fines proposed by this measure.

Your Committees also note the testimony from the Department of Health, expressing concerns over the Department's ability to receive and dispose of electronic smoking devices that are confiscated or given up willingly through a safe harbor program. Your Committees have also heard the concerns raised in testimony by the Department of the Attorney General regarding the disposition of a minor's adjudication as a law violator as this is under the purview of the family court judge, not the parents or guardians.

Your Committees request that the Department of Health and Department of Education provide more data on vaping and electronic smoking devices in the State, should your Committee on Judiciary deliberate on this measure.

Your Committees have amended this measure by:

- (1) Changing all references of "electronic cigarette" to "electronic smoking device";
- (2) Removing the provision that notified a minor's parent or guardian of a possession violation and allowed them to select the penalty for the minor;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2457, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2457, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5; Ayes with Reservations (San Buenaventura). Noes, 1 (Tokioaka). Excused, 2 (Belatti, Say).

Lower & Higher Education: Ayes, 6; Ayes with Reservations (Okimoto). Noes, 3 (DeCoite, D. Kobayashi, Tokioaka). Excused, 2 (Johanson, Ohno).

SCRep. 256-20 Economic Development & Business on H.B. No. 2726

The purpose of this measure is to:

- (1) Amend the definition of "cooler beverage" to include spirits-based beverages; and
- (2) Establish a separate tax rate for beer for qualified small brewers.

Your Committee received testimony in support of this measure from the Lanikai Brewing Company; Kauai Beer Company; Hawaiian Craft Brewers Guild; Maui Brewing Co.; Lahaina Brewery, dba Kohola Brewery; Mahalo Aleworks; Kauai Island Brewing Company; Beer LAB HI; Waikiki Brewing Company; and one individual. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Wine Institute.

Your Committee finds that under the existing definition of "cooler beverage", the relevant tax rate is only applicable to wine-based or beer-based beverages, while beverages that are spirits-based are taxed as distilled spirits. Your Committee further finds that if a local distiller wants to make a "cooler beverage" that contains one ounce of distilled spirits and eleven ounces of another liquid, the beverage is taxed as if it consists entirely of alcohol. This measure addresses the disparate tax treatment and will encourage local distilleries to produce ready-to-drink cocktails.

Your Committee also finds that small craft producer pubs are an existing class of licensees under Hawaii's intoxicating liquor laws. For the purposes of conformity, your Committee believes that the new tax rates on beer should apply to licensed small craft producer pubs instead of qualified small brewers.

Additionally, your Committee finds that the current taxation scheme on beer is punitive and burdensome for small brewers and hinders their sustainability and growth. Small brewers operate on a much different economic scale than larger brewing companies, and tax rates should take these differences into account. This measure will create a more equitable taxation scheme for qualified small brewers.

Your Committee has amended this measure by:

- (1) Decreasing the maximum amount of alcohol by volume to seven percent that a spirit beverage cooler may contain to fall under the definition of "cooler beverage";
- (2) Removing the definition of "qualified small brewer", and instead applying the new tax rates on beer to licensed small craft producer pubs;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2726, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

SCRep. 257-20 Economic Development & Business/Intrastate Commerce on H.B. No. 2596

The purpose of this measure is to establish the Broadband Service Infrastructure Grant Program to award grants to applicants to extend deployment of facilities used to provide broadband service to unserved and underserved areas of the State.

Your Committees received testimony in support of this measure from Charter Communications. Your Committees received testimony in opposition to this measure from Keep Your Power; No Kohala CERT, Teens X2 Social, Temple of Healing & Education; We Are One, Inc.; We Are One Ministries;

ONACMO Inc.; Moku of Keanae, Maui; Sustainable Action Fund for the Environment Maui; Swami's Healing Arts; and over one hundred individuals. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Office of Information Practices; and one individual.

Your Committees find that increased demand for broadband internet service has created greater disparities between remote and rural communities and densely populated areas of the State. Your Committees further find that public-private partnerships are proving to be critical to closing the digital divide in unserved low-density areas and for creating incentives for broadband providers to spend capital to build a new network in such areas. This measure establishes a grant program to provide applicants of the program with grants to extend deployment of facilities used to provide broadband service in unserved and underserved areas of Hawaii.

Your Committees note that this measure is not connected to the use of 5G wireless technology and the intent is not to have your Committees use this measure to facilitate 5G wireless technology.

Your Committees have amended this measure by:

- (1) Specifying that projects for next-generation wireless technology must obtain an environmental impact statement under chapter 343, Hawaii Revised Statutes, in order to be eligible for the Broadband Service Infrastructure Grant Program; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2596, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2596, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Nishimoto, McDermott).

SCRep. 258-20 Economic Development & Business/Intrastate Commerce on H.B. No. 2264

The purpose of this measure is to:

- (1) Establish an Executive Office on Broadband Development, Hawaii Broadband Advisory Council, and Hawaii Broadband Advisory Council Special Fund to promote statewide access to broadband services and support broadband infrastructure development in the State; and
- (2) Appropriate funds for the Council to carry out its duties.

Your Committees received testimony in opposition to this measure from Keep Your Power; No Kohala CERT, Teens X2 Social, Temple of Healing & Education; We Are One, Inc.; Sanctuary of Mana Kea Gardens; and over one hundred individuals. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; and The Civil Beat Law Center for the Public Interest.

Your Committees note that this measure is not connected to the use of 5G wireless technology and the intent is not to have your Committees facilitate 5G wireless technology through this measure. Instead, your Committees find that the emphasis and intent of this measure are to support broadband development through establishment of fiber optic cable, including cable landing infrastructure.

Your Committees further find that broadband development is essential to the economic development of Hawaii. With cable landing poised to reach Hawaii in the very near future, your Committees additionally find that submarine fiber optic cables may bypass Hawaii without government-funded support. Fiber optic cables will provide much needed high-speed Internet to communities around the Hawaiian islands, thus ensuring Hawaii remains relevant in an ever changing economic climate. Your Committees additionally find that fiber optic cables being necessary for advancing broadband in Hawaii have been found to be safe for both human and animal life and that such funding and has nothing to do with the promotion of wireless high frequency communication, known as 5G.

Your Committees have amended this measure by:

- (1) Removing language that would have established the Executive Office on Broadband Development, Hawaii Broadband Advisory Council, and Hawaii Broadband Advisory Council Special Fund, and appropriated funds for the Council;
- (2) Inserting language that appropriates an unspecified amount of general revenues of the State to the Department of Business, Economic Development, and Tourism for cable landing infrastructure, cable stations; horizontal bores; conduits; backhaul; permitting; planning and design; and administrative support;
- (3) Removing its repeal date; and
- (4) Changing its effective date to July 1, 2112, to encourage further discussion.

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider appropriating \$15,000,000 and requiring an additional amount of \$3,000,000 from private and federal sources for cable landing infrastructure, for a total of \$18,000,000.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2264, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2264, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Nishimoto, McDermott).

SCRep. 259-20 Public Safety, Veterans, & Military Affairs on H.B. No. 1947

The purpose of this measure is to appropriate funds for programs, ceremonies, and activities commemorating the seventy-fifth anniversary of the end of World War II, which will be observed on September 2, 2020.

Your Committee received testimony in support of this measure from the Office of the Veterans' Services, Department of Defense; Hawaii Tourism Authority; U.S.S. Missouri Memorial Association; Pacific Fleet Submarine Memorial Association; Chamber of Commerce Hawaii; 75th WWII Commemoration Committee; Hawaii Lodging & Tourism Association; and one individual.

Your Committee finds that the observance of this milestone anniversary is a recognition of the sacrifices of the men and women who served in World War II, the important role Hawaii played geographically and in terms of troop contributions, and the suffering and loss of life of all people involved. This measure will provide funding needed to support the observance.

Your Committee also finds that the youngest survivors of the war are in their early 90s and this occasion may be the last time they will be honored on such a scale. Approximately one hundred to two hundred veterans from the State and around the country are expected to participate. Additionally, your Committee finds that the commemoration events will allow for the sharing of a global message of peace.

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

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$250,000 for the World War II commemoration programs, ceremonies, and activities. These funds will supplement the \$500,000 in funding being provided by the Hawaii Tourism Authority.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1947, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1947, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 260-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2478

The purpose of this measure is to appropriate funds for the planning and design of a memorial to honor service members of the recent conflicts in the Persian Gulf, Iraq, Afghanistan, and the various arenas of the Global War on Terrorism, to be located at the Hawaii State Veterans Cemetery in Kaneohe, Oahu, with replicas of the memorial to be located at state veterans' cemeteries statewide.

Your Committee received testimony in support of this measure from the Office of the Veterans' Services, Department of Defense; the National Association for Uniformed Services; and two individuals.

Your Committee finds that honoring service members of the recent conflicts in the Persian Gulf, Iraq, Afghanistan, and the various arenas of the Global War on Terrorism through a memorial is one means by which the State can express its gratitude for their service, contributions, and sacrifice, and ensure that the members are not forgotten. Your Committee notes that efforts to establish a memorial for this purpose date back to 2013, when Act 139, Session Laws of Hawaii 2013, was enacted. Since then, much work has been done by the Hawaii Gulf War Memorial task force to develop plans for the memorial. This measure will fund the planning and design phase of the memorial and associated replicas based on the task force's recommendation.

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

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$125,000 for the memorial's planning and design.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2478, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 261-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2331

The purpose of this measure is to establish a Long-term Recovery Authority to work with the State Disaster Recovery Coordinator to enhance the capacity of the government, relevant agencies, and the community to recover from the impacts of disasters and build resilience and sustainability.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Transportation, Hawaii Emergency Management Agency, and Office of Planning. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that establishing a unified Long-term Recovery Authority will provide a more holistic approach to coordinating recovery efforts statewide. Policies and strategies developed by the Long-term Recovery Authority should improve collaboration among various governmental, private, and community partners to restore essential community functions and infrastructure following disasters.

Your Committee has amended this measure by:

- (1) More clearly incorporating the Federal Emergency Management Agency's key functional areas of assistance in the definition of "recovery support functions";
- (2) Changing the appropriation to an unspecified amount and making the appropriation section effective on July 1, 2020, the start of the next fiscal year;
- (3) Changing the expending agency to the Hawaii Emergency Management Agency rather than the Office of the Governor since the Long-term Recovery Authority is established within the Hawaii Emergency Management Agency; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$550,000 to support the Long-term Recovery Authority and State Disaster Recovery Coordinator, and their associated responsibilities under this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2331, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2331, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 262-20 Human Services & Homelessness on H.B. No. 1872

The purpose of this measure is to support the needs of Hawaii's elderly by establishing and funding six long-term care ombudsmen specialist positions, including positions for the counties, to work under the supervision of the State Long-Term Care Ombudsman to achieve the goals of the Long-Term Care Ombudsman Program (Program) as mandated by federal and state law.

Your Committee received testimony in support of this measure from the Executive Office on Aging, State Long-Term Care Ombudsman, County of Hawaii Office of Aging, AARP Hawaii, International Longshore and Warehouse Union Local 142, and ten individuals.

Your Committee notes that the Program is required by federal law and state law to protect the human and civil rights of residents in all long-term care settings. Federal law requires the Long-Term Care Ombudsman to visit facilities quarterly; respond to complaints; engage in investigations; provide information, assistance, and referrals to long-term residents and their families; facilitate family councils statewide; provide community education; and administer the Program.

Your Committee finds that the Program is currently staffed by the State Long-Term Care Ombudsman, a volunteer coordinator, and an Oahu Ombudsman position. The three contracted positions for the counties of Hawaii, Kauai, and Maui are trained Ombudsmen and have assisted to expand quarterly visits; however, the State Long-Term Care Ombudsman indicated in testimony before your Committee that these contract staff do not replace the unmet needs of full-time staff.

Your Committee recognizes the essential role of the State Long-Term Care Ombudsman and staff in advocating for and responding to the needs and concerns of residents in long-term care settings. At its public hearing, your Committee noted that long-term care ombudsmen in other states are staffed by state funded positions and volunteers. To support its further deliberations in considering the needs of the Program, your Committee requests that the Executive Office on Aging examine the ways long-term care ombudsmen in other states are funded and staffed, including best practices, public and private funding sources, and use of volunteers.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the number of full-time equivalent staff to an unspecified number and removing language that added specific numbers of ombudsman specialist positions to each county;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance choose to hear this measure, your Committee respectfully requests that it consider appropriating \$467,651 for Fiscal Year 2020-2021 to establish six full-time equivalent (6.0 FTE) ombudsman specialist positions within the Office of the Long-Term Care Ombudsman, with positions assigned to each of the counties.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1872, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 263-20 Human Services & Homelessness/Health on H.B. No. 1866

The purpose of this measure is to appropriate funds for the Healthy Aging Partnership Program (Program) to further the Program's important role in improving the health and well-being of Hawaii's kupuna.

Your Committees received testimony in support of this measure from the Executive Office on Aging, Office of Aging of the County of Hawaii, ILWU Local 142, Hawaii Primary Care Association, AARP Hawaii, and numerous individuals.

Your Committees find that the Program is designed to improve the health of older individuals and to reduce higher levels of health care cost. The Program is designed to encourage and empower seniors to stay healthy, stay active, and to age in place. This is accomplished through the Program's education to seniors on better ways to manage their health, and how to safely reside in their homes and prevent falls.

Your Committees have amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum;
- (2) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to hear this measure, your Committees respectfully request that it consider appropriating \$550,000 for fiscal year 2020-2021 for the Program.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1866, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1866, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Say).
Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 264-20 Lower & Higher Education on H.B. No. 2509

The purpose of this measure is to appropriate funds to the Department of Education for the installation of air conditioning in Hawaii's public school permanent classrooms and portable classrooms that have not yet received air conditioning units; provided that the school principal designates the installation of air conditioning as the school's top priority.

Your Committee received testimony in support of this measure from the Department of Education, Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, and one individual.

Your Committee finds that hot classroom temperatures in Hawaii's public schools can adversely affect students by making them drowsy, irritable, and unmotivated, and sometimes causing students to suffer headaches, nausea, and heat rashes. Your Committee further finds that heat abatement in Hawaii's public schools is becoming a necessity for students to learn and enjoy their time in school. The State fulfilled its promise to install air conditioning in more than one thousand classrooms in eighty-eight public schools across five islands. This measure provide funds to continue the installation of air conditioning in classrooms that have not yet received air conditioning units.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2509, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2509, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 265-20 Lower & Higher Education on H.B. No. 2093

The purpose of this measure is to require the Department of Education to establish a standardized data collection process; collect and analyze data relating to, among other things, student discipline, school climate, and student achievement; and annually report certain information to the Board of Education, Legislature, and the public.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, American Civil Liberties Union of Hawaii, American Association of University Women of Hawaii, Planned Parenthood Votes Northwest and Hawaii, and two individuals. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that the data collection, analysis, and reporting required by this measure is intended, in part, to preserve protections that may soon be lost if the United States Department of Education acts on its proposal, published on September 19, 2019, in the Federal Register, to cease collecting certain types of data from public schools for the Department's mandatory civil rights data collection.

Your Committee has amended this measure by:

- (1) Increasing the number of students in a particular data subgroup for which the data on that subgroup shall be reported to greater than ten, and when data on that subgroup shall be redacted to ten or fewer;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2093, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2093, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 266-20 Lower & Higher Education on H.B. No. 2094

The purpose of this measure is to fill the need for qualified educators across the early learning system in programs delivered in either of Hawaii's two official languages by establishing an early childhood educator stipend program that encourages individuals, especially those already working in the early childhood field, to pursue a certificate, degree, or license in early childhood education.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, State Public Charter School Commission, Hawaii Teacher Standards Board, Hawaii State Teachers Association, Kamehameha Schools, Democratic Party of Hawaii Education Caucus, Hawaii Children's Action Network Speaks!, and eleven individuals. Your Committee received comments on this measure from the Department of Human Services and Early Learning Board.

Your Committee finds that the program established pursuant to this measure is based on the Grow Your Own Teacher stipend program for kindergarten through grade twelve teachers and structured similarly to the stipend program that was federally funded but ended in 2019.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated to an unspecified amount; and
- (2) Changing its effective date to July 1, 2050.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$600,000 for the establishment and implementation of the Hawaii early childhood educator stipend program.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2094, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2094, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 267-20 Lower & Higher Education on H.B. No. 2150

The purpose of this measure is to require and appropriate funds to the Department of Education to employ at least one full-time equivalent teacher for each grade level in grades kindergarten through six in state public schools with one hundred fifty students or less, excluding charter schools.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, the Complex Area Superintendent of the Castle-Kahuku Complex Area, KEY Project, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that small schools provide more individualized attention to students and greater student engagement opportunities that support student achievement. However, small schools must maintain minimum administrative and support services to operate their schools while balancing limited fiscal resources that place constraints on the allocation of resources. Your Committee further finds that some small schools in Hawaii do not have the funds to hire at least one teacher per grade level. This measure will require the Department of Education to employ one teacher for each grade level in grades kindergarten through six and provide funding for the hiring of those teachers.

Your Committee notes that during the public hearing on this measure, there was discussion about small schools in which there may be no students enrolled in a specific grade level and whether this measure as heard by your Committee would still require the Department of Education to hire a teacher for that grade level.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Education to employ at least one full-time equivalent teacher specifically for each grade level that has five or more students in grades kindergarten through six in each small school; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2150, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2150, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Ohno).

SCRep. 268-20 Lower & Higher Education on H.B. No. 2412

The purpose of this measure is to require the Department of Education to establish a three-year pilot program to develop a trauma-informed education program in the Castle, Kailua, and Kalaheo complexes.

Your Committee received testimony in support of this measure from the Complex Area Superintendent of the Castle-Kahuku Complex Area, Hawaii Primary Care Association, Democratic Party of Hawaii Education Caucus, IMUAlliance, Hoomaluhia, and seven individuals. Your Committee received comments on this measure from the Executive Office on Early Learning, Department of Education, and Consuelo Foundation.

Your Committee finds that incorporating trauma-informed education in the State's public education system will help to address adverse childhood experiences and shift the mindset of schools from discipline-oriented to relationship-oriented and from exclusionary practices to inclusionary practices, which can help reduce suspension rates. In the Nanakuli-Waianae complex area, trauma-informed education has been incorporated into its schools and, since 2015, this complex area has seen a reduction in the suspension and absenteeism rates and an increase in graduation and teacher retention rates. This measure will establish a three-year pilot program to develop a trauma-informed education program in the Castle, Kailua, and Kalaheo complexes based on the trauma-informed education of the Nanakuli-Waianae complex area.

Your Committee has amended this measure by:

- (1) Correctly identifying the Castle-Kahuku and Kailua-Kalaheo complex areas, rather than referencing the Castle, Kailua, and Kalaheo complexes;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2412, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2412, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (DeCoite). Noes, 1 (Okimoto). Excused, 1 (Ohno).

SCRep. 269-20 Lower & Higher Education on H.B. No. 2203

The purpose of this measure is to:

- (1) Require the Department of Education to track and publish the use of all exclusionary discipline, disaggregated by student subgroup;
- (2) Eliminate the use of out-of-school suspensions for students in prekindergarten through grade five; and
- (3) Cap the use of out-of-school and in-school suspensions for students in grades six through twelve.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Kauai, AAUW of Hawaii, American Civil Liberties Union of Hawaii, Hawaii Children's Action Network Speaks!, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Hawaii State Teachers Association, and nine individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received comments on this measure from the Department of Education, Executive Office on Early Learning, Early Learning Board, and Hawaii Disability Rights Center.

Your Committee finds that there are significant public benefits to ensuring that all students have access to a quality education in a welcoming learning environment. The disciplinary practice of excluding children, particularly those children that belong to a protected class, from time, resources, and activities at school has a detrimental public impact. Among the many possible disciplinary interventions and consequences available to school officials, exclusions from school, including out-of-school suspension and in-school suspension, are the most serious. However, your Committee recognizes that school administrators

are cautious in the use of exclusionary disciplinary practices, including suspensions, and that these practices are only used as a last resort after other disciplinary options are considered. School administrators recognize the importance and value of student attendance and its impact on student success, but also place safety as the utmost concern on their campuses and for their students.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would restrict the use of out-of-school and in-school suspensions amongst students in grades six through twelve and eliminate the use of out-of-school suspensions for students in prekindergarten through grade five;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2203, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 3 (DeCoite, Tokioka, Okimoto). Excused, 1 (Ohno).

SCRep. 270-20 Lower & Higher Education/Labor & Public Employment on H.B. No. 2064

The purpose of this measure is to establish an income tax credit for employers who create on-site early childhood facilities.

Your Committees received testimony in support of this measure from the Hawaii Electric Company Inc.; Midwives Alliance of Hawaii; Hawaii Community Foundation; Breastfeeding Hawaii; and five individuals. Your Committees received comments on this measure from the Executive Office on Early Learning, Department of Taxation, and Department of Human Services.

Your Committees find that the cost of child care in Hawaii is one of the highest in the nation, requiring some parents to remain at home with their children because of the high cost of child care. Your Committees additionally find that children who do not attend pre-kindergarten programs are developmentally behind, lacking physical, cognitive, linguistic, social, and emotional skills necessary to prepare them to succeed in school life. This measure will expand child care options for parents and increases the number of high-quality early childhood programs by providing an income tax credit for employers who create on-site early childhood facilities.

Your Committees have amended this measure by:

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

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it examine the appropriateness of appropriating funds for the one full-time equivalent on-site early childhood facility coordinator position in the Executive Office on Early Learning for fiscal year 2021-2022, which is beyond the current fiscal biennium.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2064, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2064, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 9. Noes, none. Excused, 2 (Johanson, Ohno).

Labor & Public Employment: Ayes, 5. Noes, none. Excused, 3 (Johanson, Yamashita, Matsumoto).

SCRep. 271-20 Labor & Public Employment on H.B. No. 2302

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (2) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawaii System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2302, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 272-20 Labor & Public Employment on H.B. No. 2303

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (3) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawaii System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2303, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2303, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 273-20 Labor & Public Employment on H.B. No. 2304

The purpose of this measure is to appropriate funds for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (4) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawaii System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2304, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2304, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 274-20 Labor & Public Employment on H.B. No. 2305

The purpose of this measure is to appropriate funds for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (7) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawaii System, and University of Hawaii Professional Assembly.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2305, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2305, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 275-20 Labor & Public Employment on H.B. No. 2306

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (8) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawaii System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2306, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2306, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 276-20 Labor & Public Employment on H.B. No. 2307

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (9) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawaii System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2307, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2307, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 277-20 Labor & Public Employment on H.B. No. 2308

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (13) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2308, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2308, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 278-20 Labor & Public Employment on H.B. No. 2309

The purpose of this measure is to appropriate funds for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (14) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2309, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 279-20 Water, Land, & Hawaiian Affairs on H.B. No. 2591

The purpose of this measure is to appropriate funds for the Department of Land and Natural Resources to undertake the comprehensive stakeholder engagement process and adaptive management strategies associated with the Marine 30x30 Initiative.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Coral Fish Hawaii. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Ocean Tourism Coalition.

Your Committee finds that this measure is part of the State's ongoing commitment to effectively manage thirty percent of Hawaii's nearshore waters by 2030. In particular, your Committee finds that this measure provides support for ongoing outreach and stakeholder engagement, the development of a management plan, and administrative support for the Marine 30x30 Initiative.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Inserting language requiring the management plan to be supported by scientific data and research;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2591, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2591, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 280-20 Water, Land, & Hawaiian Affairs on H.B. No. 1921

The purpose of this measure is to:

- (1) Require any hunting guide or hunter to obtain and submit to the Department of Land and Natural Resources (DLNR) written permission from any private land owner upon whose land the hunting guide or hunter is engaged in guide or hunting activities; and
- (2) Require the Division of Forestry and Wildlife of DLNR to create and make available to the public a written permission form to be completed and filed by any hunting guide or hunter engaged in guide or hunting activities on private lands.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Hawaii Rifle Association, Hawaii Farm Bureau, and four individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that some armed individuals have circumvented trespassing and larceny laws by simply claiming to be hunters and stating they had verbal permission from the property owner to be on the property. Currently, the burden is on the rancher or farmer to prove that the farmer or rancher did not give permission to a trespasser carrying a firearm to access the farmer's or rancher's property. Requiring a hunting guide or hunter to obtain written permission from the land owner will reduce the confusion concerning the issue of trespassers while also reducing the risk of land owners mistakenly believing their homes and families are threatened by these individuals.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1921, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1921, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 281-20 Water, Land, & Hawaiian Affairs on H.B. No. 2036

The purpose of this measure is to establish the Ocean Coral Restoration Pilot Program in the Department of Land and Natural Resources to plan and design an expansion of the Hawaii Coral Restoration Nursery, including improvements to the sea urchin hatchery.

Your Committee received testimony in support of this measure from the University of Hawaii System, Surfrider Oahu, Friends of Hanauma Bay, Hawaii Reef and Ocean Coalition, and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds Hawaii's coral reefs provide significant economic, ecological, and cultural benefits to the State. Your Committee further finds that the Coral Restoration Nursery provides large, healthy, native corals for transplantation on impacted coral reefs. This measure supports reef restoration efforts by appropriating funds for the Department of Land and Natural Resources to plan and design an expansion of the Coral Restoration Nursery.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2036, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2036, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 282-20 Water, Land, & Hawaiian Affairs on H.B. No. 2646

The purpose of this measure is to:

- (1) Specify in the state water code that fire safety use is a beneficial use of water; and
- (2) Require the Board of Land and Natural Resources (Board) to work with county governments, the Hawaii Emergency Management Agency, and owners to use reservoir water for fire safety.

Your Committee received testimony in support of this measure from the Maui County Farm Bureau, Mahi Pono, and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and Earthjustice. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds using ocean water to extinguish fires may damage flora and fauna and require the closure of major thoroughfares. Your Committee also finds that helicopters can retrieve the fresh water in reservoirs more quickly than from the ocean. Requiring the Board to work with county governments and other agencies to use reservoir water for fire safety would protect the State's flora and fauna while also ensuring that the residents and visitors of Hawaii are safe from fires.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2646, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2646, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 283-20 Water, Land, & Hawaiian Affairs on H.B. No. 442

The purpose of this bill is to effectuate its title.

H.B. No. 442 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to appropriate funds for two part-time project-based research archivist positions at the State Archives to provide research services, digitize project records, and make relevant records and primary source documents available to the public.

Your Committee received testimony in support of this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the action to report out H.B. No. 442, as amended herein, and recommends that it be recommitted to your Committee on Water, Land, & Hawaiian Affairs, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 442, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 284-20 Judiciary on H.B. No. 2572

The purpose of this bill is to effectuate its title.

H.B. No. 2572 was introduced as a short-form bill, which is sometimes referred to as a "vehicle" bill primarily used to introduce a bill containing only a general idea as to the purpose of the bill without specific details in the long form.

Your Committee has amended the bill to provide the substantive contents of the bill in long form so that a public hearing may be properly held on its substantive contents.

The purpose of this measure is to implement the recommendations of the Twenty-first Century Privacy Law Task Force by:

- (1) Redefining "personal information" under Hawaii's security breach of personal information laws;
- (2) Establishing new provisions on consumer rights to personal information and data brokers;
- (3) Prohibiting the sale of geolocation information and internet browser information without consent;
- (4) Amending provisions relating to Hawaii's electronic eavesdropping laws; and
- (5) Prohibiting certain manipulated images of individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the action to report out H.B. No. 2572, as amended herein, and recommends that it be recommitted to your Committee on Judiciary, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 2572, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Brower, Creagan, Say).

SCRep. 285-20 Public Safety, Veterans, & Military Affairs on H.B. No. 1794

The purpose of this measure is to extend the lapse date of the appropriations made by Act 12, Session Laws of Hawaii 2018 (Act 12), to June 30, 2021, for flooding disaster relief for Kauai and other areas of the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Office of the Adjutant General, Department of Defense; and one individual.

Your Committee understands that the Department of Land and Natural Resources sustained substantial damage to its facilities in Kauai due to the heavy rains and flooding events in April 2018. The Department received funds pursuant to Act 12 for recovery response for several locations and facilities and is currently implementing those projects. Additional time is needed to complete these and other flood response projects. Your Committee supports these recovery efforts and finds that this measure will allow for work on not only Kauai, but also other areas of the State, including East Oahu, to continue to their completion.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1794, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1794, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 286-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2329

The purpose of this measure is to establish the Hazard Mitigation Special Fund for the Hawaii Emergency Management Agency and appropriate funds for personnel costs and operating and administrative costs deemed necessary by the agency to administer section 127A-18, Hawaii Revised Statutes, which allows certain personnel to enter private property in the absence of an emergency or disaster, with notice to the landowner and occupant, to address dangerous trees and unstable rock and soil conditions and mitigate flood hazards.

Your Committee received testimony in support of this measure from the Office of the Adjutant General, Department of Defense; Hawaii Emergency Management Agency; Hawaii State Energy Office; and Department of Emergency Management, City and County of Honolulu.

Your Committee finds that creation of the special fund will provide the Hawaii Emergency Management Agency a dedicated funding source for personnel to mitigate situations deemed hazardous to the health and safety of the public through the actions identified in the statute.

Your Committee understands funding for the Hawaii Emergency Management Agency to perform this work is nearly exhausted. This measure will provide funding to allow this work to continue, thereby protecting the public and in some situations, preventing potentially even greater hazards from developing.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount and making the appropriation sections effective on July 1, 2020, the start of the next fiscal year; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$5,000,000 for the Hazard Mitigation Special Fund.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2329, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2329, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 287-20 Human Services & Homelessness/Lower & Higher Education on H.B. No. 2038

The purpose of this measure is to establish a two-year Mobile Facilities Pilot Program in the Department of Human Services to provide services including laundry, showers, oral hygiene, and food for homeless children and their family members on Department of Education property.

Your Committees received testimony in support of this measure from the Department of Education, Hawaii Primary Care Association, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Youth Services Network, and numerous individuals. Your Committees received testimony in opposition to this

measure from two individuals. Your Committees received comments on this measure from the Department of Human Services, Governor's Coordinator on Homelessness, and one individual.

Your Committees find that the Department of Education currently provides access to services such as laundry and oral hygiene at certain schools and food programs at all schools. Your Committees also find that this measure would complement the Department of Education's current efforts to provide these services at more schools.

Accordingly, your Committees have amended this measure by:

- (1) Establishing the pilot program in the Department of Education instead of the Department of Human Services;
- (2) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2038, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2038, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Ward).

Lower & Higher Education: Ayes, 11. Noes, none. Excused, none.

SCRep. 288-20 Transportation on H.B. No. 2598

The purpose of this measure is to establish within the Department of Transportation an abandoned and derelict vehicles task force to make recommendations to ensure the proper identification and disposal of abandoned and derelict vehicles left on Hawaii's highways.

Your Committee received testimony in support from the Department of Transportation, Mayor of the County of Hawaii, and one individual.

Your Committee finds that abandoned and derelict vehicles left on roadways are a long-standing, statewide problem. This measure seeks to bring certain government stakeholders together to come up with practical solutions to this problem.

Your Committee has amended this measure by:

- (1) Adding the mayor of each county, or the respective mayor's designee, as members of the task force; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2598, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2598, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 289-20 Transportation on H.B. No. 2173

The purpose of this measure is to reduce incidents of driving under the influence of an intoxicant by:

- (1) Specifying that if a person convicted of the offenses of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant is sentenced to a term of imprisonment, the term of imprisonment must be served consecutively;
- (2) Specifying that a person who has an ignition interlock permit must also carry government-issued identification with the person;
- (3) Extends the lookback period for provisions relating to ignition interlock requirements from five to ten years; and
- (4) Making it a crime for a person who is restricted to driving a vehicle equipped with an ignition interlock device to knowingly obscure a camera lens associated with an ignition interlock device.

Your Committee received testimony in support of this measure from the Department of Transportation, Mothers Against Drunk Driving Hawaii, and Smart Start LLC. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the only way to stop an intoxicated driver from continuing to drive while intoxicated is to strengthen the laws relating to ignition interlock devices. This measure seeks to close loopholes in existing laws identified by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving working group.

Your Committee has amended this measure by:

- (1) Granting courts greater flexibility by providing that if, within ten years, a person has two or more prior convictions for the offenses of:
 - (A) Operating a vehicle after the person's license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant;
 - (B) Circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; or
 - (C) Certain older offenses,
 one of the penalties to which the offender must be sentenced is between six months to one year of imprisonment;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2173, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2173, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 290-20 Transportation on H.B. No. 2065

The purpose of this measure is to help alleviate traffic gridlock by establishing a task force to study and develop a plan to reduce the number of public employees who commute during peak hours of traffic congestion.

Your Committee received comments on this measure from the Department of Accounting and General Services and Hawaii Government Employees Association.

Your Committee finds that according to some studies, Hawaii drivers waste an average of ninety-two hours per year stuck in traffic. This measure will focus on reducing the number of state and county workers on the road during rush hour traffic, thereby helping to reduce overall traffic for all commuters.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2065, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2065, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 291-20 Judiciary on H.B. No. 2670

The purpose of this measure is to make every judgment for child support, including a judgment for reimbursement or other arrears, enforceable until paid in full regardless of the recipient's age.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that judgments for child support should be enforceable until paid in full instead of requiring judgments to be presumed paid and discharged on the thirty-third birthday of the child for which the order of support was rendered or by the expiration of the latest period provided for in a domestic judgment or decree, whichever is later.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2670 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 292-20 Judiciary on H.B. No. 2573

The purpose of this measure is to authorize a prosecution for sex trafficking to be commenced at any time.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawaii State Commission on the Status of Women, County of Kauai Office of the Prosecuting Attorney, Honolulu Police Department, Maui Police Department, IMUAlliance, and three individuals.

Your Committee finds that many victims of sex trafficking delay reporting crimes until they are removed from their traffickers or living situation, and undergo treatment. Due to the reporting delay, prosecutors in Hawaii are often barred from prosecuting sex trafficking offenses due to the statute of limitations. Your Committee believes that due to the seriousness of the offense, prosecutors should have the power to pursue a criminal case for sex trafficking, regardless of how much time has elapsed.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2573 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 293-20 Judiciary on H.B. No. 2549

The purpose of this measure is to:

- (1) Require the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct;
- (2) Allow the presiding officers of the Legislature to request a written opinion from the Supreme Court regarding the legality of a proposed constitutional amendment and ratification question;
- (3) Require the Supreme Court to provide a written opinion within forty-eight hours of receipt of the request;
- (4) Require, for any written opinion by the Supreme Court that invalidates a constitutional ratification question, a detailed and specific explanation of the reasons for the opinion; and
- (5) Prohibit any appeal of a written opinion.

Your Committee received comments on this measure from the Judiciary and Common Cause Hawaii.

Your Committee finds that constitutional ratification questions should be posed in simple, concise, and direct language. Your Committee further finds that it is an appropriate exercise of the powers of the State Supreme Court to issue written opinions on the legality of a proposed constitutional ratification question when asked to by the Senate President or the Speaker of the House. This measure provides a mechanism to ensure the legality of constitutional ratification questions are addressed by the highest court in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2549 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Say). Noes, none. Excused, 1 (Nakashima).

SCRep. 294-20 Judiciary on H.B. No. 1650

The purpose of this measure is to extend the deadline for each county police department to adopt and utilize an electronic tracking system for sexual assault evidence collection kits.

Your Committee received testimony in support of this measure from the Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, Honolulu Police Department, Maui Police Department, Sex Abuse Treatment Center, Rainbow Family 808, and four individuals.

Your Committee finds that due to various operational and technical issues the police departments were unable to implement an electronic tracking system for sexual assault evidence collection kits by the January 1, 2020, deadline.

Accordingly, your Committee has amended this measure by:

- (1) Changing the deadline for each county police department to adopt and utilize an electronic tracking system from a blank date to January 1, 2021;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1650, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1650, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 295-20 Judiciary on H.B. No. 2177

The purpose of this measure is to:

- (1) Amend the statutory limitations on the time period in which a survivor of childhood sexual abuse may file a civil action to within forty years of the eighteenth birthday of the minor;
- (2) Bar punitive damages for these civil actions; and
- (3) Permit the court to order restorative justice measures, if appropriate.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, LGBT Caucus of the Democratic Party of Hawaii, IMUAlliance, Sex Abuse Treatment Center, Law Office of Mark Gallagher, and six individuals. Your Committee received testimony in opposition to this measure from Rainbow Family 808. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that survivors of childhood sexual abuse often do not divulge the truth of their abuse until adulthood. The average delay is twenty years, while some survivors delay disclosure for fifty years. This measure will provide childhood sexual abuse survivors additional time to file a civil action related to that abuse.

Your Committee has amended this measure by:

- (1) Extending the statute of limitations to file a civil action to within fifty years of the eighteenth birthday of the minor;
- (2) Allowing punitive damages up to two times the amount of compensatory damages;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2177, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 296-20 Judiciary on H.B. No. 2270

The purpose of this measure is to:

- (1) Mandate a ten-year minimum term of imprisonment without the possibility of parole for any adult who is convicted of knowingly subjecting a minor under the age of twelve to sexual penetration; and
- (2) Prohibit registered sex offenders and offenders against minors from residing, permanently or temporarily, within five hundred feet of any public or private school, child care facility, playground, or park where children may gather.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that Hawaii's children should be able to learn and play in a safe environment. Your Committee also finds that judges should be given discretion to sentence offenders on a case-by-case basis. Imposing residency restrictions for all registered sex offenders and offenders against minors, regardless of the circumstances, may be difficult given Hawaii's housing shortage.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the mandatory ten-year minimum term of imprisonment without the possibility of parole for any adult who is convicted of knowingly subjecting a minor under the age of twelve to sexual penetration;
- (2) Making the residency restriction for registered sex offenders and offenders against minors prospective;
- (3) Giving the court discretion to impose the residency restriction;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2270, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2270, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 297-20 Human Services & Homelessness on H.B. No. 1995

The purpose of this measure is to prohibit smoking and the use of tobacco products on the premises of substance abuse treatment facilities.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Public Health Institute, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition, Habilitat, and two individuals.

Your Committee has heard the concerns raised by testifiers who emphasized that prohibiting tobacco use within a treatment setting may create an obstacle to getting help. It is therefore critical to ensure that appropriate treatments and supports are available when transitioning substance abuse treatment facilities to a smoke-free environment. Your Committee finds that adopting a holistic approach when determining whether to ban smoking on these premises is important, including considering what services and supports need to be in place to treat facility residents' smoking dependence, while also being mindful that these residents are also battling other health issues and life challenges.

Your Committee has amended this measure by:

- (1) Deleting language that would have prohibited smoking and tobacco use on the premises of any substance abuse treatment facility;
- (2) Requiring the Department of Health to:
 - (A) Convene a working group to study and examine the effects of prohibiting smoking and tobacco product use on the premises of substance abuse treatment facilities and whether it encourages addiction; and
 - (B) Submit the working group's report of its findings and recommendations, including proposed legislation, to the Legislature prior to the Regular Session of 2021;
- (3) Adding the Executive Director of Habilitat, or the Executive Director's designee, to the working group;
- (4) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1995, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1995, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 298-20 Human Services & Homelessness on H.B. No. 2337

The purpose of this measure is to align the state definition of "chronically homeless individual" with the federal definition established by the United States Department of Housing and Urban Development, to reduce confusion among providers, communities, and private partners.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Democratic Party of Hawaii, and one individual.

Your Committee finds that this measure provides clarity and will improve the delivery and development of homeless services. This measure also ensures that Housing First services are targeted to homeless individuals with the highest level of need.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 299-20 Human Services & Homelessness on H.B. No. 2335

The purpose of this measure is to provide at risk young adults with the necessary job skills to become productive and employed members of the community by:

- (1) Authorizing individual vocational programs within the purview of the Office of Youth Services to engage in commercial enterprises, including the sale of goods and services, for self-sustainability purposes, for young adults only; and
- (2) Establishing the Office of Youth Services Revolving Fund, for receipt of income and payment of expenses generated from and by the commercial enterprise vocational programs.

Your Committee received testimony in support of this measure from the Department of Human Services, Office of Youth Services, Hale Kipa, Partners in Development Foundation, Community Alliance on Prisons, and five individuals.

Your Committee finds that in Hawaii, over 15,000 young adults ages 18 to 24 are neither employed nor in school. This measure provides an opportunity to develop skills of self-sustainability, accountability, and entrepreneurship for young adults.

Your Committee has amended this measure by:

- (1) Removing the general fund appropriation into the Office of Youth Services Revolving Fund and the authorization to expend funds from the revolving fund;
- (2) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2335, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2335, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 300-20 Human Services & Homelessness/Health on H.B. No. 1867

The purpose of this measure is to support the work of the Kupuna Caregivers Program by:

- (1) Reducing the number of hours per week, from thirty hours to twenty hours, that an individual must be employed to be a qualified caregiver under the Kupuna Caregivers Program; and
- (2) Appropriating funds for proper implementation of the Kupuna Caregivers Program.

Your Committees received testimony in support of this measure from AARP Hawaii, International Longshore and Warehouse Union Local 142, Church of the Crossroads, Pono Hawaii Initiative, Hawaii Children's Action Network Speaks!, Alzheimer's Association, Aloha Chapter, and numerous individuals. Your Committees received comments from the Executive Office on Aging.

Your Committees find that Hawaii's older adult population continues to rise, with more and more elderly relying on caregivers who provide help to the elderly in the activities of daily living, attendant care, personal care, and transportation, among other services. Your Committees recognize that caregivers play a critical role in fulfilling an important role and responsibility in communities throughout our State. Your Committees also recognize that caregivers must take care of themselves and obtain the necessary supports to sustain their own health as well as the health of the family member for whom they are caring. The Kupuna Caregivers Program provides working caregivers with resources and support to care for elders while enabling the caregivers to remain in the workforce. Your Committees further find that the appropriation in this measure will expand the Kupuna Caregivers Program to reach more caregivers and care recipients.

Your Committees have amended this measure by:

- (1) Removing language that would have reduced the amount of hours that an individual must be employed to be a qualified caregiver under the Kupuna Caregivers Program from thirty to twenty hours;
- (2) Changing the appropriation amount from \$2,000,000 to \$1,500,000;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1867, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1867, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

Health: Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 301-20 Energy & Environmental Protection on H.B. No. 2498

The purpose of this measure is to amend the amount of budget appropriations for energy expenditures that agencies performing energy efficiency or renewable energy system retrofitting are entitled to receive and to repeal the required setting aside of a portion of monies saved through the retrofitting.

Your Committee received testimony in support of this measure from Our Revolution Hawaii and fourteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Energy Office, Hawaii Energy, and Blue Planet. Your Committee received comments on this measure from the Department of Education, Hawaii Green Infrastructure Authority, and Ulupono Initiatives.

Your Committee finds that existing law requires an agency performing energy efficiency or renewable energy system retrofitting to receive budget appropriations for energy expenditures that are, at minimum, at the agency's pre-retrofitting energy budget and rise proportionately to any increase in the agency's overall budget for the duration of the performance contract or project payment term. This measure proposes to repeal the requirements for the appropriation amounts and instead allow the Legislature to determine the appropriate energy expenditures budget appropriation amounts.

Your Committee further finds that costs for contracts or debt service for implementation or management of energy efficiency measures should be accounted for.

Accordingly, your Committee has amended this measure by:

- (1) Requiring agencies that perform energy efficiency or renewable energy system retrofitting to account for costs of contracts or debt service for the implementation and management of energy efficiency measures; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2498, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2498, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 302-20 Energy & Environmental Protection on H.B. No. 2155

The purpose of this measure is to:

- (1) Require that residential and commercial solid waste be separated by source to be processed at appropriate facilities;
- (2) Require counties to update their integrated solid waste management plans;
- (3) Establish a new waste stream reduction goal for 2030; and
- (4) Appropriate funds to each county to assist in subsidizing its waste management programs.

Your Committee received testimony in support of this measure from Our Revolution Hawaii, Surfrider Oahu, and four individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that many state and local governments have recycling mandates or landfill prohibitions to encourage waste diversion. Commercial recyclers in Hawaii, however, suffer from low profit margins, causing recyclable and compostable material to go to landfills or to Asia or the continental United States to be recycled. This measure seeks to bolster solid waste management efforts throughout the State by facilitating recycling, setting a goal for the reduction of the solid waste stream reduction prior to disposal, and providing resources to the counties to implement their solid waste management programs.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2155, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2155, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 303-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on H.B. No. 1862

The purpose of this measure is to prohibit the Department of Land and Natural Resources from establishing or implementing bag limits on game mammals in public hunting areas.

Your Committees received testimony in support of this measure from the Big Island Invasive Species Committee, Hawaiian Reforestation Program, and one individual. Your Committees received testimony in opposition to this measure from Babooze Bowstrings, Hawaii Firearms Coalition, Hawaii Sportsmen's Alliance, Hawaii Sportsman Association, Animal Rights Hawaii, Hawaii Hunting Association, The Society for Hawaii Heritage Animals, Big Island Bird Hunters, and numerous individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committees find that populations of game mammals are growing throughout the State. Game mammals can cause damage to the environment when they are proliferating in environments to which they are not native and in which they have no predators.

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

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1862, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1862, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7; Ayes with Reservations (Har). Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6; Ayes with Reservations (Har). Noes, none. Excused, 1 (Ward).

SCRep. 304-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on H.B. No. 1621

The purpose of this measure is to establish the Honolulu Shoreline Climate Protection Pilot Project, which requires the Hawaii Climate Change Mitigation and Adaptation Commission to develop a comprehensive plan to protect urban Honolulu and its shoreline from the impacts of climate change, with the goal of using that plan as a model to protect the State's shorelines from coastal disaster events.

Your Committees received testimony in support of this measure from the Climate Protectors Coalition, Life of the Land, Sierra Club of Hawaii, and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources and Hawaii Climate Change Mitigation and Adaptation Commission.

Your Committees find that sea level is rising at increasing rates due to global warming of the atmosphere and oceans and the corresponding melting of glaciers and ice sheets. Due to climate change, many communities in Hawaii are exposed to coastal disaster events. By first establishing a comprehensive shoreline protection pilot project for urban Honolulu, which is the most challenging to protect, the project can serve as a model for all communities in the State.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1621, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1621, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 305-20 Consumer Protection & Commerce on H.B. No. 1644

The purpose of this measure is to require that the conveyance tax certificate filed with the Director of Taxation include the names and business addresses of limited liability company officers, directors, and members or managers.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that there are instances when governmental agencies, homeowners associations, or property owners are required to provide notice to a neighboring landowner for various issues relating to real property, but are unable to do so because the landowner is a limited liability company with insufficient contact information needed for providing the notice.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1644, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1644, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 306-20 Consumer Protection & Commerce on H.B. No. 1796

The purpose of this measure is to create the Insulin Drug Task Force to study whether cost-sharing limits should be placed on prescription insulin drugs.

Your Committee received testimony in support of this measure from AARP Hawaii and Hawaii Medical Service Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii State Ethics Commission, and Kaiser Permanente Hawaii.

Your Committee finds that the State has a high rate of diabetes and the price of insulin is costly. The task force established by this measure is one approach the State can take toward the goal of making prescription medication less cost prohibitive for Hawaii residents.

Your Committee has amended this measure by:

- (1) Deleting the exemption from chapter 84, Hawaii Revised Statutes, which is the law governing the standards of conduct for certain public officials and employees, as the State Ethics Code already contains a provision that specifically applies to task force members and their potential conflicts of interest;
- (2) Inserting a blank appropriation amount to the Department of Commerce and Consumer Affairs; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1796, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1796, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 307-20 Consumer Protection & Commerce on H.B. No. 1943

The purpose of this measure is to provide twelve months of postpartum medical assistance to pregnant women who are ineligible for medical insurance coverage through their employer or Medicaid.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Pono Hawaii Initiative, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, Breastfeeding Hawaii, Hawaii Primary Care Association, Hawaii Chapter of the American Academy of Pediatrics, AAUW of Hawaii, Hawaii Section of the American College of Obstetricians and Gynecologists, March of Dimes, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Maternal and Infant Health Collaborative, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, and eleven individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that, during the calendar years of 2015 and 2016, half of the maternal deaths in the State occurred from forty-three days to one year after the pregnancy ended. Your Committee further finds that over half of the State's maternal deaths were preventable over that same time period.

Your Committee notes that, as written, this measure may be interpreted to provide coverage only to women who have live births. However, women who experience stillbirths or miscarriages may experience conditions requiring medical assistance. Your Committee believes that these women should also be included in the coverage proposed by this measure.

Your Committee has amended this measure by:

- (1) Clarifying that the eligible population who may receive twelve months of coverage are women who are enrolled in Medicaid insurance coverage during their pregnancy;
- (2) Clarifying that eligible women who experience stillbirths or miscarriages are not excluded from this coverage;
- (3) Inserting an unspecified appropriation amount; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1943, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1943, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 308-20 Consumer Protection & Commerce on H.B. No. 2318

The purpose of this measure is to increase hurricane preparedness in Hawaii by allocating a portion of the monies earned through interest from the Hurricane Reserve Trust Fund to provide grants under a Safe Home Program, which would assist financially qualified home owners with the installation of approved wind resistive devices for hurricane preparedness of their homes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Emergency Management Agency, Hawaii Insurers Council, Zephyr Insurance Company, and one individual.

Your Committee finds that in the event of a wind-related disaster, such as a hurricane, one of the best practices to protect life and property is to fortify residential homes. Your Committee further finds that the Legislature previously incentivized the fortification of residential homes with the establishment of the Loss Mitigation Grant Program, which provided grants to cover part of the costs of installing wind resistive devices. This program, which began in September 2006, awarded four hundred nineteen individual grants and four condominium association grants, totaling \$619,470 in total grant payout. The Loss Mitigation Grant Program was discontinued in 2008.

Your Committee notes that the Safe Home Program, as proposed by this measure, is a more robust program for ensuring the necessary fortification of homes than the Loss Mitigation Grant Program. However, concerns were raised as to whether the amounts of the grants were too generous and whether persons with higher incomes should be afforded the same level of grant as persons with lower incomes. Should your Committee on Finance consider this measure, your Committee respectfully requests that your Committee on Finance give consideration to these concerns.

Your Committee has amended this measure by:

- (1) Repealing the authorizing statutes for the discontinued Loss Mitigation Grant Program; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2318, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2318, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 309-20 Consumer Protection & Commerce on H.B. No. 2320

The purpose of this measure is to make various amendments to the State's insurance laws. Specifically, this measure:

- (1) Institutes certain consumer protections with regard to public adjusters, by:
 - (A) Requiring certain contractual terms and disclosures;
 - (B) Capping the commissions public adjusters may charge; and
 - (C) Specifying that insureds have a right to rescind with certain restrictions;
- (2) Imposes the standard of conduct that is applied to other insurers upon limited lines motor vehicle rental company producers, owners of self-service storage facilities, and vendors of portable electronics;

- (3) Authorizes the Insurance Commissioner to waive or modify, in whole or part, upon a showing of good cause, any or all fees deposited into the Commissioner's Education and Training Fund and Compliance Resolution Fund;
- (4) Mandates the electronic payment of certain fees and taxes and electronic filing of certain reports, and updates the system utilized for electronic filing;
- (5) Corrects an inaccuracy by stating that public adjusters and bill reviewers handle funds, not premiums;
- (6) Reinstates the right to an administrative hearing and appeal from an order that was inadvertently repealed by Act 279, Session Laws of Hawaii 2019;
- (7) Amends the composition and criteria for choosing members of the Hawaii Joint Underwriting Plan Board of Governors; and
- (8) Clarifies that rewards under wellness programs that meet certain criteria do not qualify as prohibited rebates.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Adjusters International, Hawaii Public Adjusters, National Association of Mutual Insurance Companies, Hawaii Insurers Council, and Hawaii Medical Service Association. Your Committee received testimony in opposition to this measure from the Aloha Public Adjusters and four individuals. Your Committee received comments on this measure from the National Association of Public Insurance Adjusters, American Association of Public Insurance Adjusters, and Tax Foundation of Hawaii.

Your Committee finds that updating the State's insurance laws is necessary for clarity, to provide greater protections to consumers, and improve the administration and enforcement of regulated entities. With respect to public adjusters, your Committee finds that public adjusters play a vital role in advocating on behalf of consumers in appraising and negotiating insurance claims. However, due to the importance of this relationship, your Committee finds that certain protections must be instituted to ensure that unscrupulous professionals are not taking advantage of consumers. Your Committee notes that, in an effort to protect consumers, a balance must be achieved such that the protections do not overburden fair and honest professionals. To this end, your Committee believes that the eight percent cap on the charges public adjusters may charge for their services, as proposed by this measure, would place an unnecessary financial burden on the adjusters. However, your Committee further believes that a maximum amount public adjusters may charge for their services is necessary to protect consumers. To strike this balance, your Committee finds that a maximum of fifteen percent, or ten percent if an insurance claim arises from catastrophe, achieves this balance.

Your Committee has amended this measure by:

- (1) Changing the maximum amount a public adjuster may charge for services from eight percent to fifteen percent, or ten percent if the claim arises from a catastrophe;
- (2) Clarifying that authorization for rebates under wellness programs includes wellness programs regulated by federal law;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2320, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2320, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 310-20 Consumer Protection & Commerce on H.B. No. 2657

The purpose of this measure is to eliminate the use of coal in Hawaii for electricity production.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, IMUAlliance, Hawaii Youth Climate Coalition, Pono Hawaii Initiative, Climate Protectors Coalition, Surfrider Oahu, Young Progressives Demanding Action, Sierra Club of Hawaii, Environmental Caucus of the Democratic Party of Hawaii, Our Revolution Hawaii, Blue Planet Foundation, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Public Utilities Commission, and Hawaiian Electric Company, Inc.

Your Committee finds that the usage of coal as a fuel source is harmful to the environment and has a negative impact on public health. Further, your Committee finds that in order to reach the goal of clean energy in the State, coal must be phased out.

Your Committee has amended this measure by:

- (1) Clarifying the power purchase agreements, fuel supply agreements, and facility construction and purchases that the Public Utilities Commission cannot approve;
- (2) Prohibiting an independent power producer from passing on the environmental response, energy, and food security tax onto a purchasing utility company; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2657, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2657, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 311-20 Consumer Protection & Commerce on H.B. No. 2186

The purpose of this measure is to exempt projects that place high-voltage electric transmission infrastructure underground from mandatory approval by the Public Utilities Commission, if certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; EAH Housing; Hawaiian Electric Company, Inc.; and Hunt Development Group, LLC. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that this measure will streamline the regulatory process for installation of underground electric transmission lines, while maintaining appropriate oversight by the Public Utilities Commission. The streamlined process proposed by this measure reduces the need for the Public Utilities Commission to review projects that would not adversely affect customers, which will enable the Commission and Department of Commerce and Consumer Affairs to better focus time and resources on other proceedings that require more attention.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2186, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 312-20 Consumer Protection & Commerce on H.B. No. 2227

The purpose of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office, instead of the Director of Business, Economic Development, and Tourism, to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations; and
- (2) Regulate the appliance efficiency standards for air purifiers and portable electric spas.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Energy, Pono Hawaii Initiative, and Blue Planet Foundation. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers and Information Technology Industry Council. Your Committee received comments on this measure from the Consumer Technology Association and Plumbing Manufacturers International.

Your Committee finds that in 2019, legislation was enacted to establish minimum efficiency standards for certain products sold, leased, or rented in Hawaii. Those standards are estimated to result in more than \$500,000,000 in cumulative utility bills savings over the next fifteen years. Expanding the list of products requiring minimum efficiency standards can help save millions of dollars in utility bills annually and offer even more benefits for Hawaii residents.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2227, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 313-20 Consumer Protection & Commerce on H.B. No. 35

The purpose of this measure is to authorize the Department of Health to use monies in the Mental Health and Substance Abuse Special Fund for capital improvements related to crisis stabilization beds.

Your Committee received testimony in support of this measure from the Department of Health, a member of the Hawaii County Council, Hawaii Disability Rights Center, Hawaii Psychological Association, Hawaii Substance Abuse Coalition, Mental Health America of Hawaii, and three individuals.

Your Committee finds that short-term residential stabilization beds, also known as crisis stabilization beds, provide a sub-acute level of care for individuals whose behavioral health issues do not meet medically necessary criteria for acute hospitalization but whose presentation and current medical status are not conducive or appropriate for community-based services such as low intensity residential or outpatient services. This measure enables monies in the Mental Health and Substance Abuse Special Fund to be used to support new capital improvement projects, including crisis stabilization beds, and sustain existing program operations, which will enhance the State's current care continuum.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 35, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 314-20 Consumer Protection & Commerce on H.B. No. 1860

The purpose of this measure is to prohibit the sale and distribution of sunscreens containing octocrylene, octisalate, and homosalate within the State, and authorize the Department of Health to adopt rules to prohibit additional chemicals.

Your Committee received testimony in support of this measure from Friends of Hanauma Bay, Hawaii Reed and Ocean Coalition, Fair Wind Cruises and Kona Sunrise Charters, Kokua Sun Care, and three individuals. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii, Hawaii Food Industry Association, and Personal Care Products Council. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that in 2018, legislation was enacted to ban sunscreens containing oxybenzone and octinoxate from sale and distribution in the State to preserve its marine ecosystems. Banning three more chemicals contained in sunscreens, octocrylene, octisalate, and homosalate, from sale and distribution in Hawaii will further contribute to preservation of the State's marine life.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1860, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1860, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Belatti, Har, Kong, Onishi). Noes, none. Excused, 1 (Aquino).

SCRep. 315-20 Consumer Protection & Commerce on H.B. No. 1608

The purpose of this measure is to address prescription drug inflation by authorizing the Department of Health to implement a program for wholesale importation of prescription drugs.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, AARP Hawaii, and one individual. Your Committee received testimony in opposition to this measure from The Partnership for Safe Medicines, Pharmaceutical Research and Manufacturers of America, and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Commerce and Consumer Affairs, and Board of Pharmacy.

Your Committee finds that the United States Department of Health and Human Services published proposed rules on December 23, 2019, to regulate wholesale importation of prescription drug programs. Under these rules, the State would be able to submit importation program proposals to the federal Food and Drug Administration for review and authorization. Your Committee notes that the rules are not yet final.

Your Committee further finds that this measure requires the Department of Health to be the licensed wholesaler, or license the entity that will be the wholesaler for the purposes of the drug importation. Concerns were raised that the Department of Health does not currently have the expertise to do either. Although the Department of Commerce and Consumer Affairs was suggested as an alternative agency to administer a drug importation program, testimony received by your Committee indicated that the Department of Commerce and Consumer Affairs lacks the expertise for this also. To address these concerns, your Committee believes that the best available option would be for the Department of Health to contract with a licensed wholesaler for the purpose of seeking federal certification and approval for the wholesale importation of safe prescription drugs.

Your Committee has amended this measure by:

- (1) Requiring that the Department of Health contract with a licensed wholesaler for the purpose of seeking federal certification and approval to import safe prescription drugs, rather than requiring DOH to become the licensed wholesaler or to license a wholesaler; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1608, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1608, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kong). Noes, none. Excused, 1 (Aquino).

SCRep. 316-20 Judiciary on H.B. No. 2380

The purpose of this measure is to appropriate funds to the Judiciary to contract with nonprofit organizations to provide legal assistance and legal counsel to immigrants in determining legal status and citizenship, provide diversion to existing services, and otherwise provide counsel for existing rights.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Americans for Democratic Action Hawaii, Filipina Advocacy Network, The Legal Clinic, and eight individuals.

Your Committee finds that testimony submitted by the Filipina Advocacy Network and an individual suggested appropriating the funds to the Department of Labor and Industrial Relations' Office of Community Services rather than the Judiciary. Your Committee notes that the Department of Labor and Industrial Relations' Office of Community Services assists Hawaii's low-income, immigrant and refugee populations overcome and alleviate workforce barriers to economic self-sufficiency through an array of community-based programs and services. Should your Committee on Finance deliberate on this measure further, your Committee on Judiciary respectfully requests that it consider whether the funds should be appropriated to the Department of Labor and Industrial Relations' Office of Community Services or Judiciary.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2380, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2380, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 317-20 Judiciary on H.B. No. 2738

The purpose of this measure is to protect the State's democratic self-governance by:

- (1) Prohibiting foreign nationals and foreign corporations from making independent expenditures;
- (2) Requiring every corporation that contributes or expends funds in a State election to file a statement of certification regarding its status as a foreign corporation; and
- (3) Requiring noncandidate committees making only independent expenditures to obtain a statement of certification from each top contributor required to be listed in an advertisement.

Your Committee received testimony in support of this measure from League of Women Voters of Hawaii, Common Cause Hawaii, and four individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that the State has a compelling interest in securing its democratic self-governance from foreign influence.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2738, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2738, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Nakashima).

SCRep. 318-20 Water, Land, & Hawaiian Affairs/Housing on H.B. No. 2208

The purpose of this measure is to appropriate funds for the Department of Hawaiian Home Lands for the acquisition of land in East Oahu to be developed by the Department for affordable housing units to be made available by July 1, 2027.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from one individual.

Your Committees find that this measure supports the Oahu Island Plan adopted by the Hawaiian Homes Commission in July 2014 by appropriating funds to enable the Department of Hawaiian Home Lands to purchase land for development of affordable housing in East Oahu, an area where the Department for Hawaiian Home Lands currently has no landholdings to develop affordable housing units.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2208 and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

Housing: Ayes, 6. Noes, none. Excused, 2 (Hashem, Woodson).

SCRep. 319-20 Water, Land, & Hawaiian Affairs/Housing on H.B. No. 2446

The purpose of this measure is to require the State Historic Preservation Division to contract its review of proposed state projects, projects on privately owned historic property, and projects affecting historic property to third-party consultants if the projects involve the development of affordable housing and the State Historic Preservation Division (SHPD) will not be able to complete its review within sixty days.

Your Committees received testimony in support of this measure from the Maui Chamber of Commerce; Building Industry Association of Hawaii; The Michaels Organization; Hunt Development Group; Cushman & Wakefield ChaneyBrooks; Mutual Housing Association of Hawaii, Inc.; Highridge Costa Development Company LLC; Kohala Coast Resort Association; NAIOP Hawaii; Hawaii Island Community Development Corporation; Kobayashi Group LLC; and nine individuals. Your Committees received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committees received comments on this measure from the Department of Land and Natural Resources, State Procurement Office, and Historic Hawaii Foundation.

Your Committees find the State is experiencing a severe affordable housing crisis. Your Committees further find that there is a backlog in historic preservation review of proposed projects. This measure addresses the backlog in SHPD by requiring SHPD to contract with third-party consultants if SHPD will not be able to complete its review within sixty days.

Your Committees have amended this measure by:

- (1) Clarifying that it only applies to projects where at least eighty percent of the units are intended as affordable housing;
- (2) Allowing SHPD to conduct an initial evaluation of its ability to complete a review within sixty days before triggering the requirement to obtain a third-party consultant;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees note the concern that allowing SHPD to conduct an initial evaluation to determine if SHPD can meet the sixty day deadline to provide written concurrence or non-concurrence may result in additional delays for a review.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2446, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2446, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

Housing: Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 320-20 Water, Land, & Hawaiian Affairs/Energy & Environmental Protection on H.B. No. 2702

The purpose of this measure is to appropriate funds for a study to plan for water flooding, climate change, and redevelopment of twenty parcels of land in the Mapunapuna or Shafter Flats area.

Your Committees received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Department of Hawaiian Home Lands, Department of Planning and Permitting of the City & County of Honolulu, and one individual. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from one individual.

Your Committees find that tidal and sea level rise induced inland flooding represents a threat to Honolulu's infrastructure and assets. Flooding is already occurring during elevated tidal stages in the Mapunapuna area, in which floodwaters have been found to be contaminated by harmful pollutants. The proposed study could provide insights into locally appropriate adaptation solutions, keeping with the State's work and priorities to adapt to and mitigate against climate change.

Your Committees have amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum;

- (2) Correcting a reference to one of the tax map keys identified; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2702, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2702, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Thielen).

SCRep. 321-20 Water, Land, & Hawaiian Affairs on H.B. No. 2070

The purpose of this measure is to:

- (1) Require the counties to develop procedures to accept private donations of land that is damaged or likely to be damaged by natural disasters or climate change; and
- (2) Authorize taxpayers to receive a nonrefundable, charitable income tax deduction for the donations.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that this measure would enable counties to accept donated land that is damaged, or will likely become damaged, by natural disasters or climate change and create an incentive for potential donors of such land.

Your Committee has amended this measure by:

- (1) Changing "nonrefundable charitable deduction" to "charitable deduction";
- (2) Changing the assessment mechanism for donated land from the fair market value of the land to the appraised value of the land; and
- (3) Making this measure applicable to taxable years beginning after December 31, 2020.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2070, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2070, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 322-20 Water, Land, & Hawaiian Affairs on H.B. No. 2512

The purpose of this measure is to:

- (1) Authorize the Department of Land and Natural Resources to delegate to qualified archaeologists employed by the counties the authority to perform reviews of proposed projects under the State Historic Preservation Program, under certain conditions;
- (2) Deem proposed projects to be approved if the archaeological review is not completed within a certain time frame; and
- (3) Grant challenges to the archaeological reviews expedited hearings before the Hawaii Supreme Court.

Your Committee received testimony in support of this measure from one member of the Maui County Council and three individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and Honua Consulting. Your Committee received comments on this measure from the Department of Land and Natural Resources and Society for Hawaiian Archaeology.

Your Committee finds that because of the existing backlog of projects to be reviewed by the State Historic Preservation Division, many affordable housing projects are delayed. Your Committee believes this measure will reduce those delays by allowing the State Historic Preservation Division to contract out archaeological reviews to qualified archaeologists employed by the counties, and by granting challenges to archaeological reviews expedited hearings before the Hawaii Supreme Court.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2512, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2512, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 323-20 Water, Land, & Hawaiian Affairs on H.B. No. 2422

The purpose of this measure is to require the State Auditor to conduct a comprehensive performance and management audit of the Department of Land and Natural Resources' Division of Boating and Ocean Recreation.

Your Committee received testimony in support of this measure from Lady Ann Cruises, Inc.; and seven individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of the Auditor.

Your Committee finds that numerous public concerns have been raised pertaining to the management and performance of the Department of Land and Natural Resources' Division of Boating and Ocean Recreation. Requiring a comprehensive performance and management audit of the division is a step toward improving the efficiency and effectiveness of the division.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2422, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2422, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 324-20 Water, Land, & Hawaiian Affairs on H.B. No. 2277

The purpose of this measure is to extend the time that the Department of Agriculture may certify important agricultural lands qualified agricultural costs for the purposes of the important agricultural land qualified agricultural costs tax credit through the 2030 tax year.

Your Committee received testimony in support of this measure from the Department of Taxation, Office of Planning, Kamehameha Schools, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Ulupono Initiative, and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds the important agricultural land qualified agricultural cost tax credit supports food self-sufficiency by providing tax credits to qualified landowners and farmers to help offset costs related to establishing and sustaining viable agricultural operations. Your Committee further finds that the tax credit is set to expire for landowners and farmers with taxable years beginning after December 31, 2021. This measure extends the existing tax credit through the 2030 tax year.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2277, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 325-20 Water, Land, & Hawaiian Affairs on H.B. No. 2211

The purpose of this measure is to amend the commercial marine license statute to:

- (1) Require the Department of Land and Natural Resources to issue commercial marine licenses for the taking of marine life for commercial purposes;
- (2) Specify that a single commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel; and
- (3) Require any person providing fishing charter services to obtain a commercial marine license.

Your Committee received testimony in support of this measure from Hawaii Longline Association, Lokahi Fishing LLC, Tropic Fish Hawaii LLC, Fresh Island Fish Co., Coral Fish Hawaii, Aiea Boat Club, Waialua Boat Club, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources and HFACT.

Your Committee finds that existing commercial marine license laws prove burdensome for many small-scale commercial fishers. Your Committee also finds that there exists confusion as to whether shore-based fishing charters are required to obtain a commercial marine license. This measure addresses both issues by simplifying the commercial marine licensure requirements to clarify that a commercial marine license is required for all taking of marine life for commercial purposes and that a single commercial marine license is sufficient to cover the fishing activities of all persons aboard a validly-licensed vessel.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2211, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2211, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 326-20 Water, Land, & Hawaiian Affairs on H.B. No. 2015

The purpose of this measure is to establish a pilot program within the Aina Mauna Legacy Program of the Department of Hawaiian Home Lands to remove and harvest gorse from Mauna Kea and develop it as a marketable product to expand economic opportunities for Native Hawaiians.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Association of Hawaiians for Hawaiian Lands, Pana'ewa Hawaiian Home Lands Community Association, Hui Ho'olako for Hawaiian Initiatives, Big Island Invasive Species Committee, and two individuals. Your Committee received comments on this measure from the Office of the Mayor of the County of Hawai'i.

Your Committee finds that gorse is an invasive plant species that has proven to be difficult to eradicate and is detrimental in native habitats. Your Committee further finds that a significant need exists for greater economic opportunities for Native Hawaiians. This measure will provide new economic opportunities for Native Hawaiians by establishing a pilot program within the Aina Mauna Legacy Program to remove and harvest gorse from Mauna Kea and develop it as a marketable product.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2015, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2015, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 327-20 Water, Land, & Hawaiian Affairs on H.B. No. 2443

The purpose of this measure is to make it a civil and administrative violation for any person to engage in certain archaeological activities, or use explosives in land development or land alteration activities that are subject to historic preservation review, without obtaining the required permission or approval from the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Historic Hawaii Foundation, Honua Consulting, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that existing laws regulating historic preservation do not penalize unpermitted archaeological activities. Your Committee further finds that existing law does not impose a civil or administrative penalty for the use of explosives during land development activities subject to historic preservation review. This measure makes it a civil or administrative violation to conduct unpermitted archaeological activities or use explosives during land development activities that are subject to historic preservation review.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2443, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2443, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 328-20 Water, Land, & Hawaiian Affairs on H.B. No. 2176

The purpose of this measure is to require and appropriate funds for the Department of Land and Natural Resources to conduct shoreline remediation at the Sand Island State Recreation Area.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that concrete and metal debris found along the Sand Island State Recreation Area shoreline creates a health and safety hazard to visitors who frequent the area. This measure addresses the issue by appropriating funds for the Department of Land and Natural Resources to conduct shoreline remediation at the Sand Island State Recreation Area.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2176, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 329-20 Water, Land, & Hawaiian Affairs on H.B. No. 2739

The purpose of this measure is to protect and preserve the lands of the Ka Iwi coast in perpetuity by establishing the Ka Iwi Coast State Park for the benefit of local residents and future generations.

Your Committee received testimony in support of this measure from Ka Iwi Coalition, Surfrider Oahu, Friends of Haunauma Bay, and eighteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Livable Hawaii Kai Hui.

Your Committee finds that the lands of the Ka Iwi coast are an invaluable natural asset for the people of Hawaii. Your Committee further finds that growing interest in this area has brought a rapid increase in visitors, and without proper management the area will become overrun by invasive species or become subject to future development. This measure protects the lands of the Ka Iwi coast in perpetuity by establishing the Ka Iwi Coast State Park for the benefit of local residents and future generations.

Your Committee has amended this measure by:

- (1) Inserting tax map key numbers identifying the lands to make up the Ka Iwi Coast State Park;
- (2) Clarifying that the Ka Iwi Coast State Park is exempt from the boundary amendment requirements of chapter 205, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2739, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2739, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 330-20 Water, Land, & Hawaiian Affairs on H.B. No. 2677

The purpose of this measure is to allow for the direct negotiation of the disposition of water rights leases for temporary use on a month-to-month basis.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaiian Electric, and Kauai Island Utility Cooperative. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Democratic Party of Hawaii, Young Progressives Demanding Action, Pono Hawaii Initiative, Earthjustice, Conservation Council for Hawaii, Sierra Club of Hawaii, Hawaii Alliance for Progressive Action, and one individual. Your Committee received comments on this measure from the Waioli Valley Taro Hui.

Your Committee finds that existing law permits a lease for water rights to be disposed of by public auction only, a process that can be burdensome if there is a likelihood that there will only be one bidder and can create great uncertainty for water users. This measure allows for the disposition of water rights through direct negotiation.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2677, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2677, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Lowen, Tarnas, Wildberger). Noes, none. Excused, none.

SCRep. 331-20 Housing on H.B. No. 1957

The purpose of this measure is to adjust the eligibility requirements under the income tax credit for low-income household renters by increasing the:

- (1) Adjusted gross income threshold from \$30,000 to \$50,000; and
- (2) Amount used to calculate the tax credit from \$50 to \$200.

Your Committee received testimony in support of this measure from the Hawaii Health & Harm Reduction Center; Pono Hawaii Initiative; League of Women Voters; Americans for Democratic Action-Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and three individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii Appleseed Center for Law & Economic Justice, Hawaii Children's Action Network Speaks, IMUAlliance, Tax Foundation of Hawaii, Hawaii Alliance for Progressive Action, and Faith Action for Community Equity.

Your Committee finds that the severe housing shortage exacerbates the already high rents paid in Hawaii, where forty-three percent of residents are renters. The 2019 National Low Income Housing Coalition's Out of Reach report found that a full-time worker would need to earn \$36.82 per hour to afford a two-bedroom apartment at fair market value in Hawaii. Your Committee further finds that Honolulu experienced a sixty-seven percent increase in fair market rent between 2005 and 2015. Average rent for a two-bedroom unit surpassed \$2,000 per month in recent years, with minimum wage workers having to log one hundred eleven hours per week to afford a modest one-bedroom apartment at fair market value and one hundred forty-six hours per week to afford a two-bedroom unit, which is the equivalent of working over twenty hours a day with no days off year-around. You Committee notes that in the last five years, rent in Honolulu has increased by more than twenty-five percent.

Your Committee has amended this measure by:

- (1) Providing a tax credit of up to \$150 per exemption for certain taxpayers with an adjusted gross income under \$80,000, depending upon the taxpayer's filing status;
- (2) Specifying that the tax credit will be adjusted automatically, in accordance with increases in the consumer price index;
- (3) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider raising the tax credit amount proposed in this measure to \$150 and setting the adjusted gross income threshold to up to \$75,000 per year, as opposed to adjusting the tax credit amount based on the taxpayer's income tax bracket.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1957, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1957, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Aquino).

SCRep. 332-20 Housing on H.B. No. 2470

The purpose of this measure is to address the need for affordable rental housing by:

- (1) Directing the Hawaii Public Housing Authority (HPHA) to convey a specified 15.418-acre parcel in Honokaa, County of Hawaii (Parcel), to the Hawaii Housing Finance and Development Corporation (HHFDC);
- (2) Requiring HHFDC to conduct a feasibility study to determine whether the parcel is suitable for an affordable rental housing project; and
- (3) Appropriating \$750,000 for the feasibility study.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that there is a dire need for affordable rental housing in the County of Hawaii. Your Committee further finds that the Parcel, held by a state agency, may be suitable for that purpose. The mission of HHFDC is to facilitate the development of affordable housing statewide. Your Committee believes that HHFDC has the capability to conduct its due diligence through a feasibility study on the Parcel, take title depending on the conclusions of the study, and document the change of title, if necessary.

Your Committee notes that title to the Parcel is in the name of the Housing and Community Development Corporation of Hawaii, the predecessor agency of HPHA and HHFDC. As such, HPHA cannot properly convey title to HHFDC.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that required HPHA to convey the Parcel to HHFDC and required HHFDC to report to the Legislature on the status of the conveyance of the Parcel;
- (2) Directing HHFDC to take title to the Parcel; provided that HHFDC, upon completion of its due diligence, determines that the Parcel is suitable for residential development;
- (3) Making HHFDC responsible for properly documenting any change in title to the Parcel;
- (4) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2470, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2470, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 333-20 Agriculture on H.B. No. 2032

The purpose of this measure is to designate the pūpū kuahiwi (*Laminella sanguinea*) as the official state snail.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Agriculture, Bishop Museum, and twelve individuals.

Your Committee finds that Hawaii's land snails play a significant role in native ecosystems and in Hawaiian culture and are among the most threatened of all animal groups in the world. Your Committee further finds that the pūpū kuahiwi (*Laminella sanguinea*) is endemic to Hawaii and critically endangered, with a colored pattern on its shell that is reminiscent of a Hawaiian kapa pattern.

Your Committee notes that the Department of Land and Natural Resources estimates that over half of the seven hundred fifty terrestrial Hawaiian snail species have gone extinct. Your Committee finds the designation of the pūpū kuahiwi (*Laminella sanguinea*) as the official state snail will bring awareness to the importance of these snails and the urgent need to save them.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2032, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2032, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 334-20 Agriculture on H.B. No. 2275

The purpose of this measure is to establish a beginning farmer and beginning rancher grant program in the Department of Agriculture to assist them in meeting the operating costs to start their own farm or ranch operations.

Your Committee received testimony in support of this measure from the Department of Agriculture, Land Use Research Foundation of Hawaii, Pono Hawaii Initiative, Hawaii Farm Bureau, and one individual.

Your Committee finds that the average age of Hawaii's farmers is now sixty years of age, which inhibits Hawaii's ability to increase its food self-sufficiency. Your Committee further finds that the State must increase the number of commercial farms and ranches to increase its local food supply. One of the barriers to starting a farm or ranch is the high capital costs. The grant program in this measure is designed to encourage and assist beginning farmers and ranchers.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation to an unspecified sum;
- (2) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this matter, to consider appropriating \$1,000,000 for the beginning farmer and beginning rancher grant program.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2275, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2275, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 335-20 Agriculture on H.B. No. 2532

The purpose of this measure is to:

- (1) Appropriate funds to mitigate and control the two-lined spittlebug and to fund recovery efforts; and
- (2) Require the Department of Agriculture to submit a report to the Legislature on its expenditure of funds and the progress of funded activities.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; McCandless Ranch; PonoHolo Ranch Limited; Land Use Research Foundation of Hawaii; Palani Ranch Company, Inc.; Local Food Coalition; Thompson Ranch; Hawaii Meats LLC; Hawaii Farm Bureau; Ulupalakua Ranch; Haleakala Ranch; Kohala Coast Resort Association; Paahana Livestock LLC; Big Island Invasive Species Committee; FAM Farmer Cohort #5; Ulupono Initiative; and thirteen individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Land and Natural Resources, and Office of the Mayor of the County of Hawaii.

Your Committee finds that the two-lined spittlebug, *Prosapia bicincta*, is an invasive insect that attacks key forage grasses used by the livestock ranching industry. In 2016, the State's first two-lined spittlebug infestation was discovered in Kailua-Kona, on the island of Hawaii, where the pest had damaged nearly two thousand acres of pasture land. During heavy infestations, dying plant tissues cascade from the leaves to the roots, ultimately causing whole plant death. The resulting damage does not allow for any regrowth, requiring ranchers to totally replant affected pastures. Your Committee notes that monthly surveys carried out since 2017 on the island of Hawaii show that the two-lined spittlebug is rapidly expanding its range and now covers more than two hundred twenty-two square miles.

Your Committee recognizes that livestock ranching is a highly productive and extremely valuable industry on all of Hawaii's major islands. The State's livestock industry has an estimated annual value of more than \$68,000,000, with over one hundred forty-two thousand beef cattle on more than one thousand three hundred ranches. Collectively, these ranches cover nearly twenty-five percent of the State's land area. The two-lined spittlebug threatens job and food security in the State. Your Committee concludes that immediate action must be taken to address this infestation and restrict further spread.

Your Committee has amended this measure by:

- (1) Changing the amount of the appropriation to an unspecified sum;
- (2) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this matter further, to consider appropriating \$1,000,000 to fund the Department of Agriculture's recovery efforts.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2532, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2532, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 336-20 Agriculture on H.B. No. 2167

The purpose of this measure is to:

- (1) Establish a three year Cover Crop Reimbursement Pilot Program to provide up to one hundred percent cost reimbursement to farming operations in the State for acquiring cover crop seeds or green manure;
- (2) Establish a Cover Crop Reimbursement Pilot Program manager position within the Department of Agriculture to administer the program; and
- (3) Require a report to the Legislature with a recommendation on whether the pilot program should be extended.

Your Committee received testimony in support of this measure from the Hawaii Center for Food Safety; Pono Hawaii Initiative; Hawaii Alliance for Progressive Action; Larry Jefts Farms, LLC; Sierra Club of Hawaii; Hawaii Farm Bureau; Young Progressives Demanding Action; A'a Li'i Farm; and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure would create an incentive for farm management practices that enhance the quality and sustainability of Hawaii's agricultural lands. In addition to reducing the cost of and reliance upon fertilizer, pesticides, and herbicides, cover crops have been found to mimic soil-building and microbial-friendly conditions in diverse soils, conserve moisture, prevent erosion and runoff, and reduce crop consumption of irrigation water. Your Committee finds that a three-year pilot program to reimburse farming operations in the State for the costs of acquiring cover crop seeds or green manure will allow the State to observe the benefits of these practices while promoting local farmers and the environment alike.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$1,000,000 for the Cover Crop Reimbursement Pilot Program and related manager position.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2167, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 337-20 Agriculture on H.B. No. 2193

The purpose of this measure is to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, one member of the Hawaii County Council, Hawaii Cattlemen's Council, Hawaii Wildlife Center, Conservation Council for Hawaii, and seven individuals.

Your Committee acknowledges that Hawaii's unique ecosystem is under constant threat by natural and manmade causes and that habitat conservation plans are one means of mitigating against this threat. Your Committee finds that the annual service contract requirement could help to fulfill the requirement under existing law that each habitat conservation plan identify the steps that will be taken to minimize the impact of any incidental take to the maximum extent practicable.

Your Committee has amended this measure by changing the effective date to July 1, 2150, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2193, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2193, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 338-20 Agriculture on H.B. No. 2041

The purpose of this measure is to appropriate funds for the Department of Agriculture (DOA) for three full-time equivalent inspectors to perform meat inspection services pursuant to the Hawaii Meat Inspection Act.

Your Committee received testimony in support of this measure from Hawaii Meats LLC; Hawaii Farm Bureau; Hawaii Cattlemen's Council, Inc.; and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that DOA's meat inspection program was discontinued in the mid-1990s due to mandated budget cuts and reduction in force directives. Your Committee also finds that since the closure of the state meat inspection program, the United States Department of Agriculture Food Safety Inspection Service has performed meat inspection services statewide. Your Committee further finds that relying only on the federal meat inspection service jeopardizes Hawaii's livestock industry and wild game food stock.

Your Committee has amended this measure by changing its effective date to July 1, 2150, to encourage further discussion.

Your Committee notes that section 159-27, Hawaii Revised Statutes, of the Hawaii Meat Inspection Act, describes the scope of duties of meat inspectors. Your Committee urges DOA to expedite its hiring and training of meat inspectors and submit a detailed report on the status of its efforts to your Committee on Finance, should it deliberate on this measure.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2041, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Onishi). Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 339-20 Human Services & Homelessness on H.B. No. 2220

The purpose of this measure is to prevent and deter financial exploitation and abuse of elders by:

- (1) Creating the offense of financial exploitation of an elder and providing enhanced penalties for those convicted of the offense; and
- (2) Requiring financial institutions to report instances of suspected financial abuse of an elder directly to the police and report suspected financial abuse to the Department of Human Services under certain circumstances.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elder Affairs, Honolulu Police Department, AARP Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, and Executive Office on Aging.

Your Committee finds that Hawaii's elderly population is growing in size and that financial exploitation of elderly persons is on the rise. This measure protects the elderly population from financial exploitation and abuse by imposing serious penalties for those convicted of financial exploitation of an elder.

Your Committee has amended this measure by:

- (1) Removing the requirement that a written report of suspected financial abuse of an elder be reported to the appropriate county police department within two business days;
- (2) Clarifying that a person shall receive an enhanced penalty if the person is found to have committed an offense against an elder sixty-two years of age or older;
- (3) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2220, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 340-20 Health on H.B. No. 2047

The purpose of this measure is to establish a task force to:

- (1) Identify therapies and home- and community-based care services that may benefit individuals with fetal alcohol spectrum disorders, including therapies and treatments that may benefit these persons as adults; and
- (2) Make recommendations on how the State can best make these services available and accessible to persons having fetal alcohol spectrum disorders and their parents or caregivers.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center, Hawaii Psychological Association, and ten individuals. Your Committee received comments on this measure from the Department of Health, Department of Human Services, and Hawaii Substance Abuse Coalition.

Your Committee finds that fetal alcohol spectrum disorder is a public-health concern with significant and preventable personal, social, and economic effects. Far too often, persons with fetal alcohol spectrum disorder are ignored by public policy and do not receive necessary developmental-disability or mental-health services.

Your Committee has amended this measure by:

- (1) Adding a representative of the Adult Mental Health Division of the Department of Health and a representative of the Child and Adolescent Mental Health Division of the Department of Health to the task force;
- (2) Including the development of recommendations for a comprehensive solution through communitywide initiatives and strategic planning to the scope of the task force's study;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2047, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2047, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 341-20 Transportation on H.B. No. 1990

The purpose of this measure is to:

- (1) Direct a certain percentage of the general excise tax revenues to:
 - (A) The Department of Education or any other entity responsible for school facilities to augment the capacity and infrastructure of its facilities and programs; and
 - (B) The Department of Transportation to protect the state highway system from the threat of inundation and damage caused by climate change;
- (2) From January 1, 2031, to December 31, 2035, establish a state improvement surcharge on the general excise tax and use tax; and
- (3) Direct certain percentages of the state improvement surcharge revenues for the purposes described in paragraph (1) and to the compound interest bond reserve fund, hurricane reserve fund, and separate trust fund established under section 87A-42, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Education, Department of Transportation, and Democratic Party of Hawaii Education Caucus. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Hawaii's educational facilities and highways are important assets that need to be maintained, updated, and protected. This measure will provide additional funding for the Department of Education and Department of Transportation to fulfill their respective mandates.

Your Committee has amended this measure by expanding the purposes for which the Department of Transportation can use the revenues that it receives from the state improvement surcharge on the general excise tax and use tax to include augmenting the capacity and infrastructure of the State's highways.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1990, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1990, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Matayoshi). Noes, 1 (Okimoto). Excused, none.

SCRep. 342-20 Transportation on H.B. No. 1617

The purpose of this measure is to change the renewal period for driver's licenses for persons seventy-two years old or older from every two years to every four years.

Your Committee received testimony in support of this measure from AARP Hawaii and four individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that it is more appropriate to assess all drivers' ability to operate a motor vehicle safely, rather than specifically target a specific category of drivers based on their age.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1617, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1617, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Matayoshi). Noes, 1 (Okimoto). Excused, 1 (Brower).

SCRep. 343-20 Transportation on H.B. No. 1955

The purpose of this measure is to establish a framework for the Department of Transportation and the counties to regulate electric foot scooters.

Your Committee received testimony in support of this measure from the Department of Transportation, County of Kauai, Department of Transportation Services of the City and County of Honolulu, Hawaii Bicycling League, and Ulupono Initiative. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from Spin, Lime, and Bird.

Your Committee finds that the types of motorized vehicles that are being introduced in the market are very innovative and constantly being updated based on technology and ease of widespread adoption. In particular, electric foot scooters are experiencing an increase in popularity as an environmentally friendly alternative to driving. This measure establishes a framework for the regulation of the electric foot scooters that are being introduced to Hawaii.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1955, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Brower, Woodson).

SCRep. 344-20 Transportation on H.B. No. 1973

The purpose of this measure is to abolish, repeal, or reclassify various non-general funds of the Department of Transportation.

Your Committee received testimony in opposition to this measure from the County of Kauai, Hawaii Public Health Institute, Hawaii Bicycling League, PATH - People Advocacy for Trails Hawaii, Kauai Path, Street Bikers United Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, and Tax Foundation of Hawaii.

Your Committee finds that this measure is necessary to achieve greater fiscal accountability within the Department of Transportation.

Your Committee has amended this measure by:

- (1) Not abolishing the Highway Senior Debt Service Reserve Account Revolving Fund administratively created in 1994 but transferring any unencumbered balances to the credit of the State Highway Fund established by section 248-8, Hawaii Revised Statutes;
- (2) Removing language that repealed the Safe Routes to School Program Special Fund;
- (3) Modifying the manner in which implementation of county Safe Routes to School Program projects are funded and requiring an annual report by each county to the Legislature on the status and progress of its county Safe Routes to School Program, including an accounting of all grants provided through the program and a timeline for future grant awards;
- (4) Removing language that repealed the Motorcycle and Motor Scooter Operators Education Fund;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1973, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1973, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 345-20 Transportation on H.B. No. 2464

The purpose of this measure is to protect public safety by lowering the blood alcohol concentration (BAC) in a person's breath or blood from 0.08 to 0.05 for the offense of operating a vehicle while under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Hawaii, three members of the Maui County Council, Honolulu Police Department, Maui Metropolitan Planning Organization, Mothers Against Drunk Driving Hawaii, National Safety Council, Hawaii Public Health Association, Advocates for Highway and Auto Safety, KidsAndCars.org, Liam's Life Foundation, and Mothers

Against Drunk Driving. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the American Beverage Institute and two individuals.

Your Committee finds that research has demonstrated that critical driving skills are diminished at 0.05 BAC and that this level of impaired driving significantly increases the risk of senseless and preventable collisions that could take the lives of innocent motorists, cyclists, and pedestrians.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2464 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Woodson).

SCRep. 346-20 Transportation on H.B. No. 1930

The purpose of this measure is to raise the rental motor vehicle surcharge tax from \$5 to \$8 per day.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Maui, Department of Transportation of the County of Maui, Maui Metropolitan Planning Organization, Maui Chamber of Commerce, and Hawaii Bicycling League. Your Committee received testimony in opposition to this measure from Avis Budget Group and Enterprise Holdings. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the increase in revenues generated by this measure will provide transportation infrastructural improvements for all users, including pedestrians, mass transit passengers, bicyclists, and motorists and will help the Department of Transportation provide state matching funds for the highways federal aid program.

Your Committee has amended this measure by:

- (1) Making the amount of the rental motor vehicle surcharge tax an unspecified amount;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1930, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1930, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 347-20 Transportation on H.B. No. 2475

The purpose of this measure is to authorize the Department of Transportation to expend funds from the Harbor Special Fund to provide subsidies to cargo carriers to offset costs incurred by the cargo carriers as a result of providing cargo carrier services to ports serving counties within Hawaii having a population of less than 500,000 and comprising three or more populated islands.

Your Committee received testimony in support of this measure from Young Brothers, LLC; the Maui Chamber of Commerce; and the Hawaii Cattlemen's Council. Your Committee received testimony in opposition to this measure from the Department of Transportation and one individual. Your Committee received comments on this measure from ILWU Local 142.

Your Committee recognizes that it is costly for a cargo carrier to serve the residents and ports of the less populated Hawaiian Islands. This measure will authorize the Department of Transportation to provide subsidies to cargo carriers serving these Hawaii residents and ensure these residents continue to receive cargo, such as food and supplies, in a timely manner.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2475, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2475, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 348-20 Transportation on H.B. No. 2152

The purpose of this measure is to require additional circumstances under which every motor vehicle, including motorcycles, motor scooters, and motorized bicycles, moving on any public highway in Hawaii must display its lighted head lamps.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from one individual.

Your Committee finds that weather conditions such as heavy rain can result in poor visibility for drivers, especially during daytime hours when streetlights are not always on. The use of a vehicle's headlights renders the vehicle more visible to others and increases the driver's ability to identify hazards around the vehicle. This measure is an effort to improve traffic safety and reduce the number of deaths and injuries on Hawaii's roadways by requiring the use of lighted head lamps on motor vehicles in situations where visibility is limited.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2152, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2152, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Brower).

SCRep. 349-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on H.B. No. 1847

The purpose of this measure is to require the Department of Land and Natural Resources to adopt rules to protect the herbivorous fish that are necessary for the health of coral reefs throughout the State.

Your Committees received testimony in support of this measure from the Hawaii Reef Ocean Coalition, Surfrider Oahu, Animal Rights Hawaii, Friends of Haunauma Bay, The Uhu Conservancy, and ten individuals. Your Committees received testimony in opposition to this measure from Coral Fish Hawaii, Tropical Fish Emporium, and eight individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that record-setting temperatures have led to several widespread coral bleaching events in Hawaii's waters in recent years. Ensuring that healthy populations of herbivorous fish are in all of Hawaii's waters is essential to protect Hawaii's coral reefs from extinction.

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

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1847, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1847, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7; Ayes with Reservations (Har). Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6; Ayes with Reservations (Har). Noes, none. Excused, 1 (Ward).

SCRep. 350-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on H.B. No. 1856

The purpose of this measure is to direct and fund the Hawaii Climate Change Mitigation and Adaptation Commission (Commission) to continue the Commission's progress toward addressing the impacts of sea level rise by:

- (1) Identifying critical public infrastructure in areas impacted by sea level rise; and
- (2) Providing policy direction to the Legislature about how to move forward with concrete strategies for mitigation and adaptation to sea level rise.

Your Committees received testimony in support of this measure from Surfrider Oahu, Sierra Club of Hawaii, Maui Chamber of Commerce, Imua Alliance, and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning, and Hawaii Climate Change Mitigation and Adaptation Commission.

Your Committees find that Hawaii is already experiencing the impacts of climate change, including rising sea levels, extreme tides, accelerated coastal erosion, and stronger, more frequent storms. Even with decisive actions to reduce greenhouse gas emissions, many of the impacts of climate change are inescapable and require adaptation.

Your Committees have amended this measure by:

- (1) Directing the Hawaii Climate Change Mitigation and Adaptation Commission to work in collaboration with the Office of Planning Coastal Zone Management Program to conduct its work pursuant to this measure;
- (2) Changing the appropriation to an unspecified sum;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1856, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1856, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 351-20 Energy & Environmental Protection on H.B. No. 1242

The purpose of this measure is to:

- (1) Require gas utility companies to establish renewable energy portfolio standards (RPS) for gas;
- (2) Provide a means for gas utility companies to recover incurred costs to achieve the RPS for gas; and
- (3) Specifies certain events or circumstances that would allow for a deviation from the RPS.

Your Committee received testimony in support of this measure from Hawaiian Electric, Life of the Land, 350Hawaii.org, Blue Planet, EcoTipping Points Project, Surfrider Oahu, and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Teamsters & Allied Workers, Local 996, Chamber of Commerce Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Hawaii State Energy Office, Public Utilities Commission, University of Hawaii System, Hawaii Gas, Par Hawaii, and Sierra Club of Hawaii.

Your Committee finds that the creation of a gas RPS is consistent with Hawaii's goals to reduce dependence on fossil fuels and transition to energy sources that produce less greenhouse gases. To align Hawaii's gas utilities with the transition toward renewable energy, goal setting and information regarding the availability, feasibility, and costs of the use of renewable gas in Hawaii by gas utility companies are both necessary.

Your Committee has amended this measure by:

- (1) Removing the gas RPS goals for 2025, 2030, and 2040, retaining only the one hundred percent gas RPS goal for December 31, 2045;
- (2) Amending the scope of the gas RPS study to be conducted by the Public Utilities Commission;
- (3) Requiring the Public Utilities Commission to contract with the University of Hawaii to conduct the study;
- (4) Inserting an appropriation for the gas RPS study;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1242, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1242, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 352-20 Health/Lower & Higher Education on H.B. No. 2254

The purpose of this measure to appropriate funds for fiscal year 2020-2021 to the Department of Health to fund the Health Care Provider Loan Repayment Program administered through the John A. Burns School of Medicine to provide loan repayment for physicians, physician assistants, psychologists, nurse practitioners, social workers, marriage and family therapists, and nurses who agree to work in a federally-designated health professional shortage area or in a geographic area of Hawaii found to be underserved.

Your Committees received testimony in support of this measure from the Department of Health, Department of Labor and Industrial Relations, Hawaii State Center for Nursing, Office of the Mayor of the County of Hawaii, Healthcare Association of Hawaii, Hawaii Psychological Association, Hawaii Pacific Health, Lanai Community Health Center, Hawaii Primary Care Association, Irie Hawaii, Tobacco King LLC, and numerous individuals.

Your Committees find that Hawaii has a shortage of approximately eight hundred doctors and almost all other types of primary care and behavioral health care workers. This shortage is most acute for those on the neighbor islands and in rural areas. Your Committees further find that health care providers inclined to remain in Hawaii to practice face cost-of-living challenges that are exacerbated by heavy student loan debt. Your Committees note that one of the fastest and least expensive methods for recruiting health care providers to the State is through loan repayment.

Your Committees also find that the John A. Burns School of Medicine at the University of Hawaii has successfully administered the Hawaii State Loan Repayment Program since 2012. The Program has helped forty-six health care providers since its inception, nearly two-thirds of whom continue to work in underserved areas of the State. Continued funding of this Program will encourage more health care professionals to continue working in medically underserved areas of the State, which will help reduce the pressing need for health care workers in those areas.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Health and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2254, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2254, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

Lower & Higher Education: Ayes, 9. Noes, none. Excused, 2 (Johanson, Ohno).

SCRep. 353-20 Labor & Public Employment on H.B. No. 2310

The purpose of this measure is to require:

- (1) Newly retired employees and their surviving employee beneficiaries to pay their share of health benefits premiums through monthly electronic deductions from the Employees' Retirement System (ERS) pension or their financial institution; and
- (2) Newly retired employees and surviving employee-beneficiaries and active employees to pay monthly contributions not withheld or transmitted, directly to the ERS Fund by the first day of each month.

Your Committee received testimony in support of this measure from Hawaii Employer-Union Health Benefits Trust Fund. Your Committee received comments on this measure from the Employees' Retirement System.

Your Committee finds that monthly electronic deductions from retired employees or surviving employee-beneficiary's employees' retirement system pension or their financial institution as opposed to checks improves operational efficiency, reduces banking fees, and ensures that retired employees do not miss any monthly payments and possibly lose their health benefits.

Your Committee has amended this measure by:

- (1) Clarifying that if the surviving employee-beneficiary of a retired member of the system is receiving monthly survivor benefits from the system and is enrolled in health plans offered by the fund, the surviving beneficiary may authorize the system to have the beneficiary's contribution withheld;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2310, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2310, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 354-20 Labor & Public Employment on H.B. No. 2020

The purpose of this measure is to require:

- (1) The past performance of contractors' positive, negative, or lack of previous experience to be considered in bid selection of a contractor;
- (2) Departments to consider available assessments of previous performance on relevant and recent government and private contracts when making contract awards; and
- (3) The State Procurement Office to implement a past performance database.

Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the State's procurement process requires a clear legislative direction to award contracts to responsible bidders or offerors. Requiring the State Procurement Office to implement a past performance database and requiring departments to factor in a contractor's past performance when considering bid selection would increase accountability and enhance performance to more efficiently utilize taxpayer dollars.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2020, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 355-20 Labor & Public Employment on H.B. No. 2286

The purpose of this measure is to broaden the Procurement Code authority for emergency procurements by:

- (1) Adding equipment failures, repairs to public property to protect against further loss of, or damage to public property, to prevent or minimize serious disruption in continued functioning of government services to the emergency procurement conditions; and
- (2) Replacing chief procurement officer approval with an accounting report to the Legislature within sixty days after the end of the fiscal year in which the procurement was made.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Agriculture. Your Committee received comments on this measure from the Department of Accounting and General Services and State Procurement Office.

Your Committee finds that this measure allows for greater discretion to those with purchasing power within an agency to address emergency situations as they arise.

Your Committee has amended this measure by:

- (1) Clarifying the emergency procurement conditions;
- (2) Changing the reporting requirement to the Legislature to an unspecified time after the procurement was made;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2286, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2286, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 356-20 Labor & Public Employment on H.B. No. 2682

The purpose of this measure is to establish the agricultural technology transfer and workforce development program and provide for a coordinator position to provide support for secondary agricultural education and Future Farmers of America programs.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Education, Hawaii Pacific Health, Hawaii Farm Bureau, Hawaii State Teachers Association, and eighteen individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the growing increase in Future Farmers of America membership may signal a trend toward interest in agricultural careers. Your Committee further finds that state funding to develop an agricultural technology transfer and workforce development program and coordinator position is an investment in agricultural career development and a means of addressing the declining agricultural workforce.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount and the full-time equivalent position to an unspecified number;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and

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

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$200,000 for the agricultural technology transfer and workforce development program, to be allocated as follows:

- (1) \$90,000 for one full-time equivalent (1.0 FTE) agricultural technology transfer and workforce development coordinator position;
- (2) \$30,000 for Future Farmers of America training;
- (3) \$30,000 for Future Farmers of America agricultural work-study internships; and
- (4) \$50,000 for Future Farmers of America leadership training.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2682, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2682, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 357-20 Labor & Public Employment on H.B. No. 2753

The purpose of this measure is to further improve workforce development in Hawaii by establishing a state YouthBuild program under the Department of Labor and Industrial Relations to assist interested non-profit or public entities in applying and qualifying for a grant under the federal YouthBuild program.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii Alliance for Community-Based Economic Development, LGBT Caucus of the Democratic Party of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that, by providing state resources to assist non-profit or public entities in applying and qualifying for federal YouthBuild program grants, the reach of the program can be broadened and more of the State's youth will have a chance to benefit from the workforce development opportunities the program affords. These benefits will not only provide education, training, and marketable skills to disadvantaged and low-income youth, they can also help to create an in-state workforce to rehabilitate and construct much-needed housing.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2753, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2753, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 358-20 Labor & Public Employment on H.B. No. 2285

The purpose of this measure is to make an emergency appropriation to provide funds for the Stadium Authority for payroll, various repair and maintenance costs, contracts for services, and operating equipment.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Stadium Authority.

Your Committee finds that there have been various unbudgeted expenses that need to be addressed in order for Aloha Stadium to properly and effectively continue to maintain a safe facility for the general public. Increasing the special fund ceiling and making an emergency appropriation will allow Aloha Stadium to continue to operate in an efficient and safe manner.

Your Committee has amended this measure by:

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

Should your Committee on Finance hear this measure, your Committee respectfully recommends that \$1,137,708 be appropriated out of the Stadium Special Fund to address the foregoing costs for the Stadium Authority.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2285, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2285, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 359-20 Labor & Public Employment on H.B. No. 2120

The purpose of this measure is to amend certain parts of the conflicts of interests provision of the State Ethics Code to include members of the Legislature and justices and judges of all state courts.

Your Committee received testimony in support of this measure from Common Cause Hawaii and three individuals. Your Committee received testimony in opposition to this measure from the Judiciary. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that the conflict of interest law applies differently to legislators, justices, and judges. This measure specifically includes those state employees in the conflicts of interest provision while maintaining the constitutional protections specifically afforded to legislators when engaged in their legislative functions.

Your Committee has amended this measure by:

- (1) Removing constitutional convention delegates from the conflicts of interests law;
- (2) Clarifying that the conflicts of interests law does not prohibit a legislator from introducing legislation, serving on a committee, making statements, or taking action in the exercise of their legislative functions;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2120, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2120, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 360-20 Labor & Public Employment on H.B. No. 2124

The purpose of this measure is to prohibit certain state officials and employees from representing certain private interests before the State for twelve months after termination from their respective positions.

Your Committee received testimony in support of this measure from Hawaii State Ethics Commission, Common Cause Hawaii, and two individuals.

Your Committee finds that it is in the public interest to keep a distinct wall of separation between lobbyists and the State's elected officials and certain other government employees.

Your Committee notes that the twelve month prohibition on lobbying for certain elected officials and government employees are in addition to the statutory restrictions on post-employment contained in section 84-18, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Specifying that the prohibition on former legislators or employees from disclosing any information that is not available to the public or using the information for personal gain or benefit to anyone applies to those that were employed by the State for less than one hundred eighty days;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2124, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 361-20 Labor & Public Employment on H.B. No. 2125

The purpose of this measure is to:

- (1) Make changes to the financial disclosure statute so that the statutory language tracks the capabilities of the Hawaii State Ethics Commission's (Ethics Commission) electronic filing system, including:
 - (A) Changing the Ethics Commission's reporting requirements to require filers to report any clients assisted before state agencies; and
 - (B) Deleting the requirement that disclosures be in long form and short form and instead allowing financial disclosure statements to be filed electronically;
- (2) Repeal the provision that exempts members of the Hawaii Correctional System Oversight Commission from the requirements of the financial disclosure statute; and
- (3) Allow the Ethics Commission, in its discretion, to make changes it deems necessary to its internal procedures or forms to aid in implementing this measure.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, and two individuals.

Your Committee finds that making the Hawaii Correctional System Oversight Commission members subject to the financial disclosure statute will hold these members to the same accountability standard and requirements as other public officials who have significant discretionary or fiscal powers.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2125, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 362-20 Labor & Public Employment on H.B. No. 2314

The purpose of this measure is to clarify the definitions and requirements to qualify for Employees' Retirement System service-connected disability and accidental death benefits.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Employees' Retirement System Board of Trustees.

Your Committee finds that courts have rendered rulings that awarded service-connected disability retirement or accidental death benefits beyond a plain reading of the Legislature's original intent. This measure seeks to address any perceived ambiguity.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2314, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2314, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 363-20 Labor & Public Employment on H.B. No. 2312

The purpose of this measure is to clarify specific benefit and processing related details to facilitate and provide transparency to Employees' Retirement System members, retirants, beneficiaries, and alternate payees regarding Hawaii domestic relations orders.

Your Committee received testimony in support of this measure from the Employees' Retirement System Board of Trustees.

Your Committee finds that the Employees' Retirement System will begin processing Hawaii domestic relations orders to allow the system to make direct payments to alternate payees beginning on July 1, 2020. This measure helps clarify the process of qualification, approval, and application of Hawaii domestic relations orders.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2312, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 364-20 Labor & Public Employment on H.B. No. 1998

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

Your Committee received testimony in support of this measure from Common Cause Hawaii and two individuals. Your Committee received comments on this measure from the Department of Human Resources of the City and County of Honolulu.

Your Committee finds that public service is a public trust. It is critical for people to have confidence in the integrity of government and public employees. When public officers and employees breach the public trust, this erodes the public's trust in the foundations of government. Your Committee notes that this measure is an important step toward ensuring greater ethics reform in State and county government.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1998, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1998, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 365-20 Labor & Public Employment on H.B. No. 2678

The purpose of this measure is to require the forfeiture of all compensation paid, vacation and sick leave accrued, and pension and retirement service attributed to any officer or employee for a felony offense, from the date the offense was committed through the end of the officer's or employee's employment with the State or counties.

Your Committee received testimony in support of this measure from Common Cause Hawaii and two individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that public service is a public trust. It is critical for people to have confidence in the integrity of government and public employees. When public officers and employees breach the public trust, this erodes the public's trust in the foundations of government. Your Committee notes that this measure is an important step toward ensuring greater ethics reform in state and county government.

Your Committee notes that several measures were introduced this legislative session relating to the forfeiture of pension and retirement benefits for felony offenses committed by officers or employees of the State or counties. However, your Committee notes that this measure is a unique approach in that it

amends the public service statute, rather than the statute dealing with pensions and retirement systems, to mandate the forfeiture of pension and salary benefits for felony offenses by state and county public officials.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2678, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2678, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 366-20 Consumer Protection & Commerce on H.B. No. 2202

The purpose of this measure is to exempt certain nonprofit corporations operating as a tax-exempt religious organization from licensing, bonding, and fee requirements when selling or offering use of its property or portion thereof for the inurnment of cremated remains of its members, adherents, and their families.

Your Committee received testimony in support of this measure from MYM Services, LLC; Roman Catholic Church in the State of Hawaii; Congregation of the Sacred Hearts of Jesus and Mary; Sisters of St. Francis of the Newmann Communities; and twelve individuals. Your Committee received testimony in opposition to this measure by the Department of Commerce and Consumer Affairs.

Your Committee finds that the State began to regulate cemeteries in 1967, which placed a harsh financial burden upon nonprofit cemeteries that were not actively engaged in the business of selling cemetery property. Your Committee further finds that in 1968, the Legislature statutorily authorized exemptions from the bonding and fee requirements of the cemetery and funeral trusts law. However, in practice, the Department of Commerce and Consumer Affairs has waived all requirements of the state laws regulating cemeteries for any cemetery granted an exemption.

Additionally, your Committee finds that there is a strong desire by persons to find economical options for their afterlife arrangements. Your Committee further finds that there is growing support for churches to fulfill this need, while providing perpetual care in accordance with their faith.

Your Committee notes the concerns raised in testimony by the Department of Commerce and Consumer Affairs that the focus of this measure is too narrow, as it only addresses the inurnment of cremated remains and the use of the term "church, religious society, or denomination" is too broad. Your Committee believes that H.B. No. 2327 (Regular Session of 2020), properly addresses both of these concerns and is the preferred measure.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2327, which:
 - (A) Clarifies that churches granted an exemption under the State's law governing cemeteries and funeral trusts are exempt from all requirements of the law governing cemeteries and funeral trusts and specifies that all other exempted entities must comply with any provision of this law upon order of the Director of Commerce and Consumer Affairs; and
 - (B) Specifies that an entity that is exempt as a church under federal tax law is considered a church for purposes of exemption;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2202, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 367-20 Consumer Protection & Commerce on H.B. No. 1797

The purpose of this measure is to improve patient access to medical cannabis by authorizing naturopathic physicians to provide written certifications for medical cannabis use to qualifying patients.

Your Committee received testimony in support of this measure from the Board of Naturopathy Medicine, Hawaii Society of Naturopathic Physicians, Klein Natural Health and Wellness Center, Steelsmith Natural Health Center, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that naturopathic physicians are experts in botanical medicine and medicinal plant chemistry, safety, and efficacy. In addition to their expertise in botanical medicine, naturopathic physicians are primary care physicians who manage prescriptions for many of their patients. Your Committee further finds that adding naturopathic physicians to the provider types eligible to certify patients for the Hawaii Medical Cannabis Program would significantly increase access to health care and benefit the people of Hawaii for whom medical cannabis may be a good therapeutic option.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1797, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1797, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Kong, Matsumoto).

SCRep. 368-20 Health/Human Services & Homelessness on H.B. No. 2099

The purpose of this measure is to amend the description in Act 127, Session Laws of Hawaii 2019, for the appropriation for the Alzheimer's disease and related dementia services coordinator within the Executive Office on Aging.

Your Committees received testimony in support of this measure from the Alzheimer's Association – Aloha Chapter and Manoa Cottage. Your Committees received comments on this measure from the Executive Office on Aging.

Your Committees find that this measure corrects a small error in Act 127, Session Laws of Hawaii 2019, to enable the release of funding for a critically important position.

Your Committees have amended this measure by:

- (1) Further refining the description in Act 127, Session Laws of Hawaii 2019, for the appropriation for the Alzheimer's disease and related dementia services coordinator within the Executive Office on Aging;
- (2) Changing the appropriation to an unspecified amount to encourage further discussion; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2099, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2099, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 7. Noes, none. Excused, 1 (Ward).

Human Services & Homelessness: Ayes, 8. Noes, none. Excused, none.

SCRep. 369-20 Health on H.B. No. 2506

The purpose of this measure is to require the Department of Health to issue a certificate of stillbirth, upon request of the parent or parents named on a fetal death certificate issued in the case of a stillbirth.

Your Committee received testimony in support of this measure from the Association of Hawaiian Civic Clubs; Papa Ola Lokahi; Moku o Manokalanipo, The Kauai Council of the Association of Hawaiian Civic Clubs; Ke One O Kakuheua, Oahu Council for the Association of Hawaiian Civic Clubs; and numerous individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that, according to testimony by the Department of Health, the Department will be able to implement this measure if the measure contains an appropriation amount of \$100,000. This amount would be needed to modify the fetal death reporting system, certificate ordering system, and retain personnel. The Department also noted that an effective date of July 1, 2021, would provide the Department with sufficient time to successfully implement the changes proposed by this measure.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2506, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2506, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 370-20 Health on H.B. No. 2713

The purpose of this measure is to appropriate funds for structural improvements for Maui Memorial Medical Center, to be matched on a dollar-for-dollar basis by one or more private entities.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME, Local 646, AFL-CIO; and one member of the Maui County Council. Your Committee received comments on this measure from Maui Health System.

Your Committee finds that current parking facilities are inadequate to serve the needs of the residents and visitors of Maui County's only full-service hospital, Maui Memorial Medical Center. This measure will accommodate the County's projected growth and the resulting increase in parking requirements at the hospital.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2713, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2713, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 371-20 Health on H.B. No. 1633

The purpose of this measure is to:

- (1) Exempt gross receipts from the sale of auditory devices, such as hearing aids, from the general excise tax;
- (2) Amend the definition of "prosthetic device" to include hearing aids and devices worn on the body; and

- (3) Exempt gross receipts from the repair of prosthetic devices from the general excise tax.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and two individuals. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that auditory devices, including hearing aids, are expensive. The cost of hearing aids is not covered by Medicare, and not all insurance policies provide hearing aid benefits. In addition, purchasing hearing aids may be a financial hardship for families that have a deaf or hard-of-hearing child who requires the frequent replacement of a hearing aid as the child grow older. This measure seeks to help lower the expense of purchasing auditory devices.

Your Committee has amended this measure by:

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

Your Committee notes that the Department of Taxation testified that it is able to administer the changes proposed in this measure but requested that its effective date be amended to January 1, 2021, to allow the Department sufficient time to make the necessary form and computer-system changes.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1633, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1633, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 372-20 Judiciary on H.B. No. 2610

The purpose of this measure is to allow a narrow hearsay exception for statements made by a domestic violence victim to a law enforcement officer, emergency medical services provider, or firefighter within twenty-four hours of a domestic violence incident, even if the statement is testimonial in nature, as long as the statement bears sufficient indicia of reliability.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu; Office of Prosecuting Attorney of the County of Kauai; Department of the Prosecuting Attorney of the County of Maui; Domestic Violence Action Center; Rainbow Family 808; and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Honolulu Police Department.

Your Committee finds that victim statements made within twenty-four hours of an incident are more reliable than statements made at a later time. After twenty-four hours, victims may become less willing to cooperate, the potential for coercion increases, and memories become less reliable.

Your Committee further finds that an incident of domestic violence is part of an ongoing emergency, whereby incidents tend to escalate over time and sometimes result in death. This measure is intended to strike an important balance between protecting a defendant's constitutional right to confront the defendant's accusers and promoting the safety of domestic violence victims and society.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2610, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2610, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (McKelvey). Noes, none. Excused, 2 (Creagan, Nakashima).

SCRep. 373-20 Judiciary on H.B. No. 1749

The purpose of this measure is to clarify applicable amounts to be paid to expert witnesses in criminal cases, covering their testimony, preparation, travel, and in-court attendance.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, and Office of the Prosecuting Attorney of the County of Hawaii.

Your Committee finds that after over thirty years, the Department of Budget and Finance recently decided to discontinue reimbursements of certain expert witness fees and create new rules about when witnesses would be reimbursed. Although the Governor issued an administrative directive that reestablished the previous procedures regarding expert witness reimbursements, your Committee believes that further statutory clarification regarding expert witness reimbursements may be necessary.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1749, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 374-20 Judiciary on H.B. No. 2294

The purpose of this measure is to modernize the laws regarding notaries public to bring them into conformity with national standards and current practices. Specifically, this measure:

- (1) Outlines the instances in which notaries public may refuse to perform notarial acts;
- (2) Authorizes notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may do such notarial acts, including authorized technologies and electronic stamping;
- (3) Clarifies the validity of notarial acts and the circumstances when notarial acts may not be performed;
- (4) Clarifies the retention of records; and
- (5) Makes various clarifying amendments to conform to national standards and practices.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Commission to Promote Uniform Legislation, First American Title, and Mortgage Bankers Association of Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association and Honest Hawaii Notaries.

Your Committee finds that notaries public serve an important role in preventing fraud in various types of transactions. Your Committee further finds that the state notaries public laws have not be updated for several years.

Your Committee has amended this measure by:

- (1) Defining "remote online notary public" for purposes of clarity when notarial acts are performed for remotely located individuals;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should this measure be subject to negotiation during the Conference Committee period, your Committee respectfully requests that the Chair of your Committee on Consumer Protection and Commerce be on the Committee on Conference.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2294, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2294, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Say).

SCRep. 375-20 Judiciary on H.B. No. 2474

The purpose of this measure is to include telecommunications dispatchers within the definition of "emergency worker" in the Hawaii Penal Code. Specifically, this measure will provide heightened penalties for any person who commits the offense of assault against a telecommunications dispatcher during an emergency period.

Your Committee received testimony in support of this measure from the Department of Defense; Honolulu Police Department; Kauai Police Department; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; American Medical Response; and numerous individuals.

Your Committee finds that telecommunications dispatchers play a vital role in partnership with their in-the-field first responder colleagues. Your Committee further finds that telecommunications dispatchers undergo extensive training to develop skills that allow them to assist individuals during a variety of situations. Your Committee believes that telecommunications dispatchers should be protected under the Hawaii Penal Code similar to their in-the-field first responder colleagues.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2474, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Say).

SCRep. 376-20 Judiciary on H.B. No. 1689

The purpose of this measure is to prohibit the manufacture and sale of certain animal fur products.

Your Committee received testimony in support of this measure from Inditex; H&M; 3.1 Phillip Lim; InStyle; Stella McCartney Ltd; In Defense of Animals; Fur Free Society, Inc.; International Anti-Fur Coalition; Born Free USA; People for the Ethical Treatment of Animals; Animal Legal Defense Fund; The Humane Society of the United States; Animal Hope in Legislation; Four Paws USA; Humane Society Veterinary Medical Association; Animal Welfare Institute; and twenty individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that existing laws provide relatively little oversight of the fur farming and fur trade industries. Your Committee further finds that eliminating the manufacture and sale of fur products in Hawaii will foster a more humane environment in the State.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1689, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1689, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Say).

SCRep. 377-20 Judiciary on H.B. No. 2058

The purpose of this measure is to reduce the emotional and financial hardship for domestic abuse victims obtaining temporary restraining orders by limiting the number of continuances a court may grant, absent exigent circumstances, for a show cause hearing.

Your Committee received testimony in support of this measure from Domestic Violence Action Center, Planned Parenthood Votes Northwest and Hawaii, American Association of University Women Hawaii, and three individuals. Your Committee received comments on this measure from the Judiciary and Department of the Attorney General.

Your Committee finds that establishing a limitation on the number of continuances a court may grant for show cause hearings may help expedite a victim's escape from an abuser and minimize the victim's leave of absence from work to attend court appearances.

Your Committee has amended this measure by changing the:

- (1) Standard for exceptions to the limitation on continuances from exigent circumstances to good cause; and
- (2) Effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2058, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 378-20 Judiciary on H.B. No. 1868

The purpose of this measure is to lower the age a person may claim an exemption from jury duty from eighty years of age or older to seventy-five years of age or older.

Your Committee received testimony in opposition to this measure from the Judiciary. Your Committee received comments on this measure from the Executive Office on Aging.

Your Committee finds that currently, persons eighty years of age or older may claim an exemption from jury duty. While a member on your Committee was concerned that this measure may be discriminating against people based on age, another member on your Committee noted that the exemption authorized by this measure is voluntary and does not automatically disqualify an individual from jury service.

Your Committee further finds that according to testimony from the Executive Office on Aging, individuals seventy-five years of age or older may have poor health, difficulty sitting for prolonged periods of time, difficulty climbing stairs, and difficulty traveling to court. Therefore, serving on a jury may be an undue hardship for some older individuals.

However, your Committee also finds that a large portion of the eligible jury pool is in their mid-sixties to late seventies. To avoid possible exemptions from a large portion of the jury pool, your Committee believes that the exempted age should be adjusted.

Accordingly, your Committee has amended this measure by changing:

- (1) The age a person may claim an exemption from jury duty to seventy-seven years old; and
- (2) The effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1868, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1868, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, 1 (Thielen). Excused, 4 (Brower, Creagan, Lowen, Say).

SCRep. 379-20 Judiciary on H.B. No. 2288

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Transportation.

Your Committee finds that the Department of the Attorney General testified that it has advised its client agencies on how to avoid claims such as those included in this measure.

Your Committee has amended this measure by:

- (1) Appropriating \$130,000 in general funds for a settlement in the case of Zhang v. State of Hawaii, et al., Civil No. 19-1-0824-05, First Circuit;
- (2) Appropriating \$809.11 in general funds for a claim by Kathleen A. Kehlor Harper;
- (3) Appropriating \$866.75 in general funds for a claim by John and Deborah Mar;
- (4) Appropriating \$578.40 in general funds for a claim by Judith Ross;
- (5) Appropriating \$289.20 in general funds for a claim by Barbara H. Ursal;
- (6) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2288, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Thielen). Noes, 1 (McKelvey). Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 380-20 Judiciary on H.B. No. 1704

The purpose of this measure is to:

- (1) Provide that the right to a contested case hearing is deemed waived if a person does not request a hearing within twenty days of receipt of the Campaign Spending Commission's preliminary determination; and
- (2) Permit an order from the Campaign Spending Commission to be confirmed as a nonappealable judgment in the circuit court, giving the order the same force and effect as any other judgment issued by the circuit courts.

Your Committee received testimony in support of this measure from Campaign Spending Commission. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that this measure incorporates amendments recommended by the Civil Recoveries Division of the Department of the Attorney General, which assists the Campaign Spending Commission in enforcing the Commission's orders in the First Circuit Court.

Your Committee has amended this measure by:

- (1) Changing the time within which the right to a contested case hearing is deemed waived if a person does not request a hearing after receipt of the Campaign Spending Commission's preliminary determination to an unspecified time frame; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1704, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1704, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (Thielen). Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 381-20 Judiciary on H.B. No. 2534

The purpose of this measure is to appropriate funds for the operation of the Career Criminal Prosecution Unit of the Office of the Prosecuting Attorney of the County of Hawaii.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Mayor of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, and one individual.

Your Committee finds that the Legislature established the Career Criminal Prosecution Program because it found that a substantial and disproportionate amount of serious crimes are committed by a relatively small number of multiple repeat felony offenders. Your Committee further finds that career criminal prosecution cases are often labor intensive and require experienced and well-trained deputy prosecutors. This measure is needed to adequately fund the staff of the Career Criminal Prosecution Program.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2534, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2534, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 382-20 Judiciary on H.B. No. 1785

The purpose of this measure is to appropriate supplemental funds for the operating and capital improvement budget of the Judiciary for fiscal years (FY) 2019-2020 and 2020-2021.

The Judiciary submitted a supplemental operating budget that totaled:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General Funds	\$171,819,204	\$172,725,846
All Means of Financing	\$184,626,379	\$185,533,021

The Judiciary submitted a capital improvement budget that totaled:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General Obligation Bonds	\$9,355,000	\$27,700,000

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Kauai Bar Association, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, and two individuals.

Your Committee finds that the operating and capital improvement budget of the Judiciary is necessary to maintain the integrity of the courts and fulfill the Judiciary's statutory, constitutional, and public service mandates.

Your Committee has amended this measure by:

- (1) Changing the appropriations for capital improvement projects and the issuance of general obligation bonds to unspecified amounts;

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

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$37,055,000 in sections 3 and 4 of this measure for the Judiciary's capital improvement projects.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1785, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1785, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Creagan, Nakashima).

SCRep. 383-20 Human Services & Homelessness on H.B. No. 1798

The purpose of this measure is to address the use of corporal punishment as a form of discipline in the State by:

- (1) Clarifying the use of reasonable corporal punishment; and
- (2) Repealing the justification of use of force by parents, guardians, teachers, or other persons otherwise entrusted with the care or supervision of a minor.

Your Committee received testimony in support of this measure from the Pacific Alliance to Stop Slavery and ten individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Human Services and Department of Education.

Your Committee finds that section 703-309, Hawaii Revised Statutes, covers the use of force by parents and guardians when disciplining children in their care. According to testimony presented by the Office of the Public Defender, the law provides guidance on the use of physical discipline and corporal punishment by a parent or guardian, as well as guidance on the type of force that is justifiable and when it is not justifiable. Your Committee recognizes that societal norms and public opinion as they relate to appropriate and acceptable force, discipline, and punishment have bearing on changes to laws and policies.

Your Committee has amended this measure by:

- (1) Removing language that would have established a new section in the Penal Code about reasonable corporal punishment;
- (2) Removing language that would have repealed the justification of use of force by parents, guardians, teachers, and persons otherwise entrusted with the care or supervision of a minor;
- (3) Requiring the Attorney General to convene a working group to examine laws relating to corporal punishment as a form of discipline in the State and submit a report to the Legislature;
- (4) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1798, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1798, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 384-20 Human Services & Homelessness on H.B. No. 1958

The purpose of this measure is to amend the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the taxpayer's applicable percentage of employment-related expenses that constitutes the tax credit and cap amount.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elder Affairs; Americans for Democratic Action; American Association of University Women of Hawaii; Hawaii Children's Action Network Speaks!; Hawaii Appleseed Center for Law & Economic Justice; Faith Action for Community Equity; Alzheimer's Association, Aloha Chapter; and six individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that childcare is a major family expense in Hawaii. According to the Hawaii Early Learning Needs Assessment (Assessment) published by the University of Hawaii Center on the Family in 2017, the average cost to enroll one child in a child care center in Hawaii, full-time, was \$9,500 a year. Your Committee notes that while the cost of child care varies in the State, the average cost of child care in Hawaii has increased since the Assessment was published. This measure improves the child and dependent care tax credit to help families with their child care costs.

Your Committee also notes that the Hawaii State Tax Review Commission will be meeting next year and hopes that the Commission will address some of the concerns raised at your Committee's public hearing, including discussion on tax structure, tax relief, and other tax incentives as they relate to lower income taxpayers.

Your Committee has amended this measure by changing its effective date to December 31, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1958, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1958, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 385-20 Human Services & Homelessness on H.B. No. 2455

The purpose of this measure is to require the development and provision of dementia training for first responders and investigators from the Department of Human Services' Adult Protective Services Program.

Your Committee received testimony in support of this measure from AARP Hawaii; Alzheimer's Association, Aloha Chapter; Manoa Cottage; and numerous individuals. Your Committee received comments on this measure from the Department of Health and Department of Human Services.

Your Committee finds that persons suffering from Alzheimer's disease and related dementias may not respond in a manner typically anticipated by first responders. Your Committee further finds that investigators and staff from the Department of Human Services' Adult Protective and Community Services Branch regularly attend trainings on a variety of subject matters impacting vulnerable adults in the community, including trainings on Alzheimer's disease and related dementias.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the employers of first responders, rather than the Department of Health, to develop and provide dementia training for first responders;
- (2) Removing the requirement that the Department of Human Services develop and provide dementia training for investigators from the department's Adult Protective Services Program;
- (3) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2455, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 386-20 Human Services & Homelessness on H.B. No. 2417

The purpose of this measure is to address the need for services for blind and visually impaired individuals residing on the neighbor islands by:

- (1) Requiring the Department of Human Services to establish a neighbor islands blind and visually impaired service pilot program; contract with a qualified nonprofit organization to manage the day-to-day operations of the pilot program; and submit a report to the Legislature regarding the pilot program; and
- (2) Appropriating funds for the pilot program.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawaii, Disability Rights Hawaii, and eight individuals. Your Committee received comments from the Department of Human Services.

Your Committee finds that individuals who are blind or visually impaired and reside on the neighbor islands have difficulty accessing certain services without traveling to Oahu. Your Committee further finds that increasing low vision and blind skills training on the neighbor islands is necessary to provide orientation and mobility skills, essential living skills, and other basic skills to blind and individually impaired individuals so they can lead independent lives.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to hear this measure, your Committee respectfully requests that it consider appropriating \$500,000 for fiscal year 2020-2021 for the pilot program.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2417, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2417, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Tokioka).

SCRep. 387-20 Human Services & Homelessness on H.B. No. 2525

The purpose of this measure is to extend the Emergency Department Homelessness Assessment Pilot Program and Medical Respite Pilot Program to December 31, 2021.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness; The Queen's Health Systems; Democratic Party of Hawaii; Progressive Democrats of Hawaii; and six individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee acknowledges the clear and critical intersection between health care and homelessness. Your Committee finds instructive data indicating promising preliminary results from the Emergency Department Homelessness Pilot Program for the period September 1, 2018, through September 30, 2019, including a finding that sixty-three percent of clients served were "housing document ready", and that average emergency medical services utilization per client per month declined by fifty-three percent. Additionally, your Committee notes that the Queen's Care Coalition, which is operating the Emergency Department Homelessness Pilot Program, reported it had exceeded proposed targets by reducing the number of unnecessary emergency room visits by thirty-nine percent, the number of hospitalized days by seventeen percent, and the amount of ambulance utilization by fifty-three percent.

Both pilot programs reported that nearly one-fifth of clients served exited directly to permanent housing. Your Committee further finds that the focus on permanent housing placement also serves to reduce health care costs for individuals experiencing homelessness. Your Committee recognizes the value of

the medical intervention services provided to homeless individuals under these pilot programs. Accordingly, your Committee finds that the continuation of these programs will offer assistance to a greater number of homeless individuals.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2525, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2525, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 388-20 Human Services & Homelessness on H.B. No. 2526

The purpose of this measure is to appropriate funds for fiscal year 2020-2021 for the operating budget of the Department of Human Services.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Land and Natural Resources, Department of Transportation, Hawaii State Commission on the Status of Women, Homeless Program Coordinator for the County of Maui, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Primary Care Association.

Your Committee notes that the State Homeless Database (database) is imperative to understand the size, characteristics, and needs of the homeless population at the local, state, and national levels. The database information is also used to complete various required state and federal reports. According to the Department of Human Services, the database is now necessary as the previous single statewide Homeless Management Information System (HMIS), owned by the State's two Continuum of Care organizations, was bifurcated into a system for homeless services provided on Oahu and a system for homeless services in Hawaii, Kauai, and Maui County. Consequently, the Department of Human Services' Homeless Programs Office is now required to have its own database to receive data from both systems to provide necessary contractual oversight and program analytics.

Your Committee notes that the State Homeless Database expense became necessary when Partners in Care voluntarily removed itself from the statewide HMIS and therefore finds that costs for any such extension of HMIS should be borne by Partners in Care.

Your Committee additionally notes that despite the written testimony on the Hawaii Commission on the Status of Women monies, the monies requested are already in the Department of Human Services budget.

Your Committee has amended this measure by:

- (1) Adding transportation to and from the Department of Health's short-term stabilization bed facilities to the \$5,000,000 appropriation for homeless services (HMS224) for stored property and debris removal services for state lands;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2526, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2526, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 389-20 Human Services & Homelessness on H.B. No. 2101

The purpose of this measure is to require circuit courts to apply special sentencing considerations when sentencing a minor for a nonviolent offense and allow the courts, in their discretion, to impose a sentence up to fifty percent shorter than the mandatory minimum or to decline to impose a mandatory enhanced sentence in certain circumstances.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Public Defender, Community Alliance on Prisons, Human Rights for Kids, and four individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that there are fundamental differences between minor and adult criminal offenders that are critical to consider during sentencing. Consideration of these differences becomes especially important when the minors are tried and convicted as adults. Studies have shown that minors' brains are not fully developed, which makes minors more vulnerable to negative influences, peer pressure, and being heavily influenced by their surrounding environment.

Your Committee further finds that mandatory minimums for juveniles often fail to recognize the extenuating circumstances that often lead minors to offend and may significantly limit minors' potential for rehabilitation and reform. This measure allows the courts to have greater discretion in sentencing minors, which will enable judges to consider the mitigating circumstances surrounding a charged offense, issue tailored sentences that can take advantage of a minor's high rehabilitation potential, and potentially reduce the unjust and unnecessary impacts of mandatory sentencing on juvenile offenders.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2101, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 390-20 Human Services & Homelessness on H.B. No. 2419

The purpose of this measure is to:

- (1) Establish Employment First as a policy of the State and counties;
- (2) Require State and county agencies to coordinate efforts and collaborate to ensure that programs, policies, procedures, and funding support competitive employment in an integrated setting for persons with disabilities; and
- (3) Apply Employment First principles to Medicaid home- and community-based waiver programs.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Employment First Hawaii, Hawaii Self-Advocacy Advisory Council, and one individual. Your Committee received comments from one individual.

Your Committee finds that Employment First is a policy that asserts that employment in the general workforce is the first and preferred option for persons with disabilities who receive assistance from publicly funded systems. The policy encourages all people, regardless of their disability, to have the opportunity to work and is part of a national effort supported by the United States Department of Labor, Office of Disability Employment Policy. At least forty states have adopted Employment First legislation or made an official state policy supporting Employment First.

Your Committee notes that in 2017, Governor David Ige signed a proclamation identifying October as Disability Employment Awareness month and endorsed Hawaii's designation as an Employment First state.

Your Committee has amended this measure by:

- (1) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2419, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2419, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 391-20 Human Services & Homelessness/Health on H.B. No. 2249

The purpose of this measure is to address the lack of access to dental coverage and oral health care needs in the State by appropriating funds to restore diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees; provided that the Department of Human Services obtains maximum federal matching funds available for this expenditure.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, University of Hawaii John A. Burns School of Medicine, Hawaii Public Health Institute, The Queen's Health Systems, 'Ohana Health Plan, Save Medicaid Hawaii, AARP Hawaii, Ho'ola Lāhui Hawai'i, Hawaii Family Caregiver Association, Hawaii State Rural Health Association, Pono Hawaii Initiative, Hawaii Dental Hygienists' Association, Catholic Charities Hawaii, Hui No Ke Ola Pono, Aloha Independent Living Hawaii, Easterseals Hawaii, Full Life, Hawaii Oral Health Coalition, Hawaii Appleseed Center for Law & Economic Justice, Hawaii Children's Action Network Speaks!, Hawaii Health & Harm Reduction Center, Kokua Kalihi Comprehensive Family Services, Hawaii Dental Service, Hawaii Dental Association, AlohaCare, Disability Rights Hawaii, and numerous individuals. Your Committees received comments on this measure from the Department of Human Services and Hawaii Primary Care Association.

Your Committees find that Ohana Health Plan and AlohaCare will no longer be able to offer their plans to residents on the neighbor islands. As such, it is imperative to fund basic dental health. Your Committees recognize that oral health has a direct correlation to a person's overall health. This measure will help restore essential dental benefits to adult Medicaid enrollees, thereby improving the well-being of individuals and reducing costs due to emergency room visits for dental problems and other acute and chronic health conditions that are linked to oral disease.

Your Committees have amended this measure by:

- (1) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2249, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2249, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Belatti).
Health: Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 392-20 Human Services & Homelessness/Health on H.B. No. 2522

The purpose of this measure is to improve the overall continuum of care through comprehensive crisis response and stabilization services through the Hawaii coordinated access resource entry system (CARES), by:

- (1) Requiring the Department of Health to establish a continuum of stabilization beds statewide by:
 - (A) Repurposing unused state facilities for short-term residential use by non-forensic patients experiencing substance use or mental health conditions; and
 - (B) Assessing and triaging these patients to a clinically appropriate level of care through CARES; and
- (2) Appropriating funds for this purpose.

Your Committees received testimony in support of this measure from the Department of Health; Honolulu Emergency Services Department of the City and County of Honolulu; Hawaii Substance Abuse Coalition; Democratic Party of Hawaii; Mental Health America of Hawaii; Americans for Democratic Action; Catholic Charities Hawaii; Partners in Care; Hawaii Health & Harm Reduction Center; The Queen's Health Systems; Hope Services Hawaii, Inc.; and numerous individuals.

Your Committees find that the lack of short-term stabilization services throughout the State creates unnecessary burdens on emergency departments, law enforcement, and individuals living with behavioral health issues. Your Committees recognize the need for enhanced stabilization services to help individuals in severe distress deescalate the severity of their crisis and prevent the need for higher levels of care through hospitalization or the criminal justice system.

Your Committees have amended this measure by:

- (1) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2522, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2522, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Belatti).

Health: Ayes, 7. Noes, none. Excused, 1 (Belatti).

SCRep. 393-20 Human Services & Homelessness/Public Safety, Veterans, & Military Affairs on H.B. No. 2111

The purpose of this measure is to require the Department of Human Services to work with the Department of Public Safety to establish a Pilot Visitation and Family Resource Center at Waiawa Correctional Facility.

Your Committees received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Office of the Public Defender, Office of Youth Services, Mental Health America of Hawaii, Hawaii Youth Services Network, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, Adult Friends for Youth, Hawaii Children's Action Network Speaks!, Blueprint for Change, and numerous individuals. Your Committees received comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that this measure is the result of a collaboration of agencies motivated to find ways to facilitate family reunification, promote the well-being of children of incarcerated parents, and end the generational cycle of incarceration. By establishing family friendly visitation centers that create an atmosphere where children can visit their incarcerated parent without feeling traumatized, more frequent visits and quality engagement may occur. Your Committees note studies suggest maintaining family ties is linked to post-release success for incarcerated individuals, including lower rates of recidivism. This measure provides funding to establish a Pilot Visitation and Family Resource Center at the Waiawa Correctional Center to implement the recommendations of the Family Reunification Working Group and promote the best interests of children of incarcerated parents.

Your Committees have amended this measure by:

- (1) Changing the appropriations to unspecified amounts;
- (2) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider appropriating \$150,000 to the Department of Human Services and \$150,000 to the Department of Public Safety, for the establishment of a pilot visitation and family resource center at Waiawa Correctional Center on Oahu.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Public Safety, Veterans, & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2111, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2111, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Belatti).

Public Safety, Veterans, & Military Affairs: Ayes, 5. Noes, none. Excused, 2 (Nishimoto, McDermott).

SCRep. 394-20 Human Services & Homelessness/Housing on H.B. No. 2112

The purpose of this measure is to provide shelter and other services to homeless individuals by:

- (1) Establishing the Kauhale Pilot Program to provide tiny homes priced at no more than \$25,000 per unit with shared facilities to individuals coping with substance abuse who are receiving treatment and individuals who are chronically homeless;
- (2) Requiring the Lieutenant Governor to designate the Hawaii Housing Finance and Development Corporation and other appropriate agencies to develop and implement the Kauhale Pilot Program;
- (3) Requiring the Hawaii Housing Finance and Development Corporation to compile and consolidate information on the Kauhale Pilot Program from the designated agencies and submit annual reports to the Legislature prior to the 2021, 2022, and 2023 Regular Sessions; and
- (4) Appropriating funds to establish the Kauhale Pilot Program and for related expenses.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Office of the Lieutenant Governor; State Procurement Office; Office of the Prosecuting Attorney of the County of Hawaii; Democratic Party of Hawaii; Hawaii Primary Care Association; Catholic Charities Hawaii; HOPE Services Hawaii, Inc.; Hawaii Health & Harm Reduction Center; Partners in Care; and numerous individuals. Your Committees received comments on this measure from the Department of Human Services and Hawaii Housing Finance and Development Corporation.

Your Committees find that the Hawaii Interagency Council on Homelessness (Council), a 27-member advisory council that is chaired by the Governor's Coordinator on Homelessness, recently voted to prioritize sustained funding commitments for affordable rental housing as part of its 2020 Regular Session legislative priorities to address homelessness. In particular, the Council recognized a need to develop site-based permanent supportive housing units that could

be paired with supportive services to address the needs of chronically homeless households. Your Committees note that according to the Governor's Coordinator on Homelessness, development of nine separate Pilot Program sites statewide will assist in closing the gap in housing for individuals and families experiencing chronic homelessness.

Your Committees recognize that the construction and operation of tiny homes under the Kauhale Pilot Program offer an additional alternative to combat homelessness in the State. However, this undertaking will ultimately require considerable resources and support. Your Committees further note the testimony of the Hawaii Housing Finance and Development Corporation, which indicates that while it could assist with the development of Kauhale Pilot Program sites, it does not have the expertise in evaluating or administering homeless and housing services, or in managing such properties.

Noting these concerns, your Committees have amended this measure by:

- (1) Removing language that would have established and appropriated funds for the Kauhale Pilot Program;
- (2) Requiring the Office of the Lieutenant Governor to:
 - (A) Convene a working group to examine the feasibility of establishing and implementing a Kauhale Pilot Program, based on the criteria as specified in this measure, including management of the pilot program sites and exempting construction of the pilot program sites from county ordinances; and
 - (B) Include the Governor's Coordinator on Homelessness, Lieutenant Governor, Attorney General, Executive Director of the Office of Housing of the City and County of Honolulu, Executive Director of the Hawaii Public Housing Authority, and Executive Director of the Hawaii Housing Finance and Development Corporation, or their respective designees, to serve on the working group;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2112, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2112, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Say).

Housing: Ayes, 8. Noes, none. Excused, none.

SCRep. 395-20 Housing/Human Services & Homelessness on H.B. No. 1816

The purpose of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation (HHFDC) to implement the Homebuyer's Club Program and require and appropriate funds for HHFDC to provide financial aid to program participants for down payments and other costs associated with purchasing a home; and
- (2) Require and appropriate funds for the Department of Human Services (DHS) to offer long-term case management for:
 - (A) Low-income individuals and families; and
 - (B) Individuals and families who were formerly homeless or currently at-risk for homelessness and accept financial aid for rent.

Your Committees received testimony in support of this measure from the Hawaii Health & Harm Reduction Center, Catholic Charities Hawaii, Partners in Care, Hawaii Kai Homeless Task Force, and two individuals. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Hawaii Housing Finance and Development Corporation.

Your Committees find that according to a LendingTree study, Hawaii residents rank eighth in the United States when it comes to per capita debt, at \$40,700. The high debt is largely attributable to credit card debt. Ninety percent of Hawaii residents having credit cards and an average debt of \$4,489. Your Committees further find that high debt has an impact on a resident's ability to qualify for a home loan and the accumulation of funds for a down payment for a home purchase. Your Committees believe that a mix of financial aid and financial education for low-income families will improve their prospect of homeownership.

Your Committees further find that many individuals and families who have received financial assistance to exit or avoid homelessness often have difficulty maintaining self-sufficiency for more than one or two years. Your Committees believe that the case management support provided by homeless service providers following the provision of financial rent assistance is too short in duration. A longer term of follow up and availability of case management, including counseling and financial education, for low-income renters will help these renters secure long-term housing and reduce recidivism.

Your Committees have amended this measure by:

- (1) Requiring, rather than authorizing, HHFDC to establish the Homebuyer's Club Program;
- (2) Creating a full-time, permanent position for the administration of the Homebuyer's Club Program;
- (3) Authorizing, rather than mandating, DHS to offer long-term case management to specified individuals and families;
- (4) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1816, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1816, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 8. Noes, none. Excused, none.

Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 396-20 Housing on H.B. No. 2261

The purpose of this measure is to:

- (1) Make permanent the Low-Income Housing Tax Credit Program (Tax Credit Program), which would have been repealed on December 31, 2021; and
- (2) Delete the five-year accelerated period for claiming tax credits under the Tax Credit Program.

Your Committee received testimony in support of this measure from the Hawaiian Community Development Board; Kobayashi Group, LLC; and three individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that Hawaii is experiencing a severe housing crisis with a lack of affordable rental and for-sale units. According to the 2018 Affordable Rental Housing Report and Ten-Year Plan, an additional 64,693 housing units are needed by 2025 with nearly seventy percent of those units for low-income households. Your Committee further finds that the Tax Credit Program should contribute to achieving the goal established by the Legislature in 2016 of developing 22,500 affordable rental units by 2026.

However, your Committee believes that the Tax Credit Program should be extended, rather than made permanent, to allow time to study the effectiveness of the Tax Credit Program, since projects awarded tax credits after the implementation of changes made to the Tax Credit Program in 2016 are only now approaching completion.

Your Committee has amended this measure by:

- (1) Reinstating the five-year accelerated period for claiming tax credits under the Tax Credit Program;
- (2) Extending the Tax Credit Program for an additional six years to December 31, 2027;
- (3) Making it apply to taxable years beginning after December 31, 2020; and
- (4) Changing its effective date to July 1, 2025, to encourage further discussion.

By extending the Tax Credit Program for another six years, it is not the intent of your Committee to retroactively expand the Tax Credit Program to provide a benefit to taxpayers that have already generated credits. Your Committee further finds that the retroactive expansion of the Tax Credit Program will not stimulate low-income housing since those taxpayers have already engaged in the activity the Tax Credit Program promotes.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2261, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2261, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Aquino, Hashem).

SCRep. 397-20 Housing on H.B. No. 1679

The purpose of this measure is to authorize the Hawaii Public Housing Authority to give preference to persons residing in the zip code in which a low-income or elder housing project is constructed for the housing project's initial tenants or residents.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority and two individuals.

Your Committee finds that the sense of the existing community is an important component in the health and welfare of tenants and residents of the State's low-income and elder housing projects. Your Committee believes that familiarity with the surrounding environment and community of a project to be constructed will contribute to low-income or elderly individuals successfully transitioning into a newly constructed project as tenants or residents.

Your Committee has amended this measure by changing its effective date to July 1, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1679, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Aquino).

SCRep. 398-20 Housing on H.B. No. 2066

The purpose of this measure is to create a Downpayment Guarantee Program (Program) within the Hawaii Housing Finance and Development Corporation (HHFDC) that authorizes HHFDC to guarantee the repayment of a downpayment loan made by a financial institution to an eligible borrower.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Hawaii Housing Finance and Development Corporation.

Your Committee finds that many potential first-time home buyers are frustrated by the downpayment requirement. These potential home buyers may fall into a gap income group, where their incomes are too high to qualify for financial assistance from a government program but too low for a financial institution to regard them as safe risks for mortgage loans. Your Committee believes that assisting this gap group will have a beneficial impact on the health and welfare of the residents of Hawaii.

Your Committee notes for the consideration of your Committee on Finance, should it deliberate on this measure, the concerns raised in testimony from the HHFDC explaining that first-time buyers who can provide a five percent downpayment, one of the requirements to qualify under the Program, can already access existing homebuyer assistance programs that are available statewide, such as the Federal Home Administration and Federal National Mortgage Association 97 percent LTV loan programs. HHFDC further identifies that this measure specifies the Dwelling Unit Revolving Fund (Revolving Fund) as the depository of funds of the Program. The Revolving Fund is not presently authorized for the purposes of the Program and would require an authorizing amendment. HHFDC also indicated that it would require two full-time equivalent positions and funding to administer the Program, since the appropriation in this measure would be restricted for the loan guarantees.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2066, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Matayoshi, Hashimoto). Noes, none. Excused, 1 (Aquino).

SCRep. 399-20 Housing on H.B. No. 2472

The purpose of this measure is to:

- (1) Establish the Self-Help Homeownership Housing Revolving Fund (Revolving Fund) administered by the Hawaii Housing Finance and Development Corporation (HHFDC) to provide loans and related grants to support the development of affordable homeownership housing projects under a self-help housing program; and
- (2) Appropriate funds into and from the Revolving Fund for loans and project-related technical assistance grants to nonprofit organizations operating a self-help housing program for the development of affordable for-sale housing projects.

Your Committee received testimony in support of this measure from the Hawaii Habitat for Humanity Association; Habitat for Humanity Hawaii Island, Inc.; Kauai Habitat for Humanity, Inc.; Hope Services Hawaii; and two individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that for many residents in Hawaii, the pathway to homeownership may be through a self-help program where families perform a significant portion of the construction work required to build their homes, known as "sweat equity". Your Committee further finds that the average statewide mortgage loan amount for a three-bedroom single-family home built under the Habitat for Humanity Self-Help Program is \$210,000. The average monthly payment for these self-help homes ranges from \$520 to \$980, which is considerably lower than the average monthly mortgage payment of \$2,100, as reported in the 2019 Hawaii Housing Planning Study.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider the request by HHFDC for one additional full-time staff position to administer the Self-Help Homeownership Housing Revolving Fund.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2472, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2472, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 400-20 Housing on H.B. No. 2547

The purpose of this measure is to increase the scope of the Hawaii Housing Finance and Development Corporation's authority (HHFDC) over low- and moderate-income housing by:

- (1) Requiring HHFDC to administer any new reserved housing and workforce housing units in community development districts; and
- (2) Authorizing HHFDC to allow reserved housing and workforce housing units transferred to HHFDC to obtain home equity lines of credit, refinance the units, or pay their shared equity.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and Hawaii Community Development Authority.

Your Committee finds that the Hawaii Community Development Authority (HCDA) and HHFDC administer low- and moderate-income housing. However, this dual-agency administration creates inconsistency and confusion. For example, HCDA and HHFDC apply different rules for reserved housing and workforce housing, which creates disparities on issues such as the availability of home equity loans. This measure will alleviate confusion caused by inconsistent rules and bring programs for low- and moderate-income housing under a single program administered by HHFDC.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, HHFDC to administer any new reserved housing and workforce housing units in community development districts; and
- (2) Changing its effective date to July 1, 2025, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2547, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2547, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 401-20 Housing on H.B. No. 2629

The purpose of this measure is to require the Hawaii Housing Finance and Development Corporation (HHFDC) to make awards from specified revolving funds no later than sixty days after the deadline to file consolidated applications or, if no deadline has been established, then no later than sixty days after the filing of a duly submitted consolidated application.

Your Committee received testimony in support of this measure from the Mutual Housing Association of Hawaii, Inc.; Highridge Costa Development Company LLC; and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that timely awards from revolving funds administered by HHFDC are critical to meeting Hawaii's need for affordable housing. Your Committee has respectfully requested HHFDC to examine, evaluate, and recommend the minimum time frame necessary to perform its due diligence and process awards to qualifying consolidated applications and report its findings, conclusions, and proposed language to your Committee on Finance, should it deliberate on this measure.

Your Committee has amended this measure by:

- (1) Changing the sixty-day deadline to award funds to an unspecified number of days;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2629, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2629, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 402-20 Housing on H.B. No. 2687

The purpose of this measure is to facilitate the provision of downpayment loan assistance to first-time homebuyers by establishing a Downpayment Loan Loss Reserve Program (Program) to address downpayment loan defaults.

Your Committee received testimony in support of this measure from the Hawaii HomeOwnership Center. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that homeownership creates strong communities through economic growth; helps families build equity and enjoy stability; and creates a greater sense of security, continuity, belonging, and pride in communities. However, the Hawaii Housing Planning Study, 2019, prepared for the Hawaii Housing Finance and Development Corporation, found that twenty-seven percent of those interested in buying a single-family home could not afford the downpayment.

Your Committee also finds that a loan loss reserve fund is a form of credit enhancement that helps lenders control for the risk that loans will not be repaid. If a borrower defaults on a loan, the lender may access funds in the lender's loan loss reserve account to mitigate losses. Because they have access to the loan loss reserve fund, lenders can offer better rates and more attractive terms to borrowers or make financing available to borrowers having a wide range of credit scores. Your Committee believes that state funds could be leveraged at a ratio of 10:1 with private loan capital to assist more than eight hundred first-time homebuyers with downpayment loans.

Your Committee has amended this measure by:

- (1) Establishing a Downpayment Loan Loss Reserve Administrator position to administer the Program and inserting an appropriation of an unspecified sum for the position;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2687, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2687, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 403-20 Housing on H.B. No. 2721

The purpose of this measure is to authorize the issuance of special purpose revenue bonds and appropriate the bond revenues derived therefrom for a master planned development proposed by Pueo Development, LLC.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Pueo Development, LLC; Hawaii Operating Engineers Industry Stabilization Fund; Waiohuli Hawaiian Homesteaders Inc.; Waiohuli Hawaiian Homesteaders Board of Directors; and ten individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the development of low- and moderate-income housing, alternative energy sources, infrastructure, and economic opportunities continues to be in the public interest. Pueo Development, LLC, is a Hawaii company that offers sustainable solutions for developing low- and moderate-income housing, alternative energy, and infrastructure, while facilitating economic opportunities through project development. Pueo Development, LLC, proposes to design, build, and operate a master planned development in support of a public-private partnership with Waiohuli Hawaiian Homesteaders Association, Inc., on approximately one hundred fifty acres of Department of Hawaiian Home Lands land in Waiohuli, Maui.

Your Committee further finds that the use of special purpose revenue bonds to assist Pueo Development, LLC, is consistent with similar investments that the State has made for other comparable master planned projects. Through the use of special purpose revenue bonds to finance the proposed development,

Pueo Development, LLC, will provide the public with benefits derived from developing the master planned community without investment or operational risk to the State or counties.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2025, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2721, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2721, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 404-20 Health on H.B. No. 1662

The purpose of this measure is to ensure that timely diagnostic audiologic evaluation reports related to follow-up treatment and support of newborns who did not pass newborn hearing screening are provided to the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Speech-Language-Hearing Association, and one individual. Your Committee received comments on this measure from Kaiser Permanente Hawaii.

Your Committee finds that children who are deaf or hard of hearing who receive early hearing screening and appropriate follow-up treatment and support have better vocabulary outcomes, reach their language and communication milestones, and are language-ready for school.

Your Committee notes the concerns raised by Kaiser Permanente Hawaii regarding the potential unauthorized sharing of confidential protected health information since this measure does not require parental consent before releasing newborn hearing screening results to the Department of Health.

Your Committee has amended this measure by:

- (1) Clarifying that this measure applies to infants who do not pass the infant hearing screening test; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1662, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1662, H.D. 2, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 405-20 Health on H.B. No. 2236

The purpose of this measure is to improve the state emergency medical system by:

- (1) Requiring the Department of Health to:
 - (A) Work with the National Registry of Emergency Medical Technicians, or other qualified entity, to conduct a comprehensive statewide workforce study to increase the emergency medical technician and paramedic workforce; and
 - (B) Conduct a comprehensive cost analysis of the state emergency medical system to improve the economic function of the system, including centralized purchasing and other cost-saving measures; and
- (2) Appropriating funds for collective bargaining increases, personnel costs, and expenses related to the emergency medical services and injury prevention system.

Your Committee received testimony in support of this measure from the Department of Health; Honolulu Emergency Services Department of the City and County of Honolulu; and United Public Workers, AFSCME, Local 646, AFL-CIO.

Your Committee notes that there is a significant need for the State and counties to work together to ensure adequate and appropriate coverage of emergency medical services for all persons in Hawaii, regardless of their geographic location. Your Committee would like an efficient emergency medical services system and would consider public-private partnerships and greater autonomy for certain areas, including the City and County of Honolulu, if necessary.

Your Committee has amended this measure by:

- (1) Specifying that the review of the State's emergency medical system shall be known and may be cited as "Keo's Law";
- (2) Requiring the Auditor to conduct a comprehensive management audit of the Emergency Medical Services Department of the City and County of Honolulu;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2236, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2236, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 406-20 Health on H.B. No. 2499

The purpose of this measure is to amend provisions specifying the number of Maui members on the Board of Directors of the Hawaii Health Systems Corporation.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Hawaii Health Systems Corporation.

Your Committee notes that the Hawaii Health Systems Corporation, in their testimony before your Committee, requested certain amendments to this measure. Specifically, the Hawaii Health Systems Corporation requested an adjustment to the Maui region composition from three to two members, while also adding two members as at-large appointments to the Hawaii Health Systems Corporation Corporate Board, for a total of nineteen board members. According to the Corporation, these suggested amendments are intended to allow for a broad array of experience and statewide representation on the Board.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2499, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2499, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 407-20 Health on H.B. No. 1975

The purpose of this measure is to require:

- (1) Any county of the State with a population greater than 500,000 to provide emergency medical services in a transparent and fiscally responsible manner; and
- (2) Any impacted county to conduct an evaluation regarding the finances and operations of the county's emergency medical services system and submit a report to the Legislature and Department of Health.

Your Committee received comments on this measure from the Department of Health.

Your Committee finds that emergency medical services are an essential public health service for Hawaii's visitors and residents. Requiring counties to operate their emergency medical services systems in a transparent and fiscally responsible manner would bring accountability to the operations of the counties' systems and ensure taxpayers' funds are spent appropriately. Your Committee further finds that the cost analysis proposed by this measure is a necessary step toward understanding emergency medical services funding requirements and realities.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1975, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1975, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 408-20 Health on H.B. No. 1691

The purpose of this measure is to designate the month of September each year as Suicide Prevention and Awareness Month.

Your Committee received testimony in support of this measure from Hawaii Family Forum, LGBT Caucus of the Democratic Party of Hawaii, Hawai'i Psychological Association, Prevent Suicide Hawai'i Taskforce, and one individual.

Your Committee finds that according to data provided by the Prevent Suicide Hawai'i Taskforce, every two days one person in Hawaii falls victim to suicide. Your Committee further finds that increasing awareness around suicide prevention is one of the key strategies of the Taskforce's Strategic Plan. By designating the month of September every year as "Suicide Prevention and Awareness Month", this measure increases public awareness around suicide prevention education.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1691, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1691, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 409-20 Consumer Protection & Commerce on H.B. No. 2002

The purpose of this measure is to regulate the operations of transportation network companies in the State and make permanent certain insurance requirements with regard to transportation network companies.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Passenger and Property Carriers Association, and Lyft. Your Committee received testimony in opposition to this measure from Roberts Hawaii. Your Committee received comments on this measure from the Consumer Data Industry Association and Uber Technologies, Inc.

Your Committee finds that statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network company drivers, as well as to preserve and enhance access to important transportation options for residents and visitors of the State.

Your Committee has amended this measure by:

- (1) Clarifying that transportation network companies and transportation network drivers are not common carriers by motor vehicle, contract carriers by motor vehicle, motor carriers, taxicabs, or for-hire vehicle services, for purposes of the Motor Carrier Law;
- (2) Clarifying that persons convicted of the offense of resisting an order to stop a motor vehicle in the second degree are barred from being transportation network company drivers for a period of three years; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2002, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2002, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 410-20 Consumer Protection & Commerce on H.B. No. 2316

The purpose of this measure is to increase the monetary amount an injured homeowner may recover from the Contractors Recovery Fund and the maximum amount of liability that may be recovered from the fund per licensed contractor.

Your Committee received testimony in support of this measure from the Contractors License Board and two individuals. Your Committee received comments on this measure from the Subcontractors Association of Hawaii.

Your Committee finds that the Contractors Recovery Fund provides financial assistance to homeowners injured by the act, representation, transaction, or conduct of a licensed contractor. This measure will increase the amount of relief an injured homeowner can recover.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2316, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Cabanilla Arakawa). Excused, none.

SCRep. 411-20 Consumer Protection & Commerce on H.B. No. 2413

The purpose of this measure is to require the Hawaii State Energy Office, in consultation with the Department of Health, to conduct a comprehensive study to determine the best practices for disposal and recycling of discarded clean energy products in the State.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Energy Office, and two individuals.

Your Committee finds that a study to determine best practices for the appropriate disposition of solar panels and solar appliances is necessary to ensure that these clean energy products are disposed of, recycled, and replaced in a manner that is safe for people and the environment.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2413, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 412-20 Consumer Protection & Commerce on H.B. No. 2502

The purpose of this measure is to require the State Health Planning and Development Agency to consider the relationship to the existing health care system of the area, including the availability of workforce, as part of its certificate of need review.

Your Committee received testimony in support of this measure from Liberty Dialysis-Hawaii and Healthcare Association of Hawaii.

Your Committee received comments on this measure from The Queen's Health Systems and Kaiser Permanente.

Your Committee finds that there is a shortage of health care professionals statewide, which is especially acute in rural areas. Your Committee also finds that there is a demand for an increase in health care facilities in the State's rural areas. However, each new health care facility that opens must hire qualified health care professionals to staff the facility. Unfortunately, this situation often results in the new facility seeking to hire professionals from existing facilities in the local area. Your Committee believes that recruitment of this nature may adversely affect the quality of medical care at existing facilities by decreasing the ratio of health care professionals to patients and forcing the existing facility to increase overtime or hire temporary staff to cover the resulting staffing shortfall. While your Committee recognizes that there is a demand for expanded health care services in rural areas, it also recognizes that policies must be adopted to protect the viability and quality of existing health care services while not restricting the ability of new health care facilities to open in rural areas.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2502, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 413-20 Consumer Protection & Commerce on H.B. No. 2098

The purpose of this measure is to require the Department of Human Services, upon approval from the federal Centers for Medicare and Medicaid Services, to establish and implement a program for providing home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Psychological Association, Hawaii Autism Foundation, K.E.L.I.I. Foundation, Hawaii FASD Action Group, and five individuals. Your Committee received comments on this measure from the Department of Health and Department of Human Services.

Your Committee finds that there is a gap in the continuum of care for at-risk individuals with intellectual disabilities or developmental disabilities who are unable to access home- and community-based services. These individuals are often at higher risk of institutionalization because they may lack daily living skills, are unable to manage their own care, or are unable to access the supports necessary to maintain their independence.

Your Committee has amended this measure by:

- (1) Clarifying that persons eligible for home- and community-based services under this measure are those who are ineligible for other Medicaid programs for individuals with intellectual or developmental disabilities; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2098, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2098, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 414-20 Consumer Protection & Commerce on H.B. No. 2321

The purpose of this measure is to clarify the qualifications for licensure as a mental health counselor in the State by:

- (1) Clarifying that the practicum internship experience requirement is part of the coursework in counseling requirement rather than a standalone requirement; and
- (2) Permitting applicants to fulfill their face-to-face clinical supervision requirement, in whole or in part, through a videoconference service.

Your Committee received testimony in support of this measure from the University of Hawaii at Hilo, Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Democratic Party of Hawaii, and eight individuals.

Your Committee finds that the Hawaii Mental Health Counselors Licensing Program (Program) does not align to other jurisdictions with regard to the hours required of coursework in counseling. Under existing law, applicants for a mental health counselor license in Hawaii must provide fifty-four semester hours or eighty-two quarter hours of coursework training. However, under the national standard, applicants need only to provide forty-eight semester hours or seventy-two quarter hours of coursework training. This measure aligns the licensing requirement standards under state law to the national standard.

Your Committee has amended this measure by:

- (1) Modifying a statutory reference to Diagnostic and Statistical Manual categories; and
- (2) Clarifying that the academic terms of supervised mental health practicum intern experience consists of a total of three hundred hours of supervised client contact.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2321, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2321, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 415-20 Consumer Protection & Commerce on H.B. No. 2340

The purpose of this measure is to clarify prohibited actions related to anatomical gifts and disposition of bodies.

Your Committee received testimony in support of this measure from the Department of Health, Willed Body Program at the John A. Burns School of Medicine at the University of Hawaii at Manoa, and two individuals.

Your Committee finds that this measure will protect vulnerable donors and their loved ones from making anatomical gifts to people or entities other than recipients who are capable of handling bodies with care and respect for legitimate medical or research purposes. Your Committee further finds that this measure will also prevent body donations to people or entities who may not take the necessary steps to create a death certificate and obtain a disposition permit for the body.

Your Committee has amended this measure by:

- (1) Clarifying that organ procurement organizations are the entities that can receive an anatomical gift, be responsible for the final disposition of an anatomical gift, and are exempt from the offense of abuse of a corpse for removing body parts or organs for transplantation or therapy prior to obtaining a disposition permit; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 2340, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 416-20 Consumer Protection & Commerce on H.B. No. 1680

The purpose of this measure is to establish a prepaid wireless E911 surcharge to provide parity across all consumers in funding the deployment and sustainment of enhanced 911 (E911) service and development of future E911 technologies.

Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services, Office of Enterprise Technology Services, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the monies collected and placed into the Enhanced 911 Fund provide funding to deploy and sustain E911 service and develop and fund future E911 technologies. Your Committee also finds, however, that monies are only collected from postpaid wireless consumers, not prepaid wireless consumers. This measure will address the inequity of one consumer group subsidizing an essential service utilized by all consumer groups.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider deferring its implementation to July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1680, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Matsumoto). Noes, none. Excused, none.

SCRep. 417-20 Consumer Protection & Commerce on H.B. No. 1520

The purpose of this measure is to accelerate the State's progress toward energy efficiency by:

- (1) Requiring electric and gas utilities to benchmark energy consumption for all nonresidential buildings, including commercial buildings; and
- (2) Requiring owners and operators of a nonresidential building to disclose benchmarking data to prospective buyers, lessees, or lenders.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu, County of Maui Office of Economic Development, County of Kauai Office of Economic Development, 350Hawaii.org, Blue Planet Foundation, and five individuals. Your Committee received comments on this measure from the Public Utilities Commission and Hawaii Gas.

Your Committee finds that improving energy efficiency is the cheapest, quickest, and cleanest way to accelerate Hawaii's transition to one hundred percent renewable energy. Hawaii's buildings and facilities offer enormous opportunities for energy savings, yet the potential for savings is not readily apparent through current disclosure and information sharing requirements. Benchmarking data helps to fill an information gap for commercial real estate firms and investors, providing everyone with access to the same information. For tenants, benchmarking and disclosure provide valuable data to better understand energy use and make informed decisions.

Your Committee has amended this measure by:

- (1) Amending the date after which electric and gas utilities must maintain benchmarking data and provide aggregated energy consumption data for use in the portfolio management tool, to December 31, 2020;
- (2) Amending the deadlines for disclosure of nonpublic nonresidential benchmarking to January 1, 2022, for buildings greater than 50,000 square feet and January 1, 2023, for buildings greater than 10,000 square feet; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1520, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1520, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 418-20 Consumer Protection & Commerce on H.B. No. 2102

The purpose of this measure is to establish uniform standards and practices to facilitate the safe availability of hemp products in the State.

Your Committee received testimony in support of this measure from the U.S. Hemp Roundtable and one individual. Your Committee received testimony in opposition to this measure from Irie Hawaii and four individuals. Your Committee received comments on this measure from the Department of Health (Department).

Your Committee finds that there is a proliferation of hemp products for use and sale. Your Committee further finds that there are thirty-six industrial hemp farmers registered in the Industrial Hemp Pilot Program. Your Committee believes that standards and practices should be established, to ensure the safe availability of hemp-derived products for consumers and clear regulatory guidelines for hemp farmers.

Your Committee notes that the federal Food and Drug Administration (FDA) retains jurisdiction over the regulation of ingestible and topical hemp products, but has not approved hemp derivatives for safe use in the food supply. As such, your Committee finds that in regard to the consumption of hemp, caution is warranted to ensure the safety of consumers. Your Committee believes that any standards and practices to facilitate the safe availability of hemp products should not allow hemp or its derivatives for human consumption as food products until the FDA approves of such use for hemp.

Your Committee has amended this measure by:

- (1) Amending the definition of "hemp product" to clarify that these types of products do not include food or food additives but do include dietary supplements and are for human or animal consumption, and removing the distinction between finished and raw products;
- (2) Clarifying that "human or animal consumption" is the ingestion or topical application to skin, hair, or eyes;
- (3) Adding an additional warning statement that will be required on the package of any hemp product and changing the requirements for how the warning statements are to be displayed;
- (4) Amending the manufacturing standards to be applicable only to hemp products intended to be a dietary supplement, rather than intended for food;
- (5) Prohibiting the manufacture, sale, and distribution in the State of any food into which a hemp product has been added;
- (6) Prohibiting the sale and distribution in the State of hemp products designed to be appealing to children;

- (7) Requiring the Department to adopt rules on the standards and practices for regulating hemp, including the authority to adopt interim rules;
- (8) Specifying that licensed medical cannabis dispensaries must receive approval from the Department prior to including hemp as an ingredient in any manufactured cannabis product;
- (9) Prohibiting the sale of hemp products to individuals under twenty-one years of age;
- (10) Requiring the Department to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2021, 2022, and 2023;
- (11) Inserting a sunset date of June 30, 2023;
- (12) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (13) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2102, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2102, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Aquino).

SCRep. 419-20 Consumer Protection & Commerce on H.B. No. 2324

The purpose of this measure is to give additional authorization to the Department of Commerce and Consumer Affairs, subject to the approval of the Governor, to decrease all fees or nontax revenues collected by the Department pursuant to Title 25, Hawaii Revised Statutes.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that under existing law, the authority of the Department of Commerce and Consumer Affairs (Department) to adjust fees and other nontax revenue collected by the Department is subject to an itemized list. However, this list inadvertently omits a few chapters within the Department's jurisdiction.

Your Committee has heard the concerns raised by the Department that this measure creates a new, standalone requirement that the authority to decrease fees must be subject to the Governor's approval; however, this does not add or expand to the Governor's current authority to approve all fee increases or decreases. The Department also noted in testimony that there may be unintended consequences associated with the new, standalone requirement.

Your Committee understands these concerns and concludes that the version of this measure, as originally introduced, is preferable, as it captures all existing and future fees collected by the Department and avoids the need to amend the relevant section of existing law whenever the Department's jurisdiction changes.

Accordingly, your Committee has amended this measure by:

- (1) Reverting to the contents of this measure as it was introduced, which expands the authority to increase or decrease fees or nontax revenue, subject to the approval of the Governor, to include all fees collected by the Department of Commerce and Consumer Affairs; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2324, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2324, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 420-20 Consumer Protection & Commerce on H.B. No. 2594

The purpose of this measure is to establish the Blockchain Working Group (Working Group) to determine a definition for blockchain technology and make recommendations for individuals, businesses, and state agencies to use blockchain technology.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of Enterprise Technology Services and Hawaii Technology Development Corporation.

Your Committee finds that blockchain technology has the potential to provide significant benefits to the public and private sectors. Your Committee believes that the establishment of the Working Group will not only develop a standard definition for blockchain technology but will also provide future legislators a greater understanding of the potential benefits of blockchain technology.

Your Committee has amended this measure by clarifying that the Chief Information Officer of the Office of Enterprise Technology Services may appoint a designee to serve in the Chief Information Officers place as a member of the Working Group.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2594, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2594, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 421-20 Consumer Protection & Commerce on H.B. No. 2628

The purpose of this measure is to require the Department of Commerce and Consumer Affairs to conduct a comprehensive review of relevant state laws to develop legislation to establish a state-operated bank of the State of Hawaii.

Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Hawaii Credit Union League, and Hawaii Bankers Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that requiring the Department of Commerce and Consumer Affairs, in conjunction with other relevant state agencies, to conduct a comprehensive review of relevant state laws relating to financial institutions, mortgage lending, housing development, agricultural development, and land use will enable the Department to develop proposed legislation on the establishment of a state-operated bank in Hawaii.

Your Committee has amended this measure by removing language requiring the Commissioner of Financial Institutions to provide proposed legislation with the first progress report to the Legislature.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2628, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2628, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 422-20 Consumer Protection & Commerce on H.B. No. 2246

The purpose of this measure is to:

- (1) Require each tax return preparer to have a valid preparer tax identification number issued by the Internal Revenue Service and disclose this number on any return or claim for refund if required to do so by the Department of Taxation;
- (2) Beginning on January 1, 2021, establish penalties for violations; and
- (3) Authorize the Department of Taxation to bring a civil action for equitable relief against a tax return preparer.

Your Committee received testimony in support of this measure from the Department of Taxation and H&R Block. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that many tax return preparers operate with little State oversight or accountability. Requiring all tax return preparers to have a preparer tax identification number will help ensure tax return preparers are held accountable for the returns they prepare. This measure also enables the Department to track tax return preparers in the State by leveraging the Internal Revenue Service identification number that is already required for preparing federal tax returns.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2246, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 423-20 Consumer Protection & Commerce on H.B. No. 2325

The purpose of this measure is to provide flexibility and discretion to the Board of Public Accountancy (Board) in the selection of members for the Board's Peer Review Oversight Committee.

Your Committee received testimony in support of this measure from the Board of Public Accountancy.

Your Committee finds that the accounting profession's standards of review change frequently. With recent changes, the duties of the Board's Peer Review Oversight Committee are expected to substantially increase. Your Committee further finds that it is necessary for the Board to have flexibility and discretion in selecting members who have the ability and aptitude to serve on the Peer Review Oversight Committee.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2325, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 424-20 Consumer Protection & Commerce on H.B. No. 2462

The purpose of this measure is to incentivize the transition to clean energy in ground transportation by establishing a refundable income tax credit of up to \$2,500 per new electric vehicle with a cost of up to \$50,000.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services; Department of Transportation; Hawaii State Energy Office; Hawaii Climate Change Mitigation and Adaptation Commission; Tesla; Ulupono Initiative; Climate Protectors Coalition; Hawaiian Electric Company, Inc.; Blue Planet Foundation; 350Hawaii; and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Automobile Dealers' Association. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that eliminating emissions from ground transportation will require significant and widespread adoption of electric vehicles. This measure provides taxpayers with a monetary tax incentive to purchase electric vehicles and is aligned with the State's clean energy goals to sequester more greenhouse gases than the State emits by 2045 and reduce the State's carbon emissions.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2462, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10; Ayes with Reservations (Har). Noes, 1 (Cabanilla Arakawa). Excused, none.

SCRep. 425-20 Consumer Protection & Commerce on H.B. No. 2322

The purpose of this measure is to institute certain consumer protections with regard to massage therapy by:

- (1) Requiring the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repealing the penalty for unlicensed practice of massage therapy in favor of existing law that treats unlicensed activity as a misdemeanor; and

- (3) Increasing the fines for violations of the laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy and American Massage Therapy Association – Hawaii Chapter.

Your Committee finds that in October 2018, the sanitation rules for massage therapy establishments under the Department of Health were repealed. Since then, massage therapy establishments have not been required to comply with any sanitation requirements. Your Committee further finds that the Board of Massage Therapy lacks the statutory authority to adopt and enforce sanitation rules. This measure protects the public by granting rulemaking authority to and clarifying enforcement powers of the Board of Massage Therapy.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2322, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 426-20 Consumer Protection & Commerce on H.B. No. 1651

The purpose of this measure is to statutorily establish certain certification, renewal, and violation processes for vehicle inspectors who conduct vehicle safety inspections under the Department of Transportation.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that vehicle inspectors serve an important function in the State by certifying the safety of vehicles in Hawaii. This measure codifies the process by which vehicle inspectors earn and renew their certification and are penalized for improper inspections.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1651, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 427-20 Consumer Protection & Commerce on H.B. No. 2000

The purpose of this measure is to bring the State in substantial compliance with federal regulations by requiring the examiner of drivers to disqualify, for life, any person from driving a commercial motor vehicle if the person uses a commercial motor vehicle in the commission of any felony involving an act or practice of severe forms of trafficking in persons.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Transportation Association.

Your Committee finds that the Federal Motor Carrier Safety Administration finalized administrative regulations that permanently disqualify from driving a commercial motor vehicle, individuals convicted of a felony involving a severe form of human trafficking while operating a commercial motor vehicle. These regulations became effective on September 23, 2019, and set a deadline of three years for states to come into substantial compliance with the regulations. This measure would put the State in substantial compliance with the federal regulations.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2000, H.D. 1, and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 428-20 Consumer Protection & Commerce on H.B. No. 2323

The purpose of this measure is to expand the pool of persons eligible to receive restitution from the Mortgage Loan Recovery Fund to include those persons the Director of Commerce and Consumer Affairs has determined are entitled to restitution.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that under the existing system, a restitution payment to an aggrieved person from the Mortgage Loan Recovery Fund is limited to court orders or final judgments against a licensee. This measure seeks to streamline the restitution process by allowing an aggrieved party to obtain restitution by order of the Director of Commerce and Consumer Affairs and enabling the restitution payment to be made from the Mortgage Loan Recovery Fund, rather than requiring the licensee to make the restitution payment to the aggrieved party.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2323, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2323, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 429-20 Lower & Higher Education on H.B. No. 2530

The purpose of this measure is to remove the \$3,000,000 cap on the amount the University of Hawaii System can expend from the University of Hawaii Tuition and Fees Special Fund (Special Fund) for the University of Hawaii Foundation.

Your Committee received testimony in support of this measure from the University of Hawaii System, University of Hawaii Foundation, University of Hawaii Alumni Association, and one individual.

Your Committee finds that the expenditures from the Special Fund are used for the purposes of promoting alumni relations and generating private donations for deposit into the University of Hawaii Foundation for the sole purpose of supporting the University. Your Committee further finds that in 2004, \$3,000,000 covered almost half the budget of the University of Hawaii Foundation, whereas currently it covers less than twenty-five percent of the budget. In 2019, the University of Hawaii Foundation raised \$72,000,000, nearly six times its operating budget in new gifts. The University of Hawaii and University of Hawaii Foundation can significantly increase fundraising to more than \$110,000,000 each year; however, the University of Hawaii Foundation needs additional funding to build its program and take full advantage of the alumni engagement and fundraising opportunities. This measure will give the University of Hawaii the flexibility to determine what funding to provide the University of Hawaii Foundation for fundraising and alumni relations services that ultimately benefit the University.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2530, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2530, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Quinlan, DeCoite).

SCRep. 430-20 Lower & Higher Education on H.B. No. 2603

The purpose of this measure is to:

- (1) Require the Department of Education to establish a pilot program to provide grants for certain high school students to enroll in college courses through the running start program or other similar programs for college credits during the 2020-2021 academic year, under certain provisions;
- (2) Expand the eligibility of the Hawaii Educator Loan Program to include students who have completed a teaching program at a career academy, under certain requirements;
- (3) Appropriate funds into and out of the Hawaii Educator Loan Program Revolving Fund; and
- (4) Require the Department of Education and University of Hawaii to evaluate the efficacy of this measure and provide the 2021 and 2022 Legislature with its findings and recommendations.

Your Committee received testimony in support of this measure from the Department of Education and two individuals. Your Committee received comments on this measure from the Executive Office on Early Learning and College of Education of the University of Hawaii at Manoa.

Your Committee finds that Hawaii faces a critical shortage of workers in certain career fields and must implement programs to connect youth to these high-demand career fields. Your Committee recognizes an example of an innovative program to address education needs is Waipahu high school's academy of professional and public services, a career academy that works to increase student achievement through authentic and rigorous experiences in a wide variety of career fields. Your Committee additionally recognizes that the Hawaii educator loan program was established in 2001 to address the State's teacher shortage by providing loans to students participating in teacher education programs. This measure will establish initiatives at the Department of Education and University of Hawaii to expand opportunities for prospective future teachers.

Your Committee has amended this measure by:

- (1) Broadening the scope of the Department of Education's pilot program to award grants to students:
 - (A) Currently enrolled in a career academy program focused on career disciplines of high need in the State, including teacher education or a similar field; and
 - (B) The courses in which the student intends to enroll are applicable to the requirements for an associate degree in career disciplines of high need, including teaching;
- (2) Inserting an unspecified appropriation to the Department of Education to establish the pilot program to provide grants;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2603, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2603, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Ohno).

SCRep. 431-20 Lower & Higher Education on H.B. No. 2149

The purpose of this measure is to allow home-schooled, high school-age students to participate as unattached competitors in individual sports available to the public school that the student would otherwise be required to attend.

Your Committee received testimony in support of this measure from the Tropic Lightning Diving Team and thirteen individuals. Your Committee received comments on this measure from the Department of Health and Department of Education.

Your Committee finds that home-schooled students are part of the diverse fabric that make up our educational system in Hawaii. In 2016, nearly three thousand students in Hawaii were home-schooled. Under Hawaii law, home-schooled students do not have the right to participate in public school activities, including sports. Although individual schools and complex areas have the authority to allow home-schooled students to participate in its activities, policies vary. Your Committee further finds that it is imperative for Hawaii to ensure that all home-schooled students have equitable opportunities to succeed. This measure works toward equity in education by allowing home-schooled, high school-age students to participate in individual sports as unattached athletes.

Your Committee has amended this measure by:

- (1) Requiring the home-schooled, high school-age student to maintain the appropriate grade point average as required by the public school that the student would otherwise attend to be allowed to participate as an unattached competitor in any individual sport at athletic events sanctioned by an educational athletic organization; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2149, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (DeCoite, Morikawa).

SCRep. 432-20 Lower & Higher Education on H.B. No. 2511

The purpose of this measure is to:

- (1) Provide funding for the rental or lease of facilities through legislative appropriations and bond authorizations to the State Public Charter School Commission (Commission) for the design, planning, construction, repair, and maintenance of public charter school improvements; and
- (2) Appropriate funds to the Commission for infrastructure costs, lease or rent assistance, and the repair and maintenance of network infrastructure for charter schools.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Office of Hawaiian Affairs, Hawaii State Teachers Association, Democratic Party of Hawaii Education Caucus, Kanu O Ka Aina New Century Public Charter School, Ka Umeke Ka eo Hawaiian Language Immersion Public Charter School, Kua O Ka La New Century Public Charter School, Kapolei Charter School, Ke Kula o Samuel M. Kamakau Laboratory Public Charter School, Hawaii Academy of Arts & Science Public Charter School, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that facilities funding has been a long-standing issue for charter schools nationally and locally. Additionally, public charter schools receive inequitable funding to support student learning when compared to traditional public schools. The amounts received in recent fiscal years by the Commission have not been able to keep pace with the cost of providing and maintaining high-quality facilities. This measure will provide additional funding resources to the Commission for public charter school facilities.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$10,000,000 to the Commission for infrastructure costs, lease or rent assistance, and the repair and maintenance of network infrastructure for charter schools.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2511, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (DeCoite, Morikawa).

SCRep. 433-20 Lower & Higher Education on H.B. No. 2430

The purpose of this measure is to exempt feminine hygiene products from the general excise tax and provide funding to the Department of Education to make feminine hygiene products available to students for free on public secondary school campuses.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Public Health Institute, Hawaii State Teachers Association, Hawaii Youth Services Network, American Civil Liberties Union of Hawaii, Planned Parenthood Votes Northwest and Hawaii, I Support the Girls Hawaii, LGBT Caucus of the Democratic Party of Hawaii, American Association of University Women of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Taxation, and Period Equity.

Your Committee finds that menstrual products are subject to sales or excise taxes in thirty-five states, including Hawaii. Your Committee further finds that according to a study published in 2019 by the American College of Obstetricians and Gynecologists found that nearly two-thirds, or sixty-four percent, of low-income women in the United States could not afford menstrual products during the previous year, with nearly half of these women struggling to buy both food and feminine hygiene products within the last twelve months. This measure will promote menstrual equity by exempting feminine hygiene products from the general excise tax and fund feminine hygiene products to be available for free on public secondary school campuses.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2430, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2430, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Hashem, DeCoite, Morikawa).

SCRep. 434-20 Lower & Higher Education on H.B. No. 2215

The purpose of this measure is to establish and appropriate funds for the workforce development coordinator position within the Department of Agriculture to oversee ongoing communication and collaboration of the P-20 Agriculture Education Working Group and lead the implementation plan for a coordinated framework of support for P-20 agriculture education in Hawaii.

Your Committee received testimony in support of this measure from the Department of Education, Ka Ohana O Na Pua, Hawaii Farm Bureau, Malama Kauai, Farm to Keiki, Hawaii Public Health Institute, aLocal Food Coalition, Blue Zones Project, Blue Zones Project Wahiawa, and seven individuals. Your Committee received comments on this measure from the Department of Agriculture and University of Hawaii at Manoa College of Tropical Agriculture and Human Resources.

Your Committee finds that the average age of farmers in Hawaii is sixty years, and Hawaii does not have a farming workforce large enough for expansion of cultivated agricultural lands and food production. A primary cause of the shortage of new farmers in the State has been the decline of support for agriculture education from state government. Your Committee further finds that the Hawaii State Senate passed Senate Resolution No. 80, Regular Session of 2015, requesting the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to "convene a working group to develop a coordinated framework of support for preschool through post-secondary (P-20) agriculture education and a plan for implementation". After three years, the convened P-20 Agriculture Education Working Group submitted a final report to the 2019 Legislature outlining a coordinated framework of support for P-20 agriculture education in the State. This measure establishes and funds a workforce development coordinator position to assist the P-20 Agriculture Education Working Group and lead in the implementation of the Working Group's coordinated framework.

Your Committee has amended this measure by:

- (1) Establishing the workforce development coordinator position within the Department of Education, rather than the Department of Agriculture;
- (2) Changing the expending agency of the appropriation for the workforce development coordinator position from the Department of Agriculture to the Department of Education;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2215, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2215, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, DeCoite).

SCRep. 435-20 Lower & Higher Education on H.B. No. 2421

The purpose of this measure is to create a Board of Trustees for the Hawaii School for the Deaf and Blind to establish an independent governance structure for the school.

Your Committee received testimony in support of this measure from the Hawaii School for the Deaf and the Blind Alumni Club, Aloha State Association for the Deaf, Disability Rights Hawaii, and eleven individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that for the Hawaii School for the Deaf and Blind, there has been a lack of administrators within the Department of Education who are experienced and knowledgeable in deaf education and fluent in American Sign Language. Your Committee further finds that for the school to be successful, it needs independent oversight through an independent, expertise-driven board of trustees. This measure statutorily establishes the independent governance structure for the Hawaii School for the Deaf and Blind, which will enable the school to more appropriately meet the needs of deaf, hard of hearing, and deaf-blind students.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2421, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2421, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

SCRep. 436-20 Lower & Higher Education on H.B. No. 2088

The purpose of this measure is to establish a working group to create a state plan to make the Free Application for Federal Student Aid (FAFSA) completion or an opt-out waiver for FAFSA completion a statewide graduation requirement by the 2022-2023 school year.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, Hawaii State Teachers Association, Chamber of Commerce Hawaii, Maui Chamber of Commerce, The McClellan Group, and twelve individuals. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Department of Education and Office of Information Practices.

Your Committee finds that Hawaii left \$10,000,000 in unclaimed federal Pell Grants on the table in 2018; enough to send roughly 2,500 students to a University of Hawaii community college tuition-free. Your Committee further finds that in 2016, the State of Louisiana began requiring students to fill out FAFSA because more than half of high school seniors were not completing the paperwork for FAFSA. Louisiana is now ranked first in the nation for FAFSA completion. This measure will allow the State to develop a plan to also require FAFSA completion, including an opt-out provision, for students in Hawaii.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2088, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2088, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, 3 (Hashem, DeCoite, Morikawa).

SCRep. 437-20 Lower & Higher Education on H.B. No. 619

The purpose of this measure is to require the State Auditor to select a number of school complex areas and determine the level of compliance of each complex area with its academic and financial plans and submit to the 2020 Legislature a report of its findings and recommendations.

Your Committee received testimony in opposition to this measure from the Democratic Party of Hawaii Education Caucus. Your Committee received comments on this measure from the Department of Education and the Office of the Auditor.

Your Committee finds that for schools, an academic plan establishes the academic goals for the following school year, and a financial plan serves as a means to determine school staffing requirements. These plans can serve as a benchmark by which complex areas can strive to comply with.

Your Committee has amended this measure by:

- (1) Changing the time for which the State Auditor shall submit its report to the Legislature to twenty days prior to the convening of the 2021 Regular Session; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 619, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 619, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (DeCoite, Morikawa).

SCRep. 438-20 Lower & Higher Education on H.B. No. 1974

The purpose of this measure is to:

- (1) Amend the minimum qualifications for nominees to the State Public Charter School Commission (Commission); and
- (2) Provide that Commission members may be reimbursed for necessary and reasonable travel expenses incurred in the conduct of official commission business.

Your Committee received no testimony on this measure.

Your Committee recognizes the importance of the State Public Charter School Commission to Hawaii and its role of ensuring a long-term strategic vision for Hawaii's public charter schools.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1974, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1974, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (DeCoite, Morikawa).

SCRep. 439-20 Lower & Higher Education on H.B. No. 2045

The purpose of this measure is to allow students to enroll in career and technical programs relating to health care workforce development, including outside of the service area in which they reside.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawaii Primary Care Association, and Hawaii Pacific Health. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that a gap exists between the skills that students have upon graduation and the skills that employers are seeking, and for business leaders in Hawaii's expanding industries, it is often difficult to recruit local applicants who have the skills and experience needed. Your Committee further finds that educational programs specializing in career readiness and technical expertise can be effective in preparing Hawaii students to enter the job market in the State. The need for these educational initiatives is particularly significant for the development of Hawaii's health care workforce. This measure expands the number of students receiving career and technical skills education by allowing students to enroll in career and technical programs relating to health care workforce development, regardless of where they reside.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2045, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2045, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, 3 (Quinlan, Johanson, Ohno).

SCRep. 440-20 Lower & Higher Education on H.B. No. 2250

The purpose of this measure is to:

- (1) Establish the University of Hawaii Promise Program Plus to provide scholarships for the unmet direct cost needs of qualified students enrolled in bachelor's degree programs in teaching, health care, social work, or engineering at the University of Hawaii who commit to work for at least three years in Hawaii; and
- (2) Appropriate funds for its establishment, implementation, and management.

Your Committee received testimony support of this measure from Kamehameha Schools, University of Hawaii Alumni Association, and one individual. Your Committee received comments on this measure from the Executive Office on Early Learning, Department of Education, University of Hawaii System, Associated Students of the University of Hawaii at Manoa, and Chamber of Commerce Hawaii.

Your Committee finds that the Community College Promise Program has assisted a number of students attend community colleges; however, many students accepted to enter the University of Hawaii's four-year campuses lack sufficient financial resources to go on to earn their bachelor's degree. Your Committee further finds that there are current and projected job shortages in the fields of teaching, health care, social work, and engineering and that Hawaii's resources should be targeted toward meeting these needs. This measure seeks to address those job shortages and help fund the education of students attending the University of Hawaii's four-year campuses by establishing the University of Hawaii Promise Program Plus to provide scholarships to University of Hawaii students pursuing a bachelor's degree in teaching, health care, social work, or engineering.

Your Committee has amended this measure by:

- (1) Changing the amount of funding for the one full-time equivalent (1.0 FTE) position to manage the University of Hawaii Promise Program Plus to an unspecified amount;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating funds for the University of Hawaii Promise Program Plus, including \$100,000 for one full-time equivalent (1.0 FTE) position to manage the Program.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2250, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, DeCoite).

SCRep. 441-20 Lower & Higher Education on H.B. No. 2255

The purpose of this measure is to:

- (1) Expand the Hawaii Community College Promise Program to provide scholarships for the unmet direct cost needs of qualified undergraduate students enrolled at a four-year campus of the University of Hawaii; and
- (2) Appropriate funds to establish and implement the expanded program.

Your Committee received testimony in support of this measure from the University of Hawaii System, University of Hawaii Alumni Association, Kamehameha Schools, Parents and Children Together, Associated Students of the University of Hawaii at Manoa, Young Progressives Demanding Action, Chamber of Commerce Hawaii, Hawaii Community Foundation, and nine individuals.

Your Committee finds that an educated labor force and engaged citizenry are essential in today's global, knowledge-based economy. However, cost remains a barrier for attending college, especially for families earning less than \$30,000 annually. Although, there are many opportunities for financial aid, many need-based students remain unable to afford a college education, especially for those who do not qualify for the Hawaii Community College Promise Program because they are enrolled at one of the University of Hawaii's four-year campuses. This measure expands the Program to provide scholarships for need-based students enrolled in a four-year campus of the University of Hawaii.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2255, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2255, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, DeCoite).

SCRep. 442-20 Lower & Higher Education on H.B. No. 1994

The purpose of this measure is to appropriate funds to the University of Hawaii Maui College for scholarships in its Office of International and Regional Partnerships to subsidize travel expenses and tuition.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which preserves the content of this measure and additionally establishes and appropriates funds for a Network Improvement Community Task Force to develop a K-12 science, technology, engineering, and mathematics (STEM) teacher education degree for the University of Hawaii.

Your Committee received testimony in support of this measure from one Maui County Council member. Your Committee received comments on this measure from the Department of Education and University of Hawaii Community Colleges.

Your Committee finds that there is a shortage of qualified STEM teachers in the State. The proposed H.D. 1 establishes a task force that will coordinate with the University of Hawaii to develop a K-12 STEM teacher education program, with the goal of building the capacity for, and eventually establishing, a statewide program to recruit, prepare, and retain K-12 STEM teachers that will work in high-need areas.

Your Committee further finds that the University of Hawaii Maui College's Office of International and Regional Partnerships works continuously to connect students from Maui and abroad through study abroad programs that offer students the opportunity to gain foreign language skills and cross-cultural competence. The proposed H.D. 1 provides funding to the University of Hawaii Maui College's Office of International and Regional Partnerships to continue the Office's work in sending students to participate in study abroad programs.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Changing the amount appropriated for the study abroad programs offered by the University of Hawaii Maui College's Office of International and Regional Partnerships to an unspecified amount;

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

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$37,500 for the study abroad programs offered by the University of Hawaii Maui College's Office of International and Regional Partnerships.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1994, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1994, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Quinlan, DeCoite).

SCRep. 443-20 Lower & Higher Education/Energy & Environmental Protection on H.B. No. 2439

The purpose of this measure is to appropriate funds to the University of Hawaii Water Resources Research Center for the research and development of specialized equipment for effectively and efficiently removing plastic marine debris from shores and beaches.

Your Committees received testimony in support of this measure from a Councilmember of the Hawaii County Council, Surfrider Oahu, Hawaii Reef and Ocean Coalition, Climate Protectors Coalition, Friends of Hanauma Bay, and two individuals.

Your Committees find that plastic marine debris is fouling Hawaii's iconic beaches and the ocean, harming recreation and tourism, the State's largest industry. Most of this debris does not come from the State, but around the world, transported by ocean currents. Your Committees recognize that plastic marine debris is essentially indestructible, and that it does not go away over time, but breaks down into smaller fragments. It is important, where feasible, to remove plastic marine debris before it breaks down into smaller fragments, and specialized equipment will be needed to remove the debris effectively and efficiently from beaches and shorelines. This measure provides funding for the research and development of such equipment and will lead to enhancing Hawaii's environment and protecting its economy.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2439, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2439, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Lower & Higher Education: Ayes, 7. Noes, none. Excused, 4 (Quinlan, DeCoite, Johanson, Tokioka).
Energy & Environmental Protection: Ayes, 5. Noes, none. Excused, 2 (Har, Todd).

SCRep. 444-20 Lower & Higher Education/Labor & Public Employment on H.B. No. 1915

The purpose of this measure is to require and appropriate funds to the Department of Education to establish a workforce readiness program to provide students the opportunity to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates.

Your Committees received testimony in support of this measure from the Department of Education, Workforce Development Council, McKinley Community School for Adults, Waipahu Community School for Adults, Chamber of Commerce Hawaii, and numerous individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the University of Hawaii System, Department of Labor and Industrial Relations, Executive Office on Early Learning, and one individual.

Your Committees find that the State's high school students and adult education students would benefit from a work readiness preparation program which provides a close collaboration between educators and industry employers. This would help ensure students develop the skills and credentials needed to make them highly employable. This measure establishes a workforce readiness program to allow students, including students at adult and community schools, to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates.

Your Committees have amended this measure by changing its effective date to July 1, 2050.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1915, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1915, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Lower & Higher Education: Ayes, 9. Noes, none. Excused, 2 (Johanson, Ohno).
Labor & Public Employment: Ayes, 5. Noes, none. Excused, 3 (Johanson, Yamashita, Matsumoto).

SCRep. 445-20 Lower & Higher Education/Labor & Public Employment on H.B. No. 2752

The purpose of this measure is to add a representative to the Board of Education by inviting the exclusive representative for bargaining unit (5) to appoint a nonvoting public school teacher representative to the Board.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawaii Education Caucus, LGBT Caucus of the Democratic Party of Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Department of Education. Your Committees received comments on this measure from the Hawaii State Ethics Commission.

Your Committees find that the Board of Education presently consists of nine voting members, none of whom is required to be a public school teacher. This measure will add a public school teacher as a nonvoting representative to the Board to provide insight into existing and proposed educational practices and policies and the effects of those practices and policies on teachers, students, and the community.

Your Committees note the concerns raised by the Hawaii State Ethics Commission regarding the nonvoting public school teacher representative being allowed to participate in Board discussions on teachers' salaries and benefits generally. Although the teacher representative is directly and specifically affected

by these discussions, the Commission noted that the representative would likely be recused in these situations. Your Committees further believe that general discussions regarding teachers' salaries and benefits are directly tied to the representative's own salary and benefits, and may raise conflict of interest issues.

Your Committees have amended this measure by changing its effective date to July 1, 2050.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2752, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2752, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Morikawa).

Labor & Public Employment: Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 446-20 Lower & Higher Education/Labor & Public Employment on H.B. No. 2508

The purpose of this measure is to require and appropriate funds to the Department of Education to establish high value employment criteria for industry certification awards to public high schools.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, HawaiiKidsCAN, GEMAS Consulting, Chamber of Commerce Hawaii, Hawaii Food Industry Association, and numerous individuals. Your Committees received comments on this measure from the Department of Labor and Industrial Relations, Executive Office on Early Learning, and Department of Education.

Your Committees find that, according to the National Center for Education Statistics, about 3.7 million students are expected to graduate high school during the 2019-2020 school year. These students will be entering into a job market where postsecondary credentials are high in demand. An industry-recognized certification conveys a student's career readiness because the credential validates the competencies and skills required for success in a given occupation or industry. Your Committees further find that Hawaii has critical shortages of qualified local workers in sectors including health, education, air travel, and technology. This measure incentivizes Hawaii's schools to strategically prepare students for the workforce by encouraging industry certification in "high value" occupations. Your Committees note that charter schools stand to benefit from receiving industry certification awards similar to that received by public high schools through this measure.

Accordingly, your Committees have amended this measure by:

- (1) Requiring the State Public Charter Commission to establish high value employment criteria for industry certification awards to charter schools with grades nine through twelve;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider appropriating funds to the State Public Charter School Commission for implementation of the industry certification awards to charter schools pursuant to this measure.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2508, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2508, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Morikawa).

Labor & Public Employment: Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 447-20 Water, Land, & Hawaiian Affairs on H.B. No. 2414

The purpose of this measure is to protect sharks by establishing fines and penalties for knowingly capturing, taking, possessing, abusing, or entangling a shark, whether alive or dead, or killing a shark in state marine waters.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Humane Society of the United States, Humane Society International, For the Fishes, Conservation Council for Hawaii, Coral Fish Hawaii, Surfrider Oahu, Aloha Animal Advocates, Mauna Kea Anaina Hou, Kai Palaoa, and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that sharks play an important role in maintaining healthy marine ecosystems, and declines in shark populations negatively impact the entire reef system. Your Committee further finds that overfishing, pollution, and other threats can cause serious declines in shark populations. This measure protects the shark population by establishing fines and penalties for knowingly capturing, taking, possessing, abusing, entangling, or killing a shark in state marine waters.

Your Committee has amended this measure by:

- (1) Expanding the prohibition and fines and penalties proposed by this measure to the harassment of sharks;
- (2) Defining "harassment" of sharks to mean the approach, by any means, within one hundred fifty feet of a shark;
- (3) Requiring the Department of Land and Natural Resources to enforce the measure and verify that all commercial vessels are in compliance with this measure;
- (4) Deleting language that exempts persons who obtain a research or special activity permit from the prohibition and fines and penalties proposed;
- (5) Expanding the exemptions from the prohibition and fines and penalties proposed to:
 - (A) Research conducted by nationally qualified educational institutions;
 - (B) Sharks currently held in captivity; and
 - (C) Sharks taken, captured, possessed, harassed, or killed as part of an accidental catch by a fisher;

- (6) Exempting nationally qualified educational institutions from the requirement to obtain a special activity permit to conduct scientific and educational research activities on sharks;
- (7) Adding a savings clause; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2414, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, none.

SCRep. 448-20 Water, Land, & Hawaiian Affairs on H.B. No. 1940

The purpose of this measure is to appropriate funds to the Department of Agriculture for the planning and design of a professional training facility for guide dogs and other professionally trained service dogs on a designated portion of the State's animal quarantine facility site.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Agriculture, University of Hawaii System, and one individual.

Your Committee finds that the development of a professional training facility for guide dogs and other professionally trained service dogs will increase resources that would make more trained guide dogs available to Hawaii's residents with disabilities.

Your Committee has amended this measure by:

- (1) Removing references to a specific private organization;
- (2) Changing the appropriation amount to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1940, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1940, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 449-20 Water, Land, & Hawaiian Affairs on H.B. No. 2160

The purpose of this measure is to increase the availability of tree stocks for agroforestry and soil health in the State by expanding the tree and plant stock available to the public through the creation of the State Tree Nursery Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Alliance for Progressive Action, Hawaii Center for Food Safety, Trees for Honolulu's Future, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that healthy soils are a critical resource for supplying food security, diverse habitats, water storage, and climate resiliency. Your Committee further finds that trees serve an important function in improving soil health, and that the strategic planting of trees in agricultural landscapes may increase crop yield, improve soil health, and provide habitats for wildlife. This measure supports the State's commitment to sustainability by expanding the tree and plant stock available to the public through the creation of the State Tree Nursery Special Fund.

Your Committee has amended this measure by:

- (1) Removing the requirement that the State Tree Nursery Special Fund work in collaboration with appropriate stakeholders, including the Greenhouse Gas Sequestration Task Force and researchers from the College of Tropical Agriculture and Human Resources;
- (2) Requiring additional, beneficial native trees and plant stocks to be identified by Native Hawaiian groups, rather than the Division of Forestry and Wildlife;
- (3) Removing language allowing for the provision of clean planting materials for private projects;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2160, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 450-20 Lower & Higher Education on H.B. No. 2426

The purpose of this measure is to:

- (1) Require the Department of Education and athletic leagues and associations to allow charter school students wishing to participate in a sport for which there is no program at the charter school or Department school in the service area where the student resides to participate in a comparable Department school sports program in a Department school in an adjacent service area at no additional cost to the student; and
- (2) Specify that charter school students shall be represented by the department school for athletic league or association business.

Your Committee received testimony in support of this measure from the Hawaii Academy of Arts & Science Public Charter School, Kapolei Charter School, Governing Board of the West Hawaii Explorations Academy, West Hawaii Explorations Academy, Kawaikini New Century Public Charter School, Innovations Public Charter School, Ke Kula o Samuel M. Kamakau Laboratory Public Charter School, and fifteen individuals. Your Committee received comments on this measure from the Department of Education, State Public Charter School Commission, and Connections Public Charter School.

Your Committee finds that athletics plays a huge part in a student's educational life and may lead to scholarships to attend institutions of higher education. Your Committee further finds that charter schools provide Hawaii's youth with many different options for education, but may not provide the athletic opportunities that the state public schools have. This measure gives charter school students who are unable to participate in a sport in their charter school the opportunity to participate in that sport through a state public school.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2426, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (DeCoite, Morikawa).

SCRep. 451-20 Lower & Higher Education on H.B. No. 2257

The purpose of this measure is to:

- (1) Transfer the authority of expending monies from the University of Hawaii at Hilo Conference Center Revolving Fund (Revolving Fund) from the Dean of College of Continuing Education and Community Service to the Chancellor of the University of Hawaii at Hilo, or the Chancellor's designee, and expand the scope of the Revolving Fund to all programs conducted at the University of Hawaii at Hilo; and
- (2) Require the Chancellor of the University of Hawaii at Hilo to report annually to the Legislature regarding the Revolving Fund.

Your Committee received testimony in support of this measure from the University of Hawaii System.

Your Committee finds that the Revolving Fund is specifically designated to the College of Continuing Education and Community Service at the University of Hawaii at Hilo, which no longer exists. As such, it is no longer possible to use the Revolving Fund and activity from it has been nonexistent. Your Committee further finds that according to Auditor's Report No. 20-03, the State Auditor recommended that the Revolving Fund be repealed as it has been inactive and no longer serves the purpose for which it was created. This measure would allow the Revolving Fund to be used once again for the purpose of conference center programs conducted at the University of Hawaii at Hilo.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2257, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2257, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, DeCoite).

SCRep. 452-20 Labor & Public Employment on H.B. No. 1700

The purpose of this measure is to:

- (1) Require each Hawaii Employer-Union Health Benefits Trust Fund (EUTF) trustee, in addition to the EUTF Board, to administer health and other benefit plans for the sole and exclusive benefit of EUTF beneficiaries; and
- (2) Repeals provisions requiring health and other benefit plans to be provided at an affordable cost to public employers and public employees.

Your Committee received testimony in support of this measure from the University of Hawaii Professional Assembly and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance.

Your Committee finds that based on the discussion at the public hearing on this measure, one of the main concerns is conflicting statutory duties of the EUTF trustees and whether their respective duties are to the trust in a fiduciary capacity or to the trust's beneficiaries.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1700, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1700, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 453-20 Labor & Public Employment on H.B. No. 2399

The purpose of this measure is to:

- (1) Establish an investment board of professionals and experts to oversee state treasury funds and provide additional resources to execute the policies and decisions of the investment board and Department of Budget and Finance; and
- (2) Amend provisions relating to the short-term investment of state monies, including the types of financial instruments that state money may be invested in.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Employees' Retirement System, Hawaii Employer-Union Health Benefits Trust Fund, and Tax Foundation of Hawaii.

Your Committee finds the state treasury is invested in certificates of deposit and short-term treasuries or agencies having an average maturity of less than one year. Your Committee further finds there is less than one full-time equivalent position to invest and manage the state treasury. However, your Committee finds that the creation of a state funds investment board to address the management and investment of the state treasury is premature.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language establishing a state funds investment board;
- (2) Deleting language appropriating funds for the creation of a state fund investment board;
- (3) Requiring the Department of Budget and Finance to submit an annual report to the legislature on the short-term investments of state monies;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2399, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2399, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 454-20 Labor & Public Employment on H.B. No. 2217

The purpose of this measure is to broaden the representation of the nine-member Stadium Authority by:

- (1) Adding two members to the Stadium Authority; and
- (2) Specifying that of the members of the Stadium Authority:
 - (A) One member shall be a resident of Aiea or Halawa; and
 - (B) One member shall be a resident of Foster Village, Crosspointe, or Alii Plantation.

Your Committee received testimony in support of this measure from the Stadium Authority and five individuals. Your Committee received comments on this measure from Aliamanu-Salt Lake-Foster Village Neighborhood Board No. 18.

Your Committee notes that increasing the Stadium Authority membership and broadening the representation of the Stadium Authority members will provide greater opportunity for input and participation by the nearby affected communities, as well as offer a comprehensive perspective that will support the success of the Stadium Development District.

Your Committee has amended this measure by:

- (1) Making the representation of the two additional members to the Stadium Authority based on specified boundary descriptions for the areas of Aiea and Halawa and the areas of Foster Village, Crosspointe, and Alii Plantation;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

It is your Committee's intent that each of the two additional members appointed to the Stadium Authority are to represent different areas as specified in this measure.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2217, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2217, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 455-20 Labor & Public Employment on H.B. No. 2273

The purpose of this measure is to increase the penalty for violations of the wages and hours law by making violations a class C felony.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; United Public Workers, AFSCME, Local 646, AFL-CIO; and two individuals. Your Committee received testimony in opposition to this measure from Calypso Charters.

Your Committee finds that state labor laws should protect workers from employers who fail to pay their employees. Other states have recently increased penalties for employers who willfully commit wage theft. This measure will help protect Hawaii's workers by increasing the penalty for violations of the wages and hours law.

Your Committee has amended this measure by:

- (1) Removing the provision that specified the range of the fine for violating the wages and hours law;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2273, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Quinlan).

SCRep. 456-20 Labor & Public Employment on H.B. No. 2148

The purpose of this measure is to extend family leave in the State to include care for employees' grandchildren.

Your Committee received testimony in support of this measure from the Department of Human Services; Hawaii State Commission on the Status of Women; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME, Local 646, AFL-CIO; International Longshore and Warehouse Union Local 142; Hawaii Children's Action Network Speaks!; American Association of University Women of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Chamber of Commerce Hawaii, and Hawaii Food Industry Association.

Your Committee finds that approximately sixty-one thousand children under the age of eighteen live in homes where householders are grandparents or other relatives. Many of Hawaii's multi-generational households consist of grandparents who are the primary caregivers of their grandchildren. Your Committee also finds that multi-generational households struggle with caregiving responsibilities that are primarily performed by working or employable family members, which can leave families to struggle with the decision to care for a family member with a serious health condition, thus having to forego employment and income. Your Committee finds that this measure recognizes the health care needs of individuals and families and provides economic security to families during difficult life situations.

Your Committee has amended this measure by:

- (1) Defining "sibling" in the Family Leave Law;
- (2) Amending the definition of "child" in the Family Leave Law to include grandchildren;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2148, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 457-20 Labor & Public Employment on H.B. No. 1841

The purpose of this measure is to prohibit noncompete agreements for low wage workers.

Your Committee received testimony in support of this measure from the Hawaii Appleseed Center for Law and Economic Justice. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii.

Your Committee finds that noncompete agreements can reduce job mobility, stifle innovation, and even lead to unemployment if a worker is unable to find a new job that does not violate a former employer's noncompete agreement, especially for low-income workers where the employee is unlikely to have obtained trade secrets or advanced skills training.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1841, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1841, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 458-20 Labor & Public Employment on H.B. No. 1980

The purpose of this measure is to require all employers to notify their employees in writing of the availability of the federal and state earned income tax credits.

Your Committee received testimony in support of this measure from the ILWU Local 142 and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Hawaii Civil Rights Commission.

Your Committee finds that many of Hawaii's workers may qualify for the federal and state earned income tax credits but are unaware of the existence of these tax credits or that they may be eligible for these tax credits. This measure will require employers to provide this information to their employees in writing.

Your Committee has amended this measure by:

- (1) Specifying that the requirements of this measure are under the purview of the Department of Taxation in chapter 235, Hawaii Revised Statutes;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1980, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1980, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 459-20 Labor & Public Employment on H.B. No. 2365

The purpose of this measure is to:

- (1) Amend the due date for employers to file a duplicate copy of the wage and tax statement (Form W-2) from the last day of February to January 31 following the close of the calendar year; and
- (2) Establish a \$25 penalty per violation if an employer fails to timely furnish and file the Form W-2.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual.

Your Committee finds that this measure benefits employers by aligning the State's filing deadlines with those of the Internal Revenue Service.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2365, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2365, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 460-20 Labor & Public Employment on H.B. No. 1799

The purpose of this measure is to require a specialty contractor to obtain a C-48 specialty license (structural steel contractor) or sublicense if the performance of work on a contract requires a C-48 specialty license or sublicense and the specialty contractor does not have that specialty license or sublicense.

Your Committee received testimony in support of this measure from the Ironworkers Stabilization Fund and one individual. Your Committee received comments on this measure from the Contractors' License Board.

Your Committee finds that this measure is necessary to ensure structural steel work on construction projects in the State are done by licensed specialty contractors, regardless of what the percentage of the structural steel work is when compared to the project in its entirety.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1799, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 461-20 Labor & Public Employment on H.B. No. 1899

The purpose of this measure is to require the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) Board of Trustees to send actual individual notice via a Board approved method of delivery to EUTF members that they may be eligible for reimbursement of income related monthly adjustment amount Medicare part B premium payments.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO and one individual. Your Committee received comments on this measure from the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees.

Your Committee finds that all efforts should be exerted to reach out to eligible recipients through mail and other means, to help ensure retirees are maximizing benefits and receiving the full value of their entitled benefits. Your Committee further finds that retirees who are entitled to reimbursements should not be denied for failing to file a claim within the time-period, nor should their reimbursement claims ever lapse simply because they were unaware of their eligibility for reimbursement.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1899, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1899, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 462-20 Labor & Public Employment on H.B. No. 2699

The purpose of this measure is to establish clean ground transportation goals for the State, with the ultimate goal of achieving a one hundred percent light-duty motor vehicle fleet by December 31, 2045.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Energy Office; Climate Protectors Coalition; IMUAlliance; 350Hawaii.org; Ulu pono Initiative; We Are One, Inc.; Hawaiian Electric Company, Inc.; Blue Planet Foundation; and eight individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the State Procurement Office, Elemental Excelsior, Alliance for Automotive Innovation, and Hawaii Automobile Dealers' Association.

Your Committee finds that in 2016, emissions from transportation activities in Hawaii were 8.69 million metric tons CO2 equivalent, accounting for fifty-one percent of energy sector emissions. Ground transportation accounted for forty-seven percent of those transportation emissions. Transitioning all

light-duty vehicles to be powered by renewable resources will aid in eliminating a significant portion of Hawaii's greenhouse gas emissions from the ground transportation sector.

Your Committee further finds that the State Procurement Office has partnered with various state departments and agencies to develop a strategic procurement plan regarding the adaptation of electric vehicles and its respective infrastructure for Hawaii state light-duty vehicles. The State Procurement Office has already authorized a statewide cooperative agreement to procure for electric vehicles and charging stations; the procurement of which is currently underway.

Your Committee recognizes the concerns raised by the State Procurement Office regarding the placement of subject-specific specifications in the Procurement Code, as the Procurement Code is meant for general procurement methods. Your Committee notes the State Procurement Office's suggestion that the language of this measure currently in Chapter 103D, Hawaii Revised Statutes, should be placed in Chapter 264, Hawaii Revised Statutes.

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2699, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2699, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 463-20 Labor & Public Employment on H.B. No. 1782

The purpose of this measure is to limit the convictions that may be used in employment decisions regarding employer inquiries into an individual's criminal conviction record for hiring, termination, or other employment conditions, by allowing the employer to inquire and consider a prospective employee's conviction record for:

- (1) Felony convictions that occurred within the most recent five years; and
- (2) Misdemeanor convictions that occurred within the most recent three years,

rather than convictions that occurred within the most recent ten years, excluding periods of incarceration.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Hawaii Civil Rights Commission; Hawaii State Commission on the Status of Women; 'Ahahui o Hawai'i Advocates for Native Hawaiian Justice at the William S. Richardson School of Law; Community Alliance on Prisons; International Longshore and Warehouse Union; American Civil Liberties Union of Hawaii; Habilitat, Inc.; Pride at Work – Hawaii; Hawaiian Affairs Caucus of the Democratic Party of Hawaii; and numerous individuals. Your Committee received comments on this measure from the Department of Human Resources Development.

Your Committee finds that the stigma and bias of a criminal record can hinder the ability of an individual to find employment and may inhibit even those who have demonstrated years of lawful behavior from obtaining or maintaining a job. Your Committee further finds that reducing the ten-year lookback period will broaden opportunities for formerly incarcerated individuals to obtain employment that in turn will better enable them to obtain housing and health care, support themselves and their families, and integrate back into the community as productive citizens.

Your Committee recognizes that reducing the ten-year lookback time period for convictions to five years for felony convictions and three years for misdemeanor convictions will support the employment prospects of those with a criminal history and aid in the individual's rehabilitation and training. However, at its public hearing, your Committee noted the Department of Human Resources Development's testimony that the industry standard is a seven-year lookback.

Upon consideration, your Committee has amended this measure by:

- (1) Making the number of years unspecified with respect to limitations on employers' allowable inquiries into prospective employees' conviction records for felony convictions and misdemeanor convictions;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1782, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 464-20 Energy & Environmental Protection/Health on H.B. No. 2718

The purpose of this measure is to establish a Climate Change and Human Health Adaptation Coordinator within the Department of Health and appropriate funds for the position and other operating expenses.

Your Committees received testimony in support of this measure from the Department of Health, Department of Agriculture, Office of Planning, Board of Water Supply of the City and County of Honolulu, one member of the Hawaii County Council, and two individuals. Your Committees received comments on this measure from the Climate Change Mitigation and Adaptation Commission.

Your Committees find that while investments in infrastructure for climate change mitigation are sound, there has been insufficient activity focusing on adaptation, specifically for human health. Climate change makes many existing diseases and conditions worse and may also help introduce new pests and pathogens into new regions or communities. The most vulnerable people, such as children, the elderly, the poor, and those with underlying health conditions, are at increased risk for health effects from climate change, all of which will begin to further stress health care infrastructure, financial systems, and delivery systems.

Your Committees have amended this measure by:

- (1) Changing the appropriation for a Climate Change and Human Health Adaptation Coordinator to an unspecified amount;

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

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2718, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2718, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Yamane).

Health: Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Say).

SCRep. 465-20 Energy & Environmental Protection/Health on H.B. No. 1696

The purpose of this measure is to require the Fuel Tank Advisory Committee to meet at least twice a year.

Your Committees received testimony in support of this measure from the Department of Health, Board of Water Supply of the City and County of Honolulu, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party of Hawaii, and two individuals. Your Committees received comments on this measure from the United States Department of the Navy and Chamber of Commerce Hawaii.

Your Committees find that legislation was passed in 2016 to request that the Department of Health convene the Fuel Tank Advisory Committee to study issues related to leaks from field-constructed underground fuel storage tanks that were constructed in the 1940s in response to wartime activities. Scrutiny of these aging large capacity tanks increased after one of the Navy's tanks at its Red Hill facility leaked 27,000 gallons of jet fuel, threatening underground aquifers. Clarifying the Advisory Committee's meeting frequency provides greater opportunity for public participation and transparency of underground fuel storage tank issues.

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

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1696, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1696, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Yamane).

Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 466-20 Energy & Environmental Protection/Health on H.B. No. 1859

The purpose of this measure is to establish and appropriate funds for a New Waste Management Solution Pilot Project to be conducted by the Department of Health to:

- (1) Review and demonstrate new toilet and sewage treatment technologies at different scales and in different locations across the State; and
- (2) Examine and implement a range of technologies, from individual toilets to significantly larger multi-unit systems, as well as examine options for community-scale solutions as appropriate.

Your Committees received testimony in support of this measure from the Board of Water Supply of the City and County of Honolulu, Department of Environmental Services of the City and County of Honolulu, Hawaii Reef Ocean Coalition, Ulupono Initiative, Wastewater Alternatives and Innovations, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party, one member of the Hawaii County Council, and one individual. Your Committees received comments on this measure from the Department of Health.

Your Committees find that Act 132, Session Laws of Hawaii 2018, established the Cesspool Conversion Working Group and tasked it with developing a long-range, comprehensive plan for cesspool conversion statewide and considering methods by which the Department of Health can ensure that cesspools are converted into more environmentally-responsible waste treatment systems.

Your Committees heard testimony to the effect that the University of Hawaii Water Resources Research Center has the expertise to conduct the pilot project that tests new sewage technologies and may be a more appropriate agency to conduct the pilot project.

Your Committees have amended this measure by:

- (1) Tasking the University of Hawaii Water Resources Research Center, instead of the Department of Health, with the responsibility of conducting the pilot project; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committees heard testimony regarding the benefits of conducting the pilot project on various islands, including the island of Hawaii, which would generate valuable data because of its unique soil composition. Your Committees therefore note their preference, as this measure continues through the legislative process, that at least one pilot project site or expedited demonstration project site be on the island of Hawaii.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1859, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1859, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Yamane).

Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 467-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on H.B. No. 2635

The purpose of this measure as received is to improve the quality of life in the State by:

- (1) Incorporating vegetation, trees, and sustainable green design into the Hawaii State Planning Act and public infrastructure projects; and

- (2) Requiring the Hawaii Climate Change Mitigation and Adaptation Commission to make recommendations for implementing the green infrastructure priority guidelines established in this measure.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, U.S. Green Building Council, Healthy Climate Communities, 350Hawaii.org, Reis Pediatrics, Trees for Honolulu's Future, IUPAT District Council 50, Painting Industry of Hawaii Labor Management Cooperation Trust Fund, Smart Trees Pacific, and thirteen individuals.

Your Committees find that Hawaii is world-renowned for its vegetation, and that citizens and tourists alike actively seek out green spaces. Increasing the number of parks and green spaces in Honolulu's urban core will increase the quality of life for its residents and visitors alike.

Your Committees have amended this measure by:

- (1) Amending the objectives and policies in the Hawaii State Planning Act for facility systems to achieve the use of green infrastructure in those systems, infrastructure, and transit projects;
- (2) Adding a definition of "greenhouse infrastructure" to the objectives and policies for facility systems;
- (3) Including priority guidelines to promote the use of green infrastructure in state facility systems, infrastructure, and transit projects within population growth and land resources priority guidelines of the Hawaii State Planning Act;
- (4) Requiring that the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, instead of the Hawaii Climate Change Mitigation and Adaptation Commission, prepare recommendations to implement the green infrastructure objectives, policies, and priority guidelines established in this measure;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2635, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2635, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 468-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on H.B. No. 2486

The purpose of this measure is to update and reaffirm the role and responsibilities of the Office of Planning to coordinate among state agencies to implement climate change adaptation and sustainability goals.

Your Committees heard testimony in support of this measure from the Department of Health, Office of Planning, Life of the Land, and four individuals.

Your Committees find that the Office of Planning is tasked with statewide planning, and has the capability to view complex challenges and respond to needs at a comprehensive level. Climate change is a priority issue and the Office of Planning is the appropriate state agency to coordinate sustainability and climate adaptation goals and implement those goals.

Your Committees have amended this measure by:

- (1) Inserting the contents of H.B. No. 2029, introduced during the Regular Session of 2020, which establishes the Statewide Sustainability Division within the Office of Planning and appropriates funds for the establishment and implementation of the Division, including positions;
- (2) Inserting the contents of H.B. No. 2487, introduced during the Regular Session of 2020, which directs the State Sustainability Coordinator to conduct a study on implementing a "Green New Deal for Hawaii";
- (3) Changing the appropriation amount for the Green New Deal study to an unspecified sum;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2486, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2486, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 469-20 Tourism & International Affairs on H.B. No. 1946

The purpose of this measure is to amend the amount of transient accommodations tax (TAT) revenues allocated to the counties from a specified sum to capped reimbursements to the counties for expenditures related to specified county public services.

Your Committee received testimony in support of this measure from one member of the Maui County Council. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Office of the Mayor of the County of Hawaii, Department of Budget and Fiscal Services of the City and County of Honolulu, Department of Finance of the County of Kauai, and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Kohala Coast Resort Association.

Your Committee finds that the counties are in need of funding public mass transportation projects, ocean safety programs, cesspool conversion programs, visitor education, and housing programs. Amending the amount of TAT revenues allocated to the counties to capped reimbursements for expenditures related to specified county public services would support the counties in funding these programs.

Your Committee has amended this measure by:

- (1) Inserting an appropriation of an unspecified amount to the Department of Budget and Finance for costs and expenses incurred in the development, implementation, or support, including operational costs and costs for necessary staffing, needed to effectuate this measure;
- (2) Changing the effective date to July 1, 2009, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1946, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1946, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Creagan, Perruso). Noes, 1 (Okimoto). Excused, none.

SCRep. 470-20 Tourism & International Affairs on H.B. No. 2366

The purpose of this measure is to:

- (1) Repeal the misdemeanor for failing to obtain a transient accommodations tax (TAT) registration identification number and replaces the misdemeanor with a monetary fine in order to be consistent with similar violations under the general excise tax law;
- (2) Remove outdated provisions requiring taxpayers to file and pay at specific taxation districts;
- (3) Apply personal liability for certain controlling officers under section 237-41.5, Hawaii Revised Statutes, to the TAT; and
- (4) Replace the specific term "operator or plan manager" with "person" or "taxpayer" to ensure that there are no technical defenses or loopholes to any TAT provisions since the imposition of TAT on transient accommodations brokers, travel agents, and tour packagers enacted by Act 211, Session Laws of Hawaii 2018.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that many provisions of the TAT law are out of date and must be updated. Your Committee further finds that by making necessary updates and replacing the misdemeanor penalty for failure to register to engage or continue in the business of furnishing transient accommodations or as a plan manager with a fine structure, this measure will streamline TAT laws and make the penalty for failure to register consistent with similar violations under the general excise tax law.

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2366 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 471-20 Tourism & International Affairs on H.B. No. 1944

The purpose of this measure is to allocate funds from the transient accommodations tax (TAT) revenues directly to the Hawaii Tourism Authority (HTA), rather than through the Special Land and Development Fund, to be used to improve certain state facilities in accordance with HTA's strategic plan.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority and Kohala Coast Resort Association. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that given the continued growth of visitors to Hawaii, more investment is needed in Hawaii's natural resources and environment. Allocating funds from TAT revenues directly to the HTA instead of through the Special Land and Development Fund would allow for more efficient improvement and maintenance of community infrastructure in accordance with HTA's statewide strategic plan while also providing greater scrutiny and accountability of TAT revenues.

Your Committee has amended this measure by;

- (1) Changing the effective date to July 1, 2009, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1944, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1944, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Perruso). Noes, 1 (Okimoto). Excused, none.

SCRep. 472-20 Finance on H.B. No. 1631

The purpose of this measure is to authorize the issuance of general obligation bonds and to make the constitutionally required findings that the bond issuance will not cause the state debt limit to be exceeded.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that 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 total principal and interest on certain state bonds will not cause the debt limit to be exceeded at the time of issuance. Your Committee further finds that the proceeds generated from the general obligation bonds authorized to be issued under this measure will be used to finance the fulfillment of important state objectives.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1631 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 473-20 Finance on H.B. No. 2500

The purpose of this measure is to adjust and make additional appropriations for operating costs of the Executive Branch for fiscal biennium 2019-2021.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Human Services, Department of Health, University of Hawaii System, Ke Ao Hali'i, and The Trust for Public Land. Your Committee received comments on this measure from the Department of Education, Department of Accounting and General Services, Department of Land and Natural Resources, Department of Hawaiian Home Lands, Department of Transportation, Department of Agriculture, Hawaii Public Housing Authority, Early Learning Board, Hawaii State Public Library System, Hawaii Health Systems Corporation, and Executive Office on Early Learning.

Your Committee finds that this measure, also known as the Supplemental Appropriations Act of 2020, adjusts amounts appropriated or authorized for Executive Branch agencies and programs in the General Appropriations Act of 2019.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2500 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 474-20 Finance on H.B. No. 2537

The purpose of this measure is to assist Hawaii's private organizations to provide essential and impactful services to residents and communities by appropriating funds for operating and capital improvement grants.

Your Committee received comments on this measure from Parents And Children Together.

Your Committee recognizes the great need in the State for services provided by non-governmental groups and nonprofit agencies. This measure would provide funds in fiscal biennium 2019-2021 to help aid these organizations in better serving the community.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2537 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 475-20 Finance on H.B. No. 777

The purpose of this measure is to:

- (1) Expand the application and use of the transaction fee established by Act 120, Session Laws of Hawaii 2009, to all services rendered by the Bureau of Conveyances and authorize use of proceeds for modernization of records and operations of both agencies; and
- (2) Amend the repeal date of the transaction fee by specifying that the fee shall be repealed upon the adoption of applicable administrative rules, or on July 1, 2022, whichever occurs first.

Your Committee received testimony in support of this measure from Title Guaranty of Hawaii and Old Republic Title & Escrow of Hawaii, Ltd. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that this measure proposes to expand the source and authorized use of land recordation transaction fees to address many of the evolving issues that the Bureau faces, such as enhancing technology and digitization, improving workflow processes for processing and certification, and restoring and preserving physical records.

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 777, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 777, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 476-20 Finance on H.B. No. 947

The purpose of this measure is to repeal an existing fee schedule established in statute for various services provided by the Hawaii Criminal Justice Data Center and instead authorize the Center to assess fees that are reasonable and do not constitute a barrier to justice, thereby allowing the Center to establish fees through its administrative rulemaking process.

Your Committee received testimony in support of this measure from Department of the Attorney General and Department of Public Safety.

Your Committee finds that the administrative rulemaking process will enable the Hawaii Criminal Justice Data Center to adjust fees based on service demand, budget needs, and cost of resources required; provide services to the public without relying on the Legislature to amend fees; and consolidate all fees into its fee schedule in administrative rules.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 947, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 477-20 Agriculture on H.B. No. 2181

The purpose of this measure is to appropriate funds to the Department of Agriculture for a pilot program to identify and purchase foreign agricultural technology, including small equipment tractors and retrofit engines, that will benefit the State's farmers and ranchers and comply with the Environmental Protection Agency's (EPA) emission standards.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Maui County Farm Bureau, Hawaii Cattlemen's Council, Ulupono Initiative, and twenty individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture, University of Hawaii System, and Hawaii Farm Bureau.

Your Committee finds that, as the demand for unskilled labor increases, farmers and ranchers are searching for ways to use technology to better operate their farms. These farmers and ranchers could greatly benefit from foreign technology such as small equipment tractors from Japan. However, they are unable to import that equipment because it does not comply with EPA's emission standards. Your Committee further finds that as the State's local food issues become increasingly complex and challenging, it is important to explore resources and policies that support local food production. The pilot program proposed by this measure will help identify desired small equipment, evaluate its applicability for Hawaii's diverse agriculture systems, and enable Hawaii farmers to import foreign equipment that complies with EPA standards.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to deliberate on this measure, your Committee on Agriculture respectfully recommends that the amount of \$500,000 be appropriated to fund the Foreign Agriculture Small Equipment Pilot Program.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2181, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Cachola).

SCRep. 478-20 Agriculture on H.B. No. 2276

The purpose of this measure is to allow revenue generated by the State Veterinary Laboratory and Animal Disease Control Branch to be deposited into the Animal Industry Special Fund (Fund).

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, and Hawaii Farm Bureau.

Your Committee finds that the Fund was established to receive monies from the use or rental of Animal Industry Division properties or facilities and utilize them to assist with the Division's operating expenditures. The State Veterinary Laboratory is in the Animal Industry Division; however, its revenues are not deposited into the Fund. Allowing the Animal Industry Division to deposit fees generated by the State Veterinary Laboratory into the Fund will assist the Division with its operations.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2276, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2276, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Cachola).

SCRep. 479-20 Agriculture on H.B. No. 1766

The purpose of this measure is to appropriate funds to the Department of Agriculture to increase biosecurity at airports and harbors; support small local farmers; and promote the safety of workers and the public in relation to agriculture, invasive species, and native ecosystems.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Land Use Research Foundation of Hawaii, and Hawaii Farm Bureau.

Your Committee finds that this measure will strengthen the agriculture industry by promoting economically viable agriculture and food self-sufficiency in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance deliberate on this measure, your Committee respectfully requests that it insert a total appropriation amount of \$300,000, to be allocated as follows:

- (1) \$200,000 to the Agriculture Development Division; and
- (2) \$100,000 to the Plant Industry Division.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1766, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Cachola).

SCRep. 480-20 Agriculture on H.B. No. 2197

The purpose of this measure is to establish the Glyphosate Task Force (Task Force) comprised of members representing state, county, and federal agencies to assess the impact of glyphosate on Hawaii's natural environment, human health, and agriculture.

Your Committee received testimony in support of this measure from the University of Hawaii System, County of Hawaii Office of the Mayor, IMUAlliance, and six individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Health, Office of Information Practices, Land Use Research Foundation of Hawaii, Bayer Hawaii, Hawaii Center for Food Safety, Hawaii Crop Improvement Association, CropLife America, Hawaii Farm Bureau, and Hawaii Alliance for Progressive Action.

Your Committee finds that glyphosate is a broad-spectrum herbicide, meaning that the herbicide kills many varieties of green vegetation and is widely used in agricultural, residential, aquatic, and other settings. Glyphosate is the most widely used herbicide globally and within the United States due to the widespread cultivation of "Roundup Ready" crops, which are crops that have been genetically engineered to withstand the application of a glyphosate-based herbicide, Roundup.

Your Committee further finds that there is growing, yet mixed, evidence on the potential harmful effects of glyphosate. In 2015, the International Agency for Research on Cancer, a division of the World Health Organization and the world's leading authority on cancer, unanimously concluded that glyphosate is a probable carcinogen. However, the United States Environmental Protection Agency continues to find "no risks to public health when glyphosate is used in accordance with its current label and that glyphosate is not a carcinogen".

Your Committee also finds that numerous lawsuits have been filed against Bayer, the manufacturer of Roundup. In California, three successful lawsuits against Bayer found that a connection existed between the plaintiffs' extended use of Roundup and their development of non-Hodgkin's lymphoma.

Your Committee has amended this measure by:

- (1) Inviting a county representative to be selected by the office of the mayor of each county, rather than the county councils, to join the Task Force;
- (2) Designating the Speaker of the House of Representatives and President of the Senate, rather than the chairpersons of the Committee on Agriculture of each house, respectively, as the selecting authorities for legislator invitees on the Task Force;
- (3) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this matter, to consider the concerns of the Hawaii Alliance for Progressive Action and Hawaii Center for Food Safety regarding the membership of the Task Force. The organizations propose that a representative from the Hawaii Chapter of the American Academy of Pediatrics would significantly contribute to the effectiveness of the Task Force. They also propose the membership of an environmental organization steeped in peer reviewed studies on glyphosate impacts. The Hawaii Center for Food Safety and Pesticide Action Network have a presence in Hawaii and have a staff scientist with expertise in glyphosate. Earthjustice has unique legal expertise in the Task Force's area of concern. The Hawaii Alliance for Progressive Action can liaison with its national partnership network to act as a force-multiplier for the Task Force. If these organizations are deemed too polarizing, then the Sierra Club may be a more acceptable addition to the Task Force.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2197, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Cachola).

SCRep. 481-20 Agriculture on H.B. No. 1654

The purpose of this measure is to appropriate funds to the Department of Agriculture for feral pig control, including grants for fencing and corral traps and a program to reduce feral pig populations.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council; Land Use Research Foundation of Hawaii; Maui County Farm Bureau; SR Hawaii; Ulupalakua Ranch; Hawaii Hybrids, LLC; KAC Land, Inc.; McCall Flower Farm, Inc.; Triple K Orchids; Kauai Nursery & Landscaping Inc.; Lydgate Farms; EM Hawaii, LLC; Kamiya Papaya; and seventeen individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that Hawaii's feral pig population can cause major damage to property, agricultural crops, livestock, native species, ecosystems, and Hawaii's cultural and historic resources. Your Committee also finds that feral pigs threaten the health of people, wildlife, pets, and other domestic animals. Your Committee believes that as the feral pig population increases, so will the damages and costs.

Your Committee has amended this measure by changing its effective date to July 1, 2150, to encourage further discussion.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this matter, to consider an appropriation amount of \$1,000,000 and the concerns of the Department of Agriculture. The Department believes that the most effective use of the fencing and trapping control measures referenced in this measure is when they are integrated into a focused control program and that the design of such a program is best suited for other agencies, such as the Department of Land and Natural Resources and United States Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1654, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1654, H.D. 2, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 2 (Cabanilla Arakawa, Cachola).

SCRep. 482-20 Human Services & Homelessness on H.B. No. 2615

The purpose of this measure is to increase the monthly personal needs allowance for individuals living in adult residential care homes, developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, domiciliary care, nursing facilities, and community-based residences.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; Hawaii Family Caregiver Coalition; United Public Workers, AFSCME, Local 646, AFL-CIO; and numerous individuals. Your Committee received comments on this measure from the Department of Human Services and Executive Office on Aging.

Your Committee finds that the current monthly needs allowance of \$50 per month for individuals residing in foster homes, care homes, domiciliary homes, and other long-term care facilities was last raised in 2007. The monthly needs allowance is used by residents in these homes and facilities to pay for clothing and other personal miscellaneous needs, such as bus fare, personal postage costs, haircuts, and other costs of day-to-day living. Your Committee recognizes that raising the personal needs allowance is necessary to keep up with inflation and give some financial independence and control to individuals who benefit from the allowance.

Your Committee notes the testimony of the Department of Human Services, which indicated that from a Medicaid perspective, the proposal to increase the monthly needs allowance would increase program expenditures and have a fiscal impact on the State. The Department of Human Services indicated that it is in the process of determining the effect of a supplemental payment increase on Medicaid eligibility.

Your Committee has amended this measure by:

- (1) Amending the state supplemental payment ceiling for domiciliary care paid to recipients who are eligible for federal supplementary security income or public assistance, or both;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2615, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2615, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 483-20 Housing on H.B. No. 2449

The purpose of this measure is to require cash payments by developers, made in lieu of providing the required reserved housing units in the development of residential projects for the Hawaii Community Development Authority, to be deposited into the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from Hawaiian Community Development; Kobayashi Group, LLC; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation and one individual.

Your Committee finds that Hawaii is experiencing a severe affordable housing crisis with a lack of affordable rental and sale units. Housing demand is projected to reach 64,693 units by 2025, with nearly seventy percent, 43,828 units, needed for households earning eighty percent or less of the area median income. This measure will incentivize developers to construct affordable housing within the State, which will help address the affordable housing crisis.

However, your Committee also notes the concerns raised in testimony by the Hawaii Housing Finance and Development Corporation, that in lieu payments made by developers enable the Hawaii Community Development Authority to continue administering its reserved housing program and the development of mixed-income housing projects in the Kakaako District.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, cash payments made by developers in lieu of providing the required reserved housing units to be deposited into the Rental Housing Revolving Fund;
- (2) Changing the effective date to July 1, 2025, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that, should your Committee on Finance choose to hear this measure, serious consideration be given to working with either the Hawaii Housing Finance and Development Corporation or your Committee on Housing in regard to developing amendments for this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2449, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2449, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Aquino).

SCRep. 484-20 Housing on H.B. No. 2527

The purpose of this measure is to increase the amount of equity generated by the sale of the low-income housing tax credit (LIHTC) for affordable rental housing developments by eliminating conformity with the Internal Revenue Code (IRC) sections relating to at-risk rules; installment method; passive activity loss limitations; and partner's distributive share for state allocations.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Building Industry Association of Hawaii; Hawaii Regional Council of Carpenters; Stanford Carr Development, LLC; Castle & Cook Homes Hawaii, Inc.; and Chamber of

Commerce Hawaii. Your Committee received comments on this measure from the Department of Taxation; Tax Foundation of Hawaii; Hawaii Appleseed Center for Law & Economic Justice; Land Use Research Foundation of Hawaii; Hunt Company Hawaii; Hunt Capital Partners, LLC; and Sugar Creek Capital.

Your Committee finds that the need for affordable housing in Hawaii is approaching or at a crisis point. Your Committee also finds that providing the LIHTC to developers and investors is a valuable tool in financing the development of affordable housing. However, current federal tax laws, such as the at-risk rule and passive activity loss limitations, may disqualify many developers and investors, except large corporations and financial institutions. This measure eliminates conformity to several Internal Revenue Code sections. Your Committee believes that this will allow more Hawaii residents to purchase LIHTC, thereby increasing competition of the LIHTC, which should increase the current price of fifty-five cents per dollar of credit and generate more equity toward affordable housing projects. According to testimony from the Hawaii Appleseed Center for Law & Economic Justice, Hawaii's LIHTC sells for less than other states due to supply and demand. For example, the sale price for one dollar of credit in Colorado is 70-73 cents, Wisconsin 70-71 cents, and Nebraska 65-70 cents, with Hawaii at only 54-58 cents.

Your Committee has amended this measure by:

- (1) Authorizing the LIHTC to be allocated amongst partners and members of a state partnership in any manner agreed to by the parties, even if the state partnership is not considered a partner for federal tax purposes;
- (2) Clarifying that, for purposes of deducting the LIHTC, net income tax liability means prior to reduction by any other credits allowed to the taxpayer under Hawaii income tax laws;
- (3) Extending the time to file a claim for the LIHTC from twelve to twenty-four months and authorizing the taxpayer to file an amended tax return with a Form 8609 that was received after the filing of the original tax return;
- (4) Clarifying that certain inoperative Internal Revenue Code provisions apply to qualified low-income buildings placed in service after December 31, 2020, and deleting the provision that excluded buildings that ceased to qualify as low-income buildings under the IRC;
- (5) Clarifying that allocations of partner distributions shall be made pursuant to a written agreement by the partners or members, rather than in proportion to the partners' allocation of the LIHTC;
- (6) Clarifying that the state LIHTC shall not exceed fifty percent of the federal credit allocated to the qualified low-income building for the ten-year federal credit period;
- (7) Deleting language that prohibited the state depreciation basis from exceeding the federal depreciation basis for qualified low-income buildings;
- (8) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2527, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2527, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Aquino, Hashem).

SCRep. 485-20 Housing on H.B. No. 2448

The purpose of this measure is to clarify that the exemption from general excise taxes for qualifying housing projects commences once the qualified taxpayer has:

- (1) Received approval for the project's funding; and
- (2) Begun to spend money on the project.

Your Committee received testimony in support of this measure from the Hawaiian Community Development Board, Kobayashi Group, and three individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii Housing Finance and Development Corporation, and Tax Foundation of Hawaii.

Your Committee finds that Hawaii is experiencing a severe affordable housing crisis with a lack of affordable rental and for-sale units. According to the 2018 Affordable Rental Housing Report and Ten-Year Plan, prepared by the Department of Business, Economic Development, and Tourism, Hawaii will need an additional 64,693 housing units by 2025, with nearly seventy percent of those units for low-income households earning eighty percent or less of the area median income. In response to the affordable housing crisis, the Legislature established a general excise tax exemption of qualifying housing projects. Your Committee notes that there is uncertainty among developers as to at what point during the development phases, triggers the exemption. There is also uncertainty as to the definition for "contracting". Your Committee believes that these uncertainties must be addressed immediately and in a definitive manner to avoid confusion that may delay the development of affordable housing projects.

Your Committee has amended this measure by:

- (1) Deleting the definition for "contracting" to avoid confusion with the state tax law's definition of contracting;
- (2) Clarifying that the exemption from the general excise tax shall be provided once the qualifying taxpayer has filed or recorded a regulatory agreement in land court or the bureau of conveyances, or both, whichever is appropriate, which is aligned with HHFDC's rules;
- (3) Changing the effective date to July 1, 2025, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2448, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Aquino).

SCRep. 486-20 Housing on H.B. No. 2447

The purpose of this measure is to temporarily exempt affordable housing projects by the Hawaii Housing Finance and Development Corporation (Corporation) from all state fees related to discretionary approval or ministerial permitting.

Your Committee received testimony in support of this measure from the Hawaiian Community Development Board; Maui Chamber of Commerce; Kobayashi Group, LLC; Building Industry Association of Hawaii; Chamber of Commerce Hawaii; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii is experiencing a severe affordable housing crisis with a lack of affordable rental and for-sale units. According to the 2018 Affordable Rental Housing Report and Ten-Year Plan, prepared by the Department of Business, Economic Development, and Tourism, Hawaii will need an additional 64,693 housing units by 2025, with nearly seventy percent of those units for low-income households earning eighty percent or less of the area median income. This measure proposes to exempt affordable housing projects from all state fees related to discretionary approval or ministerial permitting and is intended to contribute to the Legislature's goal of developing 22,500 affordable rental units by 2026.

Your Committee has heard the concerns raised in testimony by the Corporation that the fee exemption language in this measure could be interpreted to exempt the Corporation's application fees. As the Corporation does not receive general funds, these application fees are used to cover project-related administrative costs. Your Committee further finds that an affordable housing project exempted from certain state fees should have units that are affordable for households that meet specific area median income requirements. Amendments to this measure to address these issues are therefore necessary.

Your Committee has amended this measure by:

- (1) Restricting the fee exemption to fees related to planning, development, and improvement of land, and construction of dwelling units;
- (2) Specifying that application fees payable to the Corporation are not exempt;
- (3) Requiring any dwelling units developed as part of a fee-exempt affordable housing project to be affordable to households with incomes at or below one hundred percent of the area median family income, as determined by the United States Department of Housing and Urban Development;
- (4) Changing its sunset date to June 30, 2026;
- (5) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2447, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2447, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Aquino).

SCRep. 487-20 Water, Land, & Hawaiian Affairs on H.B. No. 2716

The purpose of this measure is to establish an ocean sciences research income tax credit to foster research and development to expand and diversify Hawaii's economy.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Natural Energy Laboratory of Hawaii Authority, and Makai Ocean Engineering.

Your Committee finds that encouraging investment in innovation contributes greatly to economic growth. Your Committee further finds that with Hawaii's unique geography, investing in ocean sciences is an intrinsic and essential part of sustainability. This measure promotes economic growth by encouraging investment in research and development in ocean sciences through the provision of an income tax credit.

Your Committee has amended this measure by:

- (1) Limiting eligibility for the tax credit to small businesses and defining "small business";
- (2) Setting the amount of the tax credit to the actual cost paid with an investment made into a qualified entity, rather than a percentage of the investment made to the qualified entity;
- (3) Clarifying that no other tax credit may be claimed for expenses or costs paid with an investment made into a qualified entity for which an ocean sciences research tax credit was claimed;
- (4) Changing the effective date to taxable years beginning after January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2716, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2716, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 488-20 Water, Land, & Hawaiian Affairs on H.B. No. 2207

The purpose of this measure is to require and appropriate funds for the Office of Planning to conduct a land use study for Hauula, Oahu, assessing the viability and cost of maintaining the transit corridor, including the possibility of relocating the corridor if necessary.

Your Committee received testimony in support of this measure from the Office of Planning, Department of Transportation, and one individual.

Your Committee recognizes that, because of climate change, eroding coastlines threaten the State's coastal roadways. Your Committee further finds that the Department of Transportation has identified segments of the highway along Hauula on Oahu as infrastructure critically threatened by coastal hazards and climate change, and has already had to perform emergency repairs along the coastal highways in Hauula in 2019 and 2020. This measure ensures the public

continues to have access to safe, efficient, and sustainable transit corridors by requiring the Office of Planning to conduct a land use survey for Hauula that includes mid- and long-term adaptation strategies to accommodate, protect, and, if necessary, relocate the transit corridor.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2207, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 489-20 Water, Land, & Hawaiian Affairs on H.B. No. 2578

The purpose of this measure is to:

- (1) Authorize the designation of areas or regions of public lands classified as commercial, industrial, resort, and hotel, apartment, and motel use and authorize the establishment and implementation of guidelines for the development of the areas or regions that will:
 - (A) Modernize the policies for the management of public lands in the designated area;
 - (B) Establish a plan for the designated area, including district-wide improvements, that is coordinated with state and county land use and planning policies; and
 - (C) Implement asset and property management concepts that can optimize income from the properties and evolve in response to changing principles of property administration;
- (2) Designate the public lands on the Waiakea peninsula on the island of Hawaii as the Waiakea Peninsula Redevelopment District;
- (3) Allow the Board of Land and Natural Resources to issue a rent waiver or reduction for certain lessees' expenses relating to the demolition or provision of basic infrastructure;
- (4) Authorize a local redevelopment agency to contract with a developer for construction of non-residential projects on public land within a redevelopment area;
- (5) Exempt the costs of construction work or improvements of a redevelopment project from general excise and use taxes; and
- (6) Establish the Waiakea Redevelopment District Revolving Fund and appropriate funds for the Waiakea Redevelopment District.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, Department of Taxation, Office of Hawaiian Affairs, Office of the Mayor of the County of Hawai'i, and one individual.

Your Committee finds that there has been little incentive for lessees of lands for commercial, industrial, resort, or hotel, apartment, and motel uses to make major improvements to their infrastructure. As a result, many of these areas are dilapidated or have obsolete buildings and structures. Additionally, the lease forms for some lessees with outdated or obsolete infrastructure do not require the lessee to remove the improvements at the end of the lease term. As a result, the State must either bear the entire cost of the demolition, unless the State can pass the cost of redevelopment on to a future lessee.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2578, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 490-20 Water, Land, & Hawaiian Affairs on H.B. No. 1075

The purpose of this measure is to remove any conflicts that exist between the Hawaii Administrative Rules and Hawaii Revised Statutes regarding the taking or killing of certain crustaceans by repealing the statutory prohibition on taking or killing of female spiny lobsters, Kona crabs, and Samoan crabs.

Your Committee received testimony in support of this measure from the Hawai'i Fisherman's Alliance for Conservation and Tradition, Inc. and seven individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources (DLNR).

Your Committee finds that existing law prohibits the taking or killing of any female spiny lobster, Kona crab, or Samoan crab. Your Committee further finds that DLNR has adopted various administrative rules regulating the taking or killing of these crustaceans, including minimum size limits, seasonal restrictions, gear restrictions, and a prohibition on the taking of egg-bearing females. These somewhat conflicting regulations often create confusion and may not reflect the best science-based regulations for the population management of these crustaceans. According to DLNR, new scientific information about Kona crabs has shown that the prohibition on the taking of female Kona crabs may be creating a sex ratio and size imbalance that may inhibit successful reproduction. This measure allows DLNR to adopt more appropriate science-based rules for the management of these species.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion, but conditioned on DLNR adopting administrative rules on the taking or killing of female spiny lobsters, Kona crabs, and Samoan crabs prior to the effective date of this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1075, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1075, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 491-20 Water, Land, & Hawaiian Affairs on H.B. No. 442

The purpose of this measure is to appropriate funds for the establishment of two part-time project-based research archivist positions in the Hawaii State Archives to provide research services and digitization of records relating to Hawaiian culture or history and Native Hawaiians.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and three individuals.

Your Committee finds that the Hawaii State Archives is an invaluable resource for historical and primary source documents on the history of Hawaii and Native Hawaiians. This measure promotes the public's access to these documents by providing staff to conduct research services and digitize project records that will provide a broader historical context to specific areas of discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 442, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 492-20 Water, Land, & Hawaiian Affairs on H.B. No. 1928

The purpose of this measure is to:

- (1) Establish the Pulehunui Community Development District on the island of Maui as a community development district within the authority of the Hawaii Community Development Authority; and
- (2) Authorize the Hawaii Community Development Authority to obtain various forms of financial aid from the federal government for projects of the authority.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Hawaiian Home Lands, Office of the Mayor of the County of Maui, and one member of the Maui County Council. Your Committee received comments on this measure from the Department of Land and Natural Resources and Hawaii Community Development Authority.

Your Committee finds that there are four underutilized parcels of public land located in Pulehunui that are appropriate for development. Your Committee further finds that there are federal funding opportunities that may result in federal financial assistance for development of the Pulehunui public lands as well as other community development districts in the State.

Your Committee recognizes that three community development districts created by law and overseen by the Hawaii Community Development Authority are all located on the island of Oahu; as the proposed Pulehunui community development district is located on the island of Maui, your Committee believes that the district will be better served by an autonomous authority administratively attached to the Hawaii Community Development Authority (HCDA).

Your Committee has amended this measure by:

- (1) Establishing the Pulehunui Community Development Authority as an autonomous community development authority under HCDA for administrative purposes;
- (2) Adding two community representatives from the island of Maui and the Executive Director of HCDA, or the Executive Director's designee, to the Pulehunui Community Development Authority as voting members;
- (3) Making the Director of Finance and the Adjutant General, or their designees, ex officio, nonvoting members of the Pulehunui Community Development Authority and removing the Chairperson of the Hawaiian Homes Commission, or designee, as an ex officio, nonvoting member of the Authority;
- (4) Specifying that the Pulehunui Community Development Authority shall annually elect a chairperson and vice chairperson from among its members, adding a provision for reimbursement of expenses for members, and specifying determination of quorum, majority, and voting authority for members;
- (5) Requiring the Pulehunui Community Development Authority and Comptroller to execute a memorandum of agreement for matters affecting the Pulehunui Community Development District, and requiring the Executive Director of HCDA to execute a memorandum of agreement with appropriate state agencies for matters affecting TMK 2-3-8-008-37;
- (6) Inserting an appropriation of an unspecified sum, for two full-time equivalent (2.00 FTE) positions;
- (7) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1928, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1928, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, none.

SCRep. 493-20 Legislative Management on H.B. No. 1629

The purpose of this measure is to clarify the term of office of the Legislative Analyst and certain benefits available to employees of the Office of the Legislative Analyst.

Your Committee did not receive any testimony on this measure.

Your Committee finds that this measure is a housekeeping measure to clarify the term of office of the Legislative Analyst, established pursuant to section 21F-6, Hawaii Revised Statutes, and to clarify employee participation in certain benefit plans.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1629 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Belatti).

SCRep. 494-20 Legislative Management on H.B. No. 2046

The purpose of this measure is to designate the month of September as Fetal Alcohol Spectrum Disorder Awareness Month to promote public awareness of the risks of alcohol consumption during pregnancy.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition; Hawaii Disability Rights Center; Hawaii International Child Placement & Family Services, Inc.; Hawaii Psychological Association; Hawaii FASD Action Group; and four individuals.

Your Committee finds that this measure is a means to heighten awareness of the preventable risks of prenatal exposure to alcohol and the lifelong effects fetal alcohol spectrum disorder can have on a child. Your Committee also finds the educational opportunities provided by this measure may help to decrease the stigma associated with this condition.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2046, H.D. 1, and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Belatti).

SCRep. 495-20 Legislative Management on H.B. No. 2466

The purpose of this measure is to establish a pilot project to establish child care facilities at any Capital District building, except Honolulu Hale, with an emphasis on establishing facilities at the State Capitol building.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that establishing child care facilities at the workplace will assist employees in meeting their child care needs and has the potential to attract candidates to state employment. Your Committee also finds that removing the focus from the State Capitol building and instead requiring the Department of Accounting and General Services to collaborate with the Department of Human Services to select an appropriate location within the Capital District provides greater flexibility in ensuring that applicable health and safety standards for a child care facility can be met.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that places an emphasis on establishing a facility at the State Capitol building;
- (2) Inserting language that requires the Department of Accounting and General Services to collaborate with the Department of Human Services to select an appropriate location within the Capital District for the pilot project that ensures best practices for child welfare, health, and safety can be implemented;
- (3) Incorporating the amendment requested by the Department of Human Services to clarify that under the pilot project, the State shall provide lease space at any Capital District building, except Honolulu Hale, for the child care facilities to be established; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2466, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Belatti).

SCRep. 496-20 Legislative Management on H.B. No. 2467

The purpose of this measure is to require the Hawaii Tourism Authority to study the need for a tourism information center in the State Capital District.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority.

Your Committee finds that according to the Department of Business, Economic Development, and Tourism, visitors to attractions throughout the Capital District in fiscal year 2018 exceeded 175,000 for the King Kamehameha V Judiciary History Center and Statue; 130,000 for Iolani Palace; and 60,000 for the Hawaii State Art Museum. Since the Capital District is clearly a popular tourist destination, your Committee finds that, rather than requiring a study, it would be more appropriate to require the Hawaii Tourism Authority to collaborate with the Department of Accounting and General Services to identify an appropriate location for, and open a tourism information booth or center in, the Capital District. Your Committee finds that such a facility would promote tourism and tourist destinations in the Capital District and serve as a helpful resource to visitors while they are among some of Honolulu's most historically and architecturally significant buildings and monuments.

Your Committee has amended this measure by:

- (1) Deleting the requirement for a study;
- (2) Requiring the Hawaii Tourism Authority to collaborate with the Department of Accounting and General Services to identify an appropriate location for, and open a tourism information booth or center in, the Capital District to promote tourism and tourist destinations in the Capital District; and
- (3) Requiring the Hawaii Tourism Authority, in conjunction with the Department of Accounting and General Services, to submit a report to the Legislature on the progress made toward opening a tourism information booth or center.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2467, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2467, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Belatti).

SCRep. 497-20 Legislative Management on H.B. No. 2601

The purpose of this measure is to require the Legislative Reference Bureau to compile a report of the months and days of the year that have been designated by both chambers of the Legislature as a holiday or a period of recognition or observance within the State.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that the report will provide a helpful, informative compilation of the dates historically deemed worthy of formal recognition by the Legislature.

Your Committee has amended this measure by changing the effective date to October 19, 2036, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2601, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2601, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Belatti).

SCRep. 498-20 Legislative Management on H.B. No. 2213

The purpose of this measure is to require the Office of Planning to review and propose updates to the Hawaii State Planning Act.

Your Committee received testimony in support of this measure from the Office of Planning.

Your Committee notes that the Hawaii State Planning Act, set forth in Chapter 226, Hawaii Revised Statutes, was enacted in 1978. All state agencies, including the Office of Planning, are guided by the Act. Your Committee finds that the last review of the Hawaii State Plan was initiated in 1983 and completed in 1985.

Your Committee also finds that over the last thirty-five years, there have been significant changes to Hawaii's environment, economic drivers, agricultural and tourism industries, infrastructure demands, natural resources, population, and other physical and social conditions. Your Committee notes that the Office of Planning has acknowledged that Part I of the Hawaii State Planning Act should be updated to reflect changes in Hawaii's agricultural industry and its future economic development.

Your Committee has amended this measure by:

- (1) Inserting as an allowed use of the appropriation the hiring of an unspecified number of Planner V positions to staff the Special Plans Branch of the Office of Planning to support the reviewing, analyzing, and recommending of updates to the Hawaii State Planning Act; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$400,000 to be expended by the Office of Planning for reviewing, analyzing, and recommending updates to the Hawaii State Planning Act, including the hiring of one Planner V position.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2213, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Belatti).

SCRep. 499-20 Labor & Public Employment on H.B. No. 2311

The purpose of this measure is to clarify what is compensation eligible for the purposes of calculating retirement benefits by amending the definitions of "base pay" and "compensation".

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Employees' Retirement System of the State of Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Human Resources of the City and County of Honolulu.

Your Committee finds this measure clarifies the definition of "compensation" for retirement benefit computation purposes in a way that helps ensure that retirement benefits are computed fairly and equitably for all public employees and facilitates employer reporting of compensation on a consistent and timely basis. Your Committee further finds that there is a legal obligation to uphold benefits in existing contracts.

Accordingly, your Committee amended this measure by:

- (1) Reapplying the shortage differentials to the definition of "compensation";
- (2) Clarifying that this measure does not impair or diminish benefits accrued prior to its effective date;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the testimony of the City and County of Honolulu Department of Human Resources that changing the definition of "base pay" will increase the number of City and County employees who are considered to have "spiked" during employees highest three years of service due to the way payments are categorized and "spiking" is calculated.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2311, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2311, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Yamashita, Matsumoto).

SCRep. 500-20 Labor & Public Employment on H.B. No. 2708

The purpose of this measure to require the Department of Taxation to authorize individual taxpayers with one or more dependents and income not exceeding forty percent of the median family income to elect to reduce their withholding by the amount of the expected earned income tax credit.

Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that this measure is designed to help working families by allowing qualified families to benefit from the earned income tax credit as they receive their regular paychecks, rather than having to wait a year to claim the tax credit. Your Committee finds that receiving part of the tax credit in each paycheck throughout the year is more beneficial for low-income families who tend to face liquidity constraints.

Your Committee has amended this measure by:

- (1) Deleting the requirement that limits the withholding reduction to taxpayers with one or more dependents and income not exceeding forty percent of the median family income;
- (2) Creating a definition of "qualifying individual taxpayer" for the purposes of this measure;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2708, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2708, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 501-20 Labor & Public Employment on H.B. No. 2604

The purpose of this measure is to provide state and county governments more flexibility and discretion to address substantial hardship situations that impact concession stands.

Your Committee received testimony in support from the Office of the Mayor of the County of Kauai, Airport Concessionaires Committee, and one individual. Your Committee received testimony in opposition to this measure from the Airlines Committee of Hawaii. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that there is a need to provide flexibility in the modification of concession contract terms when the concessionaire has suffered significant harm because of improvements or operations on the premises governed by the contract. This measure permits modification of the terms of a concessionaire's contract to address significant hardship situations that impact concession stands.

Your Committee has amended this measure by:

- (1) Limiting the term of any extension based on significant hardship situations to no more than fifty percent of the maximum term of sixty-five years when counting the remaining term of the concession plus any extension thereof;
- (2) Exempting the modification of concession contracts from chapter 171, Hawaii Revised Statutes, when the provisions of chapter 171, Hawaii Revised Statutes, are in conflict with the intent and purpose of providing broad discretion to state and county governments to grant relief;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2604, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2604, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 502-20 Labor & Public Employment on H.B. No. 2630

The purpose of this measure is to provide for the transition of the health care facilities of the Oahu Region of the Hawaii Health Systems Corporation to the Department of Health by establishing:

- (1) A date of June 30, 2022, for the transition; and
- (2) A working group comprised of the Chair and Chief Executive Officer of the Oahu Regional Health Care System, Director of Health, representatives of the Department of Health, representatives of other state departments and agencies, and others.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Health Systems Corporation Board of Directors, and Oahu Regional Health Care System Board of Directors. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and United Public Workers, AFSCME, Local 646, AFL-CIO.

Your Committee finds that transition of the Hawaii Health Systems Corporation Oahu Regional Health Care System to the Department of Health will ensure the continued availability of long-term care beds for the State's aging population and facilitate more efficient use of Oahu Regional Health Care System facilities to address the need for additional behavioral health services such as mental health and substance abuse treatment.

Your Committee has amended this measure by:

- (1) Increasing the membership of the working group to include:

- (A) Additional Department of Health staff as deemed necessary by the Director of Health, or the Director's designee;
 - (B) One or more Oahu Regional Health Care System staff as deemed necessary by the Chief Executive Officer of the Oahu Regional Health Care System, or the Chief Executive Officer's designee;
 - (C) One representative from the Hawaii Government Employees Association; and
 - (D) One representative of an affected community to be selected by the Director of Health;
- (2) Specifying that the Director of Health, or the Director's designee, along with the Chair of the Oahu Regional Health Care System, or the Chair's designee, shall have final authority over transfer activities to be implemented by the working group;
 - (3) Making the transition plan subject to an additional condition in which the wages, hours, and other conditions of employment shall be negotiated or consulted, as applicable, with the respective exclusive representative of the affected employees in accordance with the Collective Bargaining in Public Employment Law;
 - (4) Requiring the working group to give written public notice, including a meeting agenda, for each meeting of the working group;
 - (5) Prohibiting the impairment or diminishment of the rights, benefits, and privileges of Oahu Regional Health Care System employees being transitioned to the Department of Health;
 - (6) Changing the effective date of part II of the measure to January 1, 2050, to encourage further discussion; and
 - (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the composition of the working group is not solely limited to the individuals specified in the measure.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2630, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2630, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 503-20 Labor & Public Employment/Tourism & International Affairs on H.B. No. 2533

The purpose of this measure is to address current and future facilities needs of the State Archives by authorizing the issuance of general obligation bonds to finance plans for a State Archives Master Plan.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, The Friends of Iolani Palace, Nā Hawai'i Imi Loa Board of Directors, Historic Hawaii Foundation, and two individuals.

Your Committees find that the current State Archives facility, designed seventy years ago, is outdated in form and function. Based on the State Archive's current archival practice and public access needs, upgrading and maintenance of the facility are imperative to preserve and sustain this official repository of the Hawaii's public government records, which date from the monarchy to the current legislative session, and includes private collections of individuals and organizations, photographs, maps, artifacts, and library collections specializing in Hawaiian history, culture, and Pacific voyages.

Your Committees have amended this measure by:

- (1) Changing the amount of the general obligation bond authorization to an unspecified sum; and
- (2) Changing its effective date to January 1, 2050, to encourage further discussion.

Should your Committee on Finance choose to hear this measure, your Committees respectfully request that it consider authorizing the issuance of \$500,000 in general obligations bonds for fiscal year 2020-2021 for plans for the development of a State Archives Master Plan.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Tourism & International Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2533, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2533, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Labor & Public Employment: Ayes, 5. Noes, none. Excused, 3 (McKelvey, Quinlan, Matsumoto).
Tourism & International Affairs: Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Creagan).

SCRep. 504-20 Tourism & International Affairs/Water, Land, & Hawaiian Affairs on H.B. No. 1622

The purpose of this measure is to amend the allocation of the transient accommodations tax (TAT) for the operation of a Hawaiian center and a museum of Hawaiian music and dance to also include development of the center and museum.

Your Committees received testimony in support of this measure from the Hawaii Tourism Authority. Your Committees received comments on this measure from the Tax Foundation of Hawaii and one individual.

Your Committees find that existing law does not allow the TAT allocation to the Tourism Special Fund to be used for development of a Hawaiian center and museum of Hawaiian music and dance. This measure would explicitly allow the TAT allocation to be used for development, in addition to operation, of the Hawaiian center and museum.

As affirmed by the records of votes of the members of your Committees on Tourism & International Affairs and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1622, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Tourism & International Affairs: Ayes, 5. Noes, none. Excused, 3 (Cabanilla Arakawa, Creagan, Okimoto).
Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

SCRep. 505-20 Tourism & International Affairs/Human Services & Homelessness on H.B. No. 1945

The purpose of this measure is to allocate transient accommodation tax revenues into the Tourism Special Fund and appropriate funds from the Tourism Special Fund for the Hawaii Tourism Authority (HTA) and Hawaii Lodging and Tourism Association (HLTA) to address homelessness in tourist and resort areas.

Your Committees received testimony in support of this measure from the Hawaii Tourism Authority; Hawaii Lodging and Tourism Association; Police Department of the Honolulu City & County Outreach Unit; Institute for Human Services; Aloha Harvest; Aloha Medical Mission; Hawaii Alliance for Arts Education; Hawaii Youth Services Network; Community Alliance Partners, the Hawaii Island CoC for Homelessness; Habitat for Humanity Maui; Kohala Coast Resort Association; Kauai Independent Food Bank; Friends of the Children's Justice Center of East Hawaii; Habitat for Humanity Hawaii Island, Inc.; Ho'ola Na Pua; Catholic Charities Hawaii; Hawaii Island HIV/AIDS Foundation; Hawaii Health & Harm Reduction Center; Family Promise of Hawaii; Hawaii Food Bank; Friends of the Children's Justice Center of Oahu; HOPE Services Hawaii, Inc.; Project Vision Hawaii; The Salvation Army; Hale Kau Kau, Adult Friends for Youth; Corvette Center Ministries; HOPE Services Hawaii; Hale Kipa, Inc.; Keiki Cupboard; Honolulu Habitat for Humanity; Partners in Development Foundation; and six individuals. Your Committees have received comments on this measure from the Governor's Coordinator on Homelessness and Tax Foundation of Hawaii.

Your Committees find that homelessness is a major issue in Hawaii that impacts the visitor industry and residents. The collaborative effort between HTA and HLTA would allow the private and public sectors to leverage funding that will help address homelessness in tourist and resort areas, thereby creating more positive experiences for visitors and residents.

Your Committees have amended this measure by:

- (1) Changing the allocation of transient accommodations tax revenues to the Tourism Special Fund for purposes of this measure and the appropriation to HTA to unspecified sums; and
- (2) Changing the effective date to July 1, 2009, to encourage further discussion.

As this measure progresses through the legislative process, your Committees recommend that \$1,500,000 be allocated from transient accommodations tax revenues to the Tourism Special Fund and \$1,500,000 be appropriated out of the Tourism Special Fund to allow HTA, in conjunction with HLTA, to address homelessness in tourist and resort areas.

As affirmed by the records of votes of the members of your Committees on Tourism & International Affairs and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1945, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1945, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Tourism & International Affairs: Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Creagan).

Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 506-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2633

The purpose of this measure is to amend the State's medical cannabis dispensary system law to:

- (1) Exclude propagules and cuttings from certain dispensing limits; and
- (2) Limit the amount of propagules and cuttings that a qualified patient and primary caregiver may purchase during a certain number of consecutive days.

Your Committees received testimony in support of this measure from Kush Hawaii, Big Island Grown, Maui Grown Therapies, Patients Without Time, and two individuals. Your Committees received testimony in opposition to this measure from the Department of Health.

Your Committees find that patients and primary caregivers cultivating medical cannabis at a registered grow site under the State's medical cannabis registry program have no legal means of obtaining safe, laboratory-tested genetic material from which to propagate their plants. In other words, patients have no means to legally buy the material to grow cannabis. Existing law often requires patients or their primary caregivers to obtain propagules, cuttings, or other cannabis genetic material from the illicit market. Amending the State's medical cannabis dispensary system law will allow qualifying patients to access safe and quality-assured medical cannabis and medical cannabis products.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2633, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2633, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 9. Noes, 1 (Kong). Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 507-20 Consumer Protection & Commerce/Judiciary on H.B. No. 1609

The purpose of this measure is to implement certain consumer protections in the State's regulation of pharmacy benefit managers by:

- (1) Establishing business practice and transparency reporting requirements for pharmacy benefit managers;
- (2) Replacing the registration requirement for pharmacy benefit managers with a licensing requirement; and
- (3) Increasing penalties for violations of the pharmacy benefit managers law.

Your Committees received testimony in support of this measure from the Hawaii Primary Care Association; Foodland Pharmacies; Times Pharmacy; KTA Super Stores; The Queen's Health Systems; Molokai Drugs, Inc.; Northshore Pharmacy; Princeville Pharmacy; and thirteen individuals. Your Committees received testimony in opposition to this measure from the Hawaii Medical Service Association, Hawaii Association of Health Plans, and Cigna. Your Committees received comments on this measure from the Department of the Attorney General, Department of Health, Department of Commerce and Consumer Affairs, Office of Information Practices, Hawaii Employer-Union Health Benefits Trust Fund, CVS Health, and Pharmaceutical Care Management Association.

Your Committees find that this measure is intended to help reduce the cost of prescription drugs for the benefit of Hawaii's people and bring much-needed transparency and accountability to pharmacy benefit managers in the State.

Your Committees have amended this measure by:

- (1) Clarifying that a pharmacy benefit manager may designate certain material in a transparency report as confidential and not subject to disclosure under the Uniform Information Practices Act (Modified), rather than designating the material as a trade secret, and permitting any person to appeal a denial of access to this information;
- (2) Requiring the Insurance Commissioner to publish transparency reports for each pharmacy benefit manager in a way that does not disclose confidential information, unless a court or the Office of Information Practices determines the information is required to be disclosed;
- (3) Clarifying the definition of "pharmacy benefit manager" in the pharmacy benefit manager law;
- (4) Specifying that a pharmacy benefit manager license is valid for one year, rather than three years;
- (5) Specifying that an application for licensure as a pharmacy benefit manager shall include any other documentation the Insurance Commissioner determines is necessary to ascertain the organization, background expertise, and financial integrity of the applicant;
- (6) Clarifying that the Insurance Commissioner's authority to discipline licensees includes the ability to refuse to issue a pharmacy benefit manager's license or impose fines in certain situations; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1609, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 1609, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10; Ayes with Reservations (Har). Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 508-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2348

The purpose of this measure is to establish a schedule of penalties for holders of retail tobacco permits and persons registered to sell electronic smoking devices, and their employees, who illegally sell tobacco products and electronic smoking devices to persons under twenty-one years of age.

Your Committees received testimony in support of this measure from Department of Health, Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Substance Abuse Coalition, Pearl City Neighborhood Board, Kahoomiki, Coalition for a Tobacco-Free Hawaii, Hawaii Petroleum Marketers Association, Hawaii Community Foundation, Blue Zones Project, Keiki Injury Prevention Coalition, and eight individuals. Your Committees received testimony in opposition to this measure from Irie Hawaii Waimea, Hawaii Smokers Alliance, and numerous individuals. Your Committees received comments on this measure from American Heart Association and Hawaii Food Industry Association.

Your Committees find that tobacco use is the leading cause of preventable disease and death in the United States. Use of electronic smoking devices, including electronic cigarettes, has become a national public health concern, with electronic cigarettes now the most popularly used tobacco product among youth and young adults. To address this staggering issue, your Committees find it necessary to establish clear legal responsibilities and strong deterrents for retailers, permittees, and registrants that sell tobacco products to persons under twenty-one years of age. The penalties proposed in this measure, which gradually increase to include the suspension of a license, provide meaningful deterrents for noncompliance by retailers, permittees, and registrants with tobacco and electronic smoking device sales laws and emphasize employee training and education to reduce youth access to tobacco products.

Your Committees have amended this measure by:

- (1) Inserting a definition for "e-liquid"; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2348, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2348, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10; Ayes with Reservations (Cachola). Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 509-20 Consumer Protection & Commerce/Judiciary on H.B. No. 1877

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances on land deregistered by the Land Court, other than fee simple time share interests.

Your Committees received testimony in support of this measure from seven individuals.

Your Committees find that while the Land Court provides a systematic and logical process for mapping and indexing land and recording transactions and encumbrances on land titles, it was designed to process single, consecutive ownership interests and not multiple, simultaneous interest in a single parcel of land. Your Committees further find that although existing law allows for the voluntary deregistration of fee simple, non-time share land from the Land Court, there are no clear requirements for mapping and describing deregistered land. This measure addresses the issue of insufficiently mapped and described original Hawaii land titles that are being deregistered by requiring a plan, which includes a map and description prepared by a licensed professional surveyor, to be submitted with all written requests to deregister land.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1877, H.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10. Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12. Noes, none. Excused, none.

SCRep. 510-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2317

The purpose of this measure is to protect vulnerable adults from financial exploitation in relation to securities.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, National Association of Insurance and Financial Advisors Hawaii, Securities Industry Association of Hawaii, and Hawaii Credit Union League. Your Committees received comments on this measure from the Executive Office on Aging and Securities Industry and Financial Markets Association.

Your Committees find that this measure is based upon the North American Securities Administrators Association's Model Act. As of September 30, 2019, twenty-four jurisdictions have enacted legislation based upon the Model Act and one jurisdiction has adopted the Model Act by regulation.

Your Committees further find that financial exploitation is the fastest growing form of elder abuse. Financial exploitation also impacts other individuals, who, because of mental or physical impairment, are unable to protect themselves from abuse. In many instances, financial exploitation goes unreported because the perpetrator is someone entrusted or relied upon by the victim or the victim is ashamed or embarrassed, reliant on the perpetrator for care or support, fearful of retaliation, or unaware of the abuse. This measure protects vulnerable adults from financial exploitation by allowing others to report suspected financial exploitation, thereby minimizing financial loss while preserving dignity, financial independence and control, and overall quality of life of vulnerable adults.

Your Committees note that interested stakeholders submitted suggested amendments in their testimony to your Committees and indicated a willingness to work together on collaborative amendments to present to your Committee on Finance, should your Committee deliberate on this measure.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2317, H.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10. Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12. Noes, none. Excused, none.

SCRep. 511-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2451

The purpose of this measure is to amend the Our Care, Our Choice Act by:

- (1) Explicitly recognizing advanced practice registered nurses as attending providers and consulting providers capable of performing all necessary duties under the Our Care, Our Choice Act in accordance with their scope of practice and prescribing authority;
- (2) Reducing the mandatory waiting period between oral requests made by a terminally ill individual from twenty to fifteen days; and
- (3) Waiving the waiting period between oral requests for a qualified patient who an attending provider has attested will die within fifteen days of making the initial oral request.

Your Committees received testimony in support of this measure from the Department of Health; University of Hawaii System; Hawaii – American Nurses Association; Hawaii Death with Dignity Society; Filipina Advocacy Network; Compassion and Choices; North Hawaii Hospice, Inc.; LGBT Caucus of the Democratic Party of Hawaii; and numerous individuals. Your Committees received testimony in opposition to this measure from Hawaii Family Forum and twelve individuals. Your Committees received comments on this measure from the Board of Nursing and Hawaii State Center for Nursing.

Your Committees find that access to care is a significant problem statewide, particularly in rural areas. Due in part to Hawaii's geography, the State's supply of physicians is at its lowest since 2015, creating additional barriers to access for qualified terminally ill individuals. Your Committees further find that Hawaii grants advanced practice registered nurses the authority to independently carry out all medical acts consistent with their education and training, including prescribing all forms of medication. However, at this time, advanced practice registered nurses do not have the authority to support terminally ill patients who want the option of medical aid in dying by acting as an attending or consulting provider under the State's Our Care, Our Choice Act. This measure explicitly recognizes advanced practice registered nurses as attending providers and consulting providers under the Our Care, Our Choice Act, which will provide greater access for mentally capable, qualified terminally ill individuals to the full range of end-of-life care options under the Act.

Your Committees have amended this measure by:

- (1) Deleting language that would have allowed a waiver of the waiting period between oral requests for those qualified patients not expected to survive the mandatory fifteen-day waiting period; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2451, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2451, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 7; Ayes with Reservations (Aquino, Har). Noes, 3 (Cachola, Kong, Matsumoto). Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (McKelvey, Say, Yamane). Noes, none. Excused, none.

SCRep. 512-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2347

The purpose of this measure is to:

- (1) Ban the sale of flavored tobacco products, except for menthol and liquid or like substances with a distinguishable taste or aroma of tobacco or menthol;
- (2) Prohibit the mislabeling, sale, or marketing as nicotine-free any e-liquid product that contains nicotine; and
- (3) Specify penalties for violations.

Your Committees received testimony in support of this measure from the Department of Health; Honolulu Police Department; Hawaii State Teachers Association; Hawaii Youth Services Network; American Heart Association; Hawaii Primary Care Association; Keiki Injury Prevention Coalition; Hawaii

Association of Independent Schools; Hawaii Dental Hygienists' Association; The Friends of Kamalani and Lydgate Park; Hawaii Pacific Health; The Man Cave; Hawaii Chapter of the American Academy of Pediatrics; Coalition for a Tobacco-Free Hawaii; Filipino Business Women's Association; American Cancer Society Cancer Action Network; Filipina Advocacy Network; Pediatric Therapies Hawaii; Hawaii Substance Abuse Coalition; Pearl City Neighborhood Board; Hawaii – American Nurses Association; Kahoomiki; Emma Whitney Photography; American Lung Association; Hawaii Children's Action Network; Hawaii Petroleum Marketers Association; Hawaii Community Foundation; Blue Zones Project; Pioneering Healthier Communities Initiative; Hui No Ke Ola Pono; Flavors Hook Kids- Hawaii; Pono Hawaii Initiative; WeAreOne, Inc.; numerous individuals; and a petition signed by over one hundred individuals. Your Committees received testimony in opposition to this measure from the Hawaii Food Industry Association; Irie Hawaii Stores; Hawaii Smokers Alliance; Vape Kings, LLC; and numerous individuals. Your Committees received comments on this measure from one individual.

Your Committees find that the rate of using e-cigarettes in the State among youth is twice the national average, with sixteen percent of middle schoolers and twenty-six percent of high schoolers using e-cigarettes and other electronic smoking devices. Your Committees further find that eighty-one percent of youth who have ever used a tobacco product report that the first tobacco product they used was flavored. Flavored tobacco products, like flavored e-cigarettes, have been glamorized to appeal to youth, using flavors like candy, fruit, Maui mango, and shaka strawberry.

Your Committees also find that given the significant threat to public health posed by flavored tobacco products, a growing number of jurisdictions have introduced and passed legislation to regulate the sale of flavored tobacco products. This measure regulates the sale of these products in the State, which will reduce tobacco-related health disparities and address the youth vaping epidemic.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2347, H.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10; Ayes with Reservations (Cachola, Kong, Onishi). Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (McKelvey, Perruso, Say). Noes, none. Excused, none.

SCRep. 513-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2097

The purpose of this measure is to amend the medical cannabis dispensary system law by:

- (1) Allowing for a process to remediate and retest any batch of cannabis that fails laboratory testing standards so long as any final product passes the laboratory standards;
- (2) Authorizing licensed dispensaries to manufacture and distribute edible cannabis products under certain conditions; and
- (3) Authorizing licensed dispensaries to circulate, sponsor, and promote educational and scientific information and events related to cannabis that shall not be considered advertising, under certain conditions.

Your Committees received testimony in support of this measure from Community Alliance on Prisons, Kush Bottles Hawaii, Hawaii Cannabis Industry Association, Big Island Grown Dispensaries, and three individuals. Your Committees received testimony in opposition to this measure from the Department of Transportation, Honolulu Police Department, and Patients Without Time. Your Committees received comments on this measure from the Department of the Attorney General and Department of Health.

Your Committees find that this measure amends the medical cannabis dispensary system law to clarify legislative intent, ensure smooth administration of the law, allow for adequate patient access based on experiences in other states that have a reasonable medical cannabis program, and resolve other issues that have arisen under the existing law.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Health shall consider remediation processes for cannabis and manufactured cannabis products;
- (2) Clarifying that edible cannabis products must be regulated and approved by the Department of Health as medical manufactured cannabis products and not as "food", as that term is defined and regulated under the Hawaii Food, Drug, and Cosmetic Act; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2097, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2097, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 9; Ayes with Reservations (Cachola, Matsumoto). Noes, 1 (Kong). Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (Creagan, Lowen, Say). Noes, none. Excused, none.

SCRep. 514-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2552

The purpose of this measure is to exempt applications for a class 1 liquor license on land designated as agricultural by state or county zoning laws and for which the majority of the agricultural products used in the manufacturing of the liquor are grown and produced in the State by the license holder from the automatic refusal of a liquor license that may be invoked by a majority of nearby voters or real estate owners.

Your Committees received testimony in support of this measure from LBD Coffee, LLC; and one individual. Your Committees received comments on this measure from the Liquor Commission of the City and County of Honolulu.

Your Committees find that there is a desire to grow and produce agricultural products for the manufacturing of liquor. Your Committees find that there is merit to this measure, as it could support practices that stimulate the local economy.

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

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2552, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2552, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10. Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 515-20 Consumer Protection & Commerce/Judiciary on H.B. No. 2425

The purpose of this measure is to amend the definition of "domestic abuse" under Hawaii's insurance laws and laws relating to domestic abuse protective orders to include coercive control between family or household members.

Your Committees received testimony in support of this measure from the Domestic Violence Action Center and thirteen individuals.

Your Committees find that domestic abuse often includes actions that are not physical. Your Committees further find that emotional abuse and controlling behavior cause serious harm and that victims of such abuse frequently incur significant treatment expenses. This measure expands the definition of "domestic abuse" to include coercive control between family or household members for the purposes of insurance and protective orders.

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

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2425, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2425, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 10. Noes, none. Excused, 1 (Cabanilla Arakawa).

Judiciary: Ayes, 12; Ayes with Reservations (McKelvey, Say). Noes, none. Excused, none.

SCRep. 516-20 Consumer Protection & Commerce on H.B. No. 1864

The purpose of this measure is to accelerate the renewable portfolio standard interim goals for the State and amend the method for calculating the renewable portfolio standard.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Climate Protectors Coalition, 350Hawaii.org, Hawaii Youth Climate Coalition, Sierra Club of Hawaii, Hawaii Solar Energy Association, Life of the Land, Ulu pono Initiative, Elemental Excelerator, Blue Planet Foundation, and sixteen individuals. Your Committee received testimony in opposition to this measure from Hawaiian Electric and Chamber of Commerce of Hawaii. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that the State statutorily committed to one hundred percent renewable energy sales in the State by 2045 through the enactment of Act 97, Session Laws of Hawaii 2015. However, your Committee finds that the calculation of the renewable portfolio standard based on electrical energy sales, rather than electrical energy generation, overestimates the amount of renewable energy serving the State's electric utility customers. By amending the method by which the State's one hundred percent renewable energy goal is calculated, the State may accurately determine whether the State is truly achieving its goal of sourcing one hundred percent of its electricity from renewable sources.

Your Committee further finds that concerns were raised in the hearing as to whether the accelerated interim standards, as proposed in this measure, would be feasible for electric utilities with the new method of calculation. Your Committee notes that assurances were given that electric utilities were ahead of schedule with the current goals in place; however, no assurances could be given that electric utilities could meet the accelerated goals proposed in this measure. While your Committee admires the ambition to hasten the transition to renewable energy, your Committee must also consider what is pragmatic in the face of obstacles renewable energy projects have encountered. As such, your Committee finds that the renewable portfolio standard interim goals should remain the same.

Your Committee has amended this measure by:

- (1) Reinstating the existing statutory renewable portfolio standard interim goals; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1864, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1864, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cachola, Mizuno, Matsumoto).

SCRep. 517-20 Consumer Protection & Commerce on H.B. No. 1808

The purpose of this measure is to establish an expedited process for addressing salvaged vehicles by allowing county directors of finance to issue certificates of ownership and salvage certificates to insurance companies, with certain conditions.

Your Committee received testimony in support of this measure from Insurance Auto Auctions, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.

Your Committee finds that abandoned vehicles are unnecessarily accumulating at salvage facilities as a result of owners filing claims with insurance companies and then abandoning the vehicle without completing a title transfer. This measure establishes an expedited process to assist in the transition of ownership of salvaged vehicles between policyholders and insurers.

Your Committee has amended this measure by:

- (1) Specifying that the insurance company shall indemnify and hold harmless the county directors of finance from all civil liability resulting from the issuance of the certificate of ownership or salvage certificate, with limited exception;
- (2) Deleting a provision that would conflict with state insurance laws governing total loss motor vehicle claims; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1808, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1808, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 518-20 Consumer Protection & Commerce on H.B. No. 1833

The purpose of this measure is to regulate peer-to-peer car-sharing in the State.

Your Committee received testimony in support of this measure from Getaround, Turo, and TechNet. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Taxation, Department of Transportation, Avail, and Enterprise Holdings.

Your Committee finds that peer-to-peer car-sharing provides an alternative form of transportation for persons who do not own a car, nor wish to use public transportation. However, your Committee finds that, unlike the motor vehicle rental industry, peer-to-peer car-sharing lacks certain protections for shared car owners and shared car drivers. This measure will allow consumers to take full advantage of peer-to-peer car-sharing programs with assurance that certain safeguards will be in place prior to vehicles being made available.

Your Committee has amended this measure by:

- (1) Clarifying that a peer-to-peer car-sharing program cannot make a shared car available through its business platform when the shared car owner's motor vehicle insurance policy excludes any coverage required by this measure;
- (2) Deleting the provision exempting peer-to-peer car-sharing programs and shared car owners from vicarious liability under certain state or local law;
- (3) Clarifying that shared car drivers who are nonresidents must possess a driver's license that is accepted by the State, as not all foreign driver's licenses are valid in the State;
- (4) Clarifying responsibilities in situations of damage to or theft of peer-to-peer car-sharing program equipment;
- (5) Prohibiting peer-to-peer car-sharing programs and shared car owners from requiring shared car drivers to make advance deposits for damages to shared cars;
- (6) Clarifying the responsibilities of the peer-to-peer car-sharing program and shared car owner with respect to motor vehicle safety recalls;
- (7) Deeming violations of the new chapter governing the regulation of peer-to-peer car-sharing programs as unfair or deceptive acts or practices; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1833, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1833, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 519-20 Consumer Protection & Commerce on H.B. No. 2195

The purpose of this measure is to provide an exemption from the condominium developer annual reporting requirements for developers of a condominium consisting of only two units, one in which the developer resides and one which is sold.

Your Committee received testimony in support of this measure from the Hawaii Real Estate Commission, Community Associations Institute, Associa, Country Club Village, Hawaii Council for Associations of Apartment Owners, and five individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that homeowners whose developments consist of as few as two units under a condominium property regime are considered developers for purposes of the Condominium Property Act. Under the Condominium Property Act, developers are required to file an annual report and pay an annual fee until all units in a development have been sold. This requirement unduly burdens homeowner-developers who permanently reside on their property and do not intend to sell their unit in the development. This measure will provide relief in these specific instances from the burdensome annual filing and fee requirements.

Your Committee has amended this measure by:

- (1) Specifying that the exemption from the annual report requirement applies to all subsequent annual reports after filing an annual report notifying that the initial sales of all units have been completed;
- (2) Clarifying that the exemption for two-unit developers who occupy one unit in a condominium project satisfies the requirements for an exemption from annual reports;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2195, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2195, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Har).

SCRep. 520-20 Consumer Protection & Commerce on H.B. No. 2563

The purpose of this measure is to exempt planned community associations from requirements under the Hawaii Nonprofit Corporations Act regarding cumulative voting for directors and the removal of directors elected by members or directors.

Your Committee received testimony in support of this measure from the Hawaii State Association of Parliamentarians, Associa, Hawaii Chapter of the Community Associations Institute Legislative Action Committee, and Hawaii Council for Associations of Apartment Owners. Your Committee received testimony in opposition to this measure from the Law Offices of Mark K. McKellar, LLC, and seven individuals.

Your Committee finds that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act may be manipulated by planned community association boards of directors to prevent minority groups from attaining representation by simply omitting cumulative voting from the notice. Under the 11th edition of *Robert's Rules of Order Newly Revised*, provisions concerning cumulative voting must be in the bylaws. This measure will clarify that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act do not apply to planned community associations governed under the State's planned community association laws.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee notes that stakeholders are collaborating on a draft to be presented to your Committee on Judiciary. Should your Committee on Judiciary choose to hear this measure, your Committee respectfully requests that it consider the draft by the stakeholders.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2563, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2563, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Har).

SCRep. 521-20 Consumer Protection & Commerce on H.B. No. 2315

The purpose of this measure is to grant the Contractors License Board (Board) and Real Estate Commission (Commission) authority to adjust, reduce, suspend, or cease collection of recovery fund and education fund fees to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Real Estate Commission, Contractors License Board, Community Associations Institute, and Associa.

Your Committee finds that some funds administered by the Board and Commission that were used for compensating certain injuries or providing education had high balances compared to the amount of services actually being provided from those funds. In reaction to this, the Legislature enacted Act 29, Session Laws of Hawaii 2019, placing caps on those funds and requiring that the Board and Commission cease accepting fees for deposit into those funds. As an alternative, this measure will provide the Board and Commission with flexibility to adjust the fees to maintain a balance sufficient to cover the costs of services rendered, rather than continuously charging fees and accumulating monies in excess of the amounts needed to cover the costs of services rendered.

Your Committee has amended this measure by:

- (1) Specifying criteria for the Board and Commission to consider when determining whether fee adjustments are appropriate to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds; and
- (2) Deleting the repeal and reenactment provision of Act 29, Session Laws of Hawaii 2019.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2315, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2315, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 522-20 Consumer Protection & Commerce on H.B. No. 2562

The purpose of this measure is to clarify certain provisions relating to the governance of common interest communities in the State. Specifically, this measure:

- (1) For planned community associations:
 - (A) Specifies the manner in which a member of the board of directors may resign and may be removed;
 - (B) Specifies the time period for which the board of directors shall fill a vacancy; and
 - (C) Specifies that members of the planned community association possess the right to vote at an association meeting; and
- (2) For condominium associations, specifies the manner in which a member of the board of directors may resign.

Your Committee received testimony in support of this measure from the Hawaii State Association of Parliamentarians, Associa, Hawaii Chapter of the Community Associations Institute Legislative Action Committee, and Hawaii Council of Associations of Apartment Owners. Your Committee received testimony in opposition to this measure from six individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that existing law governing common interest communities requires clarification to avoid further disputes. This measure seeks to clarify and resolve several practical issues that have occurred in both condominium and planned community association meetings.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee notes that this measure is a work in progress and is being advanced through the legislative process to provide time for the stakeholders of this measure to resolve their differences.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2562, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2562, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Har).

SCRep. 523-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2332

The purpose of this measure is to establish a Statewide Interoperable Communications Executive Committee for public safety communications, a Statewide Interoperable Communications Technical Subcommittee to provide technical advice to the executive committee, and the position of Statewide Interoperable Communications Coordinator.

Your Committee received testimony in support of this measure from the Department of Transportation; Department of Land and Natural Resources; Department of Defense; Statewide Interoperability Coordinator, Office of Homeland Security; and Office of Enterprise Technology Services. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and one individual.

Your Committee finds that this measure is intended to provide clear direction for the collaboration of various state and county agencies where public safety is concerned. By harnessing resources and identifying how information will be shared, incident response can be coordinated more effectively.

Your Committee has amended this measure by:

- (1) Inserting certain proposed amendments presented in written testimony from the Statewide Interoperability Coordinator, which amend the duties of the Statewide Interoperable Communications Executive Committee by clarifying various communication system and network options, add subject matter experts to the Statewide Interoperable Communications Technical Subcommittee, and amend the duties of the Statewide Interoperable Communications Coordinator;
- (2) Providing that the membership of the Statewide Interoperable Communications Executive Committee shall include four, rather than two, members from each of the four counties, to be selected by the mayors of each respective county, and removing qualifications for those members;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2332, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2332, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 524-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2292

The purpose of this measure is to:

- (1) Repeal section 134-16, Hawaii Revised Statutes, the existing law that bans electric guns;
- (2) Establish a new part to chapter 134, Hawaii Revised Statutes, that restricts the ownership, use, storage, and disposal of electric guns; regulates the sale, distribution, and transfer of electric guns; requires training and education on electric guns; prohibits certain individuals from the possession and use of electric guns; and prohibits the carrying or use of electric guns in the commission of crimes;
- (3) Establish permitting requirements to acquire electric projectile guns; and
- (4) Establish certain registration requirements for electric guns and electric projectile guns.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Honolulu Police Department, and one individual. Your Committee received testimony in opposition to this measure from KMConcepts; Rosa's Arms, LLC; Hawaii Firearms Coalition; Hawaii Rifle Association; National Rifle Association of America; and numerous individuals.

Your Committee finds that existing Hawaii law bans the possession, sale, gift, or delivery of electric guns, pursuant to section 134-16, Hawaii Revised Statutes. In 2016, the United States Supreme Court decided the case of *Caetano v. Massachusetts*, 136 S. Ct. 1027 (2016), which overruled a decision of the Massachusetts Supreme Judicial Court and raised questions concerning the constitutionality of bans on electric guns. Your Committee finds, based on advice from the Department of the Attorney General, that it may be prudent to amend Hawaii's law on electric guns in light of this decision. This measure will repeal the electric gun ban and establish safeguards to protect the public by regulating the sale and use of electric guns and the acquisition of electric projectile guns, and establishing registration requirements for electric guns and electric projectile guns.

Your Committee has amended this measure by:

- (1) Incorporating the proposed amendments presented by the Department of the Attorney General in their written testimony, including:
 - (A) Establishing definitions for "electric gun" and "electric projectile gun", and repealing the existing definition for "electric gun" in section 134-1, Hawaii Revised Statutes;
 - (B) Requiring permits to acquire electric projectile guns; and
 - (C) Establishing certain registration requirements for electric guns and electric projectile guns, and requiring certain electric guns without serial numbers to acquire permits;
- (2) Deleting the requirement that sellers of electric guns and their employees complete safety courses every three years, while retaining the initial safety course requirement;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it consider establishing a time frame within which a person disqualified from ownership, possession, control, or the right to transfer ownership of an electric gun under section 134H-H of this measure is required to surrender or dispose of the electric guns; or consider deleting the penalty for a violation of that provision.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2292, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (D. Kobayashi). Noes, none. Excused, none.

SCRep. 525-20 Public Safety, Veterans, & Military Affairs on H.B. No. 1901

The purpose of this measure is to clarify that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Island Integrated Health, and two individuals.

Your Committee finds that last legislative session, the Legislature passed Act 179, Session Laws of Hawaii 2019 (Act 179), which codified recommendations of the Criminal Pretrial Task Force. When Act 179 was enacted, it inadvertently referred to the comprehensive offender reentry system providing a pathway to the timely release of inmates on parole when their maximum term had been served. This measure will correct that reference to a minimum term, as originally intended by the Legislature.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1901 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (D. Kobayashi).

SCRep. 526-20 Public Safety, Veterans, & Military Affairs on H.B. No. 2291

The purpose of this measure is to establish within the Department of the Attorney General a program responsible for issuing firearm qualification certifications to qualified law enforcement officers pursuant to the federal Law Enforcement Officers Safety Act of 2004 (Public Law 108-277), codified at title 18 United States Code section 926C.

Your Committee received testimony in support of this measure from the Department of the Attorney General and two individuals.

Your Committee finds that under the federal Law Enforcement Officers Safety Act certification program, retired officers may be certified only if they each pass standardized firearms qualification testing, medical exams every two years, and a mental health clearance every year. This measure will authorize the Department of the Attorney General to issue firearms qualification certifications to qualified retired law enforcement officers and to adopt rules, exempt from the public hearing and notice requirements of Chapter 91, Hawaii Revised Statutes, for that purpose.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2291, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 527-20 Public Safety, Veterans, & Military Affairs on H.B. No. 1918

The purpose of this measure is to create a task force to study and recommend to the Legislature a site for a new jail to replace the Hawaii Community Correctional Center's primary facility on three acres in downtown Hilo, Hawaii, and to consider alternative governmental uses for the existing site.

Your Committee received testimony in support of this measure from the Department of Public Safety and five individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission, Community Alliance on Prisons, and one individual.

Your Committee finds that the Hawaii Community Correctional Center is over capacity and a replacement is needed. Your Committee acknowledges testimony that the current facility is surrounded by residential homes, with Hilo High School and Hilo Intermediate School in close proximity. Accordingly, your Committee supports the creation of a task force to explore options for an alternative correctional center site and ways the existing facility can be repurposed.

Your Committee has amended this measure by:

- (1) Deleting members of the House of Representatives and Senate from the membership of the task force; and
- (2) Deleting the reference to task force members being excluded from chapter 84, Hawaii Revised Statutes, based on testimony from the Hawaii State Ethics Commission that the Commission's longstanding practice is to exclude task force members from the general provisions of the Ethics Code.

Should your Committee on Finance decide to hear this measure, your Committee respectfully notes that the Department of Public Safety is requesting that it consider appropriating \$3,000,000 for a study to include a new site for the Hawaii Community Correctional Center and also for a correctional facility in West Hawaii.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1918, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1918, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 528-20 Housing on H.B. No. 2297

The purpose of this measure is to clarify that lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation for the primary purpose of developing affordable housing are exempt from the definition of "public lands".

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; Kobayashi Group, LLC.; Land Use Research Foundation of Hawaii; Building Industry Association of Hawaii;

Chamber of Commerce Hawaii; and seven individuals. Your Committee received testimony in opposition to this measure from the Ka Lahui Hawaii Political Action Committee. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the exemption from the definition of "public lands" proposed by this measure will streamline the development of affordable housing on state land by reducing the number of approvals from the Department of Land and Natural Resources as affordable housing projects move forward from set-aside to leasing, entitlement, financing, and development phases.

Your Committee notes it did not receive testimony on this measure from the Department of Hawaiian Home Lands and Office of Hawaiian Affairs. As such, your Committee does not know their positions on this matter.

Your Committee has amended this measure by:

- (1) Providing that lands held by the Hawaii Housing Finance and Development Corporation that are no longer needed for housing, financing, and development purposes be returned to the public trust administered by the Department of Land and Natural Resources;
- (2) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2297, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2297, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 529-20 Health on H.B. No. 1663

The purpose of this measure is to protect the health of Hawaii's consumers by requiring that:

- (1) All United States mainland milk shipped to and sold in Hawaii is single pasteurized only and complies with all handling, transportation, and distribution requirements of the federal Food Safety Modernization Act; and
- (2) Any processed milk or milk product must be entirely produced in the State in order to be labeled with any term or slogan that might imply that the milk or milk products are produced locally.

Your Committee received testimony in support of this measure from Hawaii Foodservice Alliance, Healthy Earth LLC-Tasty Safety, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Health and Meadow Gold Dairies.

Your Committee finds that protecting the food safety and security of Hawaii and its people is of utmost importance.

Your Committee has amended this measure by:

- (1) Deleting its contents;
- (2) Establishing a task force to:
 - (A) Review and recommend specific actions to ensure that Hawaii's food imports, including meat, produce, and all dairy products, are sourced, transported, stored, and distributed to retailers, restaurants, institutions, schools, or any place designated for sale to the public, in compliance with the federal Food Safety Modernization Act;
 - (B) Develop specific recommendations to ensure that all foods and brands imported into Hawaii do not mislead or confuse the public through name, pictures, artwork, or statements in packaging or by advertising that the imported food's origin is from Hawaii or has the same freshness or qualities as food that is locally produced; and
 - (C) Submit a report to the Legislature prior to the convening of the Regular Session of 2021; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1663, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1663, H.D. 2, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 530-20 Health on H.B. No. 1659

The purpose of this measure is to authorize a pharmacy to provide a customized patient medication package to any patient of an institutional facility or any member of the general public upon consent, with a valid prescription, and in compliance with labeling and dispensing requirements.

Your Committee received testimony in support of this measure from 5 Minute Pharmacy and three individuals.

Your Committee finds that ensuring patient safety is essential. With customized patient medication packages, pharmacies can provide enhanced safety, increased simplicity, and greater time savings for their patients. Each dose is conveniently packaged in a pouch and labeled with the name, strength, dosage, and date and time of administration of the medication. This enables patients to readily see when they should consume the contents of each pouch.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1659, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1659, H.D. 2, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Say).

SCRep. 531-20 Judiciary on H.B. No. 1988

The purpose of this measure is to require the Board of Education to release from school attendance students observing religious practices.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that the Board of Education is currently required to excuse any student absence due to the student's observation of a religious holy day. However, your Committee further finds that students may also miss school because of the observation of other religious practices. Your Committee believes that an absence caused by the observation of other religious practices should not be considered an absence of any kind and should not prevent an otherwise eligible student from receiving perfect attendance.

Your Committee has amended this measure by:

- (1) Defining "religious practice" as a significant event connected with a deeply held religious belief; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1988, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1988, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 532-20 Judiciary on H.B. No. 2735

The purpose of this measure is to encourage participation in democracy from the electorate by:

- (1) Requiring a portion of the fee for filing nomination papers to be placed into the Hawaii Election Campaign Fund for the public financing of elections;
- (2) Increasing the amount of money available to candidates participating in the partial public financing program by increasing the expenditure limit upon which it is based;
- (3) Increasing the number of signatures and fees required to file nomination papers; and
- (4) Changing the deadline to file nomination papers to the first Tuesday in May.

Your Committee received testimony in support of this measure from Common Cause Hawaii, League of Women Voters of Hawaii, and four individuals. Your Committee received comments on this measure from Office of Elections, Campaign Spending Commission, and Office of the County Clerk of the County of Kauai.

Your Committee finds that the Hawaii State Constitution established partial public financing of campaigns for public offices of the State and its political subdivisions. Your Committee further finds that the Hawaii Election Campaign Fund, which is the source of funding for the State's partial public financing of campaigns, only receives monies through legislative appropriations and through persons who designate a portion of their income tax liability to the Fund. As of December 31, 2019, the balance of the Fund was only \$1,106,169.62. Your Committee recognizes that this amount is insufficient to finance a significant number of candidates. Your Committee also finds that the amount of money available to candidates who seek public financing should be increased to better keep up with the increasing cost of campaigns. However, to ensure that the maximum number of credible and serious candidates are able to receive funds, your Committee believes that candidates seeking public funds should demonstrate a serious level of interest and collect a reasonable number of signatures to prevent funds from being diluted.

Your Committee additionally finds that Hawaii's elections laws should also be amended to deter noncandidate committees from violating Hawaii's campaign spending laws. This includes increasing fines for noncandidate committees that make only independent expenditures and allowing the Campaign Spending Commission to assess fines against the officers of noncandidate committees.

Your Committee has amended this measure by:

- (1) Requiring the amount of money available to candidates participating in the Partial Public Financing Program to increase beginning in January 1, 2022;
- (2) Requiring all filing fees for nomination papers to be placed into the Hawaii Election Campaign Fund for the public financing of elections;
- (3) Inserting the language from H.B. No. 1707, which:
 - (A) Amends the assessment of administrative fines for persons and certain noncandidate committees making only independent expenditures that violate Hawaii's campaign finance laws; and
 - (B) Allows the Campaign Spending Commission to order that the payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of the officers of the noncandidate committee;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion, and making the provisions relating to the Partial Public Financing Program and nomination papers effective January 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2735, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2735, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 533-20 Judiciary on H.B. No. 2237

The purpose of this measure is to establish the Drug Disposal Program, administered by the Department of the Attorney General, to dispose of prescription and over-the-counter drugs in a safe, secure, and environmentally friendly manner. This measure also establishes and appropriates funds to the Drug Disposal Special Fund.

Your Committee received testimony in support of this measure from the University of Hawaii at Hilo and NarcX. Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Public Safety, and Verde Technologies.

Your Committee finds that various government entities currently provide a Medication Drop Box and Disposal Program, which allows the public to drop off unused prescription medication at designated police stations and other government buildings. Currently, there are about thirty-five collection sites across the State.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2237, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 534-20 Judiciary on H.B. No. 2703

The purpose of this measure is to help prevent targeted school violence in Hawaii by:

- (1) Establishing a pilot program to establish a start-to-finish response to threats of targeted school violence; and
- (2) Appropriating funds to the Department of Defense for resources.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the State Department of Defense Students, Teachers, and Officers Preventing School Violence Program; Hawaii Youth Services Network; and one individual.

Your Committee finds that although there have not been completed acts of mass violence at Hawaii schools, schools regularly receive threats of shootings and bombings. Your Committee further finds that gaps exist in inter-agency coordination, communication, and standardized responses to threats of targeted school violence in Hawaii. This measure is intended to address those gaps and help prevent targeted school violence in the State.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2703, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2703, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 535-20 Judiciary on H.B. No. 2090

The purpose of this measure is to make the Innovation and Commercialization Initiative Program permanent.

Your Committee received testimony in support of this measure from the University of Hawaii System; Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Adnoviv, Inc.; Hawaii Business Roundtable; and Elemental Excelsator.

Your Committee finds that Act 39, Session Laws of Hawaii 2017 (Act 39), established the Innovation and Commercialization Initiative Program within the University of Hawaii to enable and facilitate the deployment of university educational and instructional resources, university managerial and fiscal resources, and university personnel to promote the economic health and diversification of workforce opportunities in the State through the commercialization of inventions and discoveries generated by or at the University. Your Committee further finds that Act 39, is set to be repealed on June 30, 2021. Your Committee recognizes the importance of the Innovation and Commercialization Initiative Program and believes that it should be a permanent program.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2090, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2090, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 536-20 Judiciary on H.B. No. 2650

The purpose of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Department of Taxation and Legislative Reference Bureau.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to Chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors, omissions, or obsolete laws.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2650 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 537-20 Judiciary on H.B. No. 2091

The purpose of this measure is to allow the University of Hawaii (UH) to conduct criminal history record checks on current or prospective employees, and contractors and their employees whose duties include ensuring the security of campus facilities and persons.

Your Committee received testimony in support of this measure from the University of Hawaii System and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that UH is responsible for ensuring the safety and security of facilities and persons on its campuses. UH utilizes university security officers, who are civil service employees recruited by the Department of Human Resources Development (DHRD). Your Committee notes that according to UH's testimony, it has entered into a delegation agreement with DHRD for UH to perform all tasks associated with recruiting, selecting, and hiring university security officers, except for the task of completing background checks. This measure will statutorily enable DHRD to also delegate to UH the authority to conduct background checks, thereby allowing UH to perform all aspects of the university security officer recruitment process more efficiently.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2091, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 538-20 Judiciary on H.B. No. 2170

The purpose of this measure is to require all public meetings of the Board of Regents of the University of Hawaii to be streamed live on the Internet, recorded in digital video format, and archived and made available to the public.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of the Board of Regents of the University of Hawaii System.

Your Committee finds that the public meetings of the Board of Regents of the University of Hawaii help keep the public informed of the actions of the Board. However, the availability of the public to attend the meetings may be limited by geographical barriers. This measure will allow the public to view the meetings, even when they are unable to attend in person.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2170, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 539-20 Judiciary on H.B. No. 2510

The purpose of this measure is to:

- (1) Require the Board of Education to hold no less than six community forums annually, rather than committee meetings, with at least one community forum to be held in each county; and
- (2) Require the Board of Education to include an open forum for public comment on non-agenda items at the end of each public Board meeting through June 30, 2025, and report to the 2021 Legislature on the implementation of the open forums.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Education Caucus and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Professional Chapter of the Society of Professional Journalists. Your Committee received comments on this measure from the Office of Information Practices, Board of Education, and Civil Beat Law Center for the Public Interest.

Your Committee finds that community meetings held by the Board of Education improve the public's access to the Board and allow the public to provide the Board with more information to help with decision-making and priority setting. Your Committee further finds that providing greater access to the Board of Education will improve transparency and access to information thereby encouraging an informed and engaged community of citizens.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2510, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (Nakashima).

SCRep. 540-20 Judiciary on H.B. No. 2694

The purpose of this measure is to make an emergency appropriation to the State Public Charter School Commission to provide funds to cover the costs of the claim and settlement amount pursuant to *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K.

Your Committee did not receive any testimony on this measure.

Your Committee finds that section 4 of Act 99, Session Laws of Hawaii 2019, appropriated from the general funds from fiscal year 2018-2019 for EDN 600 to pay for claims against the State or Hawaii state public charter school. However, this would require the charter school to use funds that were intended for the operation of the charter school and education of its students. To avoid negatively impacting the students and families of the charter school, this measure appropriates funds from the general revenues of the State to the State Public Charter School Commission.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2694, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 541-20 Judiciary on H.B. No. 2656

The purpose of this measure is to establish the Hawaii Justice League Program in the University of Hawaii at Manoa William S. Richardson School of Law to provide partial student loan repayment assistance for lawyers who agree to practice law in underserved rural areas in the State.

Your Committee received testimony in support of this measure from the William S. Richardson School of Law, SanHi, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Domestic Violence Action Center.

Your Committee finds that few new lawyers are able to practice public interest law in underserved rural areas because of the high cost of attending law school and living in Hawaii. Your Committee further finds that loan repayment assistance programs have been successfully used in the State to increase the number of educators in hard-to-fill teaching positions. This measure will establish a partial loan repayment assistance program that will encourage and enable lawyers to practice law in underserved rural areas in the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2656, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Nakashima, Takayama).

SCRep. 542-20 Transportation on H.B. No. 1907

The purpose of this measure is to prohibit a person from operating a helicopter for commercial purposes without a valid instrument rating from the Federal Aviation Administration.

Your Committee received testimony in support of this measure from the Kailua Neighborhood Board No. 31, Pearl City Neighborhood Board, five individuals, and a petition containing the names of numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Helicopter Association, Jack Harter Helicopters, Mauna Loa Helicopter Tours, Paradise Helicopters, Magnum Helicopters, Schuman Aviation Company Ltd., and eight individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Land and Natural Resources, and one individual.

Your Committee finds that many areas and communities across Hawaii are being adversely affected by low-flying helicopter air tours. Furthermore, from October 2018 to the present, six commercial and tour helicopter crashes and emergencies in Hawaii have already occurred.

Your Committee has amended this measure by changing its effective date to July 1, 2050.

Your Committee notes that the Department of the Attorney General raised the concern that this measure may be subject to a pre-emption challenge because the Federal Aviation Administration was established to create a uniform and exclusive system of federal regulation in the field of air safety, whereas this measure would create a new, state-based requirement for commercial helicopter pilots and subject the pilot as well as the pilots employer to a criminal penalty.

Your Committee further recognizes that the United States Representative for Hawaii's First Congressional District has introduced federal legislation to regulate commercial and tour helicopters. Moreover, your Committee notes the continued efforts of the Hawaii Air Tour Task Force, which includes the Hawaii Helicopter Association, Airports Division of the Department of Transportation, and Federal Aviation Administration, in addressing safety and noise issues related to rotor- and fixed-wing aerial tours in the State.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1907, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1907, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 543-20 Transportation on H.B. No. 1814

The purpose of this measure is to strengthen public safety by requiring that an ignition interlock device not have recorded a negative report for ninety consecutive days before it can be removed.

Your Committee received testimony in support of this measure from a member of the Maui County Council, Mothers Against Drunk Driving Hawaii, Smart Start LLC, Foundation for Advancing Alcohol Responsibility, Traffic Injury Research Foundation, and one individual. Your Committee received comments on this measure from the Judiciary, Department of Transportation, and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the only way to stop an intoxicated driver from operating a motor vehicle is to install an ignition interlock device on the vehicle that the driver operates during a license revocation period. An ignition interlock device is the single most effective tool available to physically stop a person from driving under the influence of alcohol and this serves as the best mechanism to enhance public safety.

Your Committee has amended this measure by:

- (1) Deleting its contents;
- (2) Establishing a system of graduated penalties for violations of, and requiring proof of compliance with, the ignition interlock law; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee respectfully requests that should your Committee on Judiciary hear this measure, it:

- (1) Address concerns that persons convicted of driving while intoxicated may simply wait out the revocation period of their driver's license without ever installing an ignition interlock device;
- (2) Consider extending revocation periods for driver's licenses;
- (3) Examine whether a person's driver's license can be administratively recovered; and
- (4) Review probation as a way for persons convicted of driving while intoxicated to comply with the law.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1814, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1814, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

SCRep. 544-20 Transportation on H.B. No. 1950

The purpose of this measure is to:

- (1) Require the Department of Transportation to conduct a study on the feasibility of a private-public partnership to design, build, and operate an underwater tunnel for vehicular traffic between Ewa and downtown Honolulu; and
- (2) Authorize the issuance of general obligation bonds and appropriate funds for the study.

Your Committee received testimony in support of this measure from six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the upcoming decades will bring tens of thousands of new homes to the leeward coast and nearby areas of west Oahu. Traffic experts predict that vehicular congestion will double or triple as a result of the growth in population. Completion of Honolulu's rail transit project, potential implementation of toll roads, and other traffic mitigation efforts, while helpful, will not be enough to provide the additional transportation capacity for west Oahu residents.

Your Committee further finds that an underwater tunnel constructed at an appropriate location will provide residents of the leeward coast with a much more direct route to downtown Honolulu, which will reduce travel time and save transportation expenses. This measure tasks the Department of Transportation with looking at the feasibility of constructing an underwater tunnel.

Your Committee has amended this measure by:

- (1) Replacing the general obligation bond authorization with a general fund appropriation of an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1950, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1950, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Okimoto). Excused, none.

SCRep. 545-20 Intrastate Commerce/Consumer Protection & Commerce on H.B. No. 1754

The purpose of this measure is to increase the installment of automatic fire sprinkler systems in the State by:

- (1) Requiring builders of new one- and two-family dwellings to provide buyers with information on the benefits and costs associated with installing and maintaining a residential fire sprinkler system; and
- (2) Requiring the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs to develop a standard form for this purpose.

Your Committees received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Build With Strength, and one individual. Your Committees received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs and Chamber of Commerce Hawaii. Your Committees received comments on this measure from the Building Industry Association of Hawaii.

Your Committees find that the material used in new dwellings is particularly susceptible to residential fires. Your Committees further find that installing smoke alarms and sprinklers in a home reduces the risk of fire-related deaths by eighty-two percent. Your Committees have heard the concerns raised in testimony by the Department of Commerce and Consumer Affairs, that the Department's Professional and Vocational Licensing Division lacks the requisite expertise to develop the forms needed to document a homebuyer's decision to accept or reject the option to install a residential sprinkler system. Your Committees understand these concerns and believe the county fire departments may be better suited to carry out this responsibility.

Therefore, your Committees have amended this measure by:

- (1) Requiring the county fire departments, rather than the Professional and Vocational Licensing Division, to develop the buyer acknowledgement forms; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Intrastate Commerce and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1754, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 1754, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Nishimoto, McDermott).

Consumer Protection & Commerce: Ayes, 8. Noes, none. Excused, 3 (Belatti, Mizuno, Matsumoto).

SCRep. 546-20 Intrastate Commerce on H.B. No. 1809

The purpose of this measure is to:

- (1) Prohibit residential contractors from offering to pay, in any monetary form, a homeowners insurance deductible as an incentive to encourage a homeowner to hire the contractor; and

- (2) Allow an insured to rescind a contract to repair or replace roof systems or other exterior work within five business days of receiving notice from a homeowners insurer that all or part of the claim or contract is not a covered loss under a homeowners insurance policy.

Your Committee received testimony in support of this measure from the National Insurance Crime Bureau. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from State Farm Mutual Automobile Insurance Company, Hawaii Insurers Council, and Roofing Contractors Association of Hawaii.

Your Committee finds that, after significant weather events, contractors may take advantage of consumers by convincing homeowners to replace their entire roof even in scenarios where the homeowner's roof has sustained minimal or no damage. Your Committee further finds that unscrupulous individuals in these situations may represent themselves to consumers as insurance claims experts who can obtain insurance proceeds to fix a house, even when these individuals are not licensed independent adjusters. This measure seeks to prohibit or remedy these types of actions.

Your Committee notes the concerns raised that the new definition of "residential contractor" is overly broad and covers multiple types of contractors, not just roofing contractors. However, your Committee believes this measure will further protect consumers from unscrupulous contractors.

Your Committee has amended this measure by:

- (1) Placing the new language proposed by this measure in chapter 444, Hawaii Revised Statutes, relating to contractors, rather than chapter 481B, Hawaii Revised Statutes;
- (2) Requiring the inclusion of a copy of the notice by the homeowners insurer denying coverage of the claim or contract with the notice of rescission;
- (3) Authorizing the Contractors License Board to revoke, suspend, or refuse to renew the license of any contractor who knowingly or intentionally acts as a public adjuster;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1809, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1809, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 547-20 Intrastate Commerce on H.B. No. 2435

The purpose of this measure is to allow a barber shop license applicant to identify either a licensed barber or licensed beauty operator to qualify the barber shop for licensure.

Your Committee received comments on this measure from the Board of Barbering and Cosmetology.

Your Committee finds that this measure clarifies existing law by explicitly allowing an applicant for a barber shop license to identify either a licensed barber or licensed beauty operator at the barber shop to qualify the barber shop for licensure.

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2435, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2435, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 548-20 Energy & Environmental Protection on H.B. No. 1723

The purpose of this measure is to:

- (1) Extend the income tax credit program for homeowners who upgrade or convert their cesspool to a septic system, or aerobic treatment system, or connect to a sewage system from to December 31, 2025; and
- (2) Eliminate the geographical limitations for qualified cesspools.

Your Committee received testimony in support of this measure from Ulupono Initiative, three members of the Kauai County Council, one member of the Maui County Council, and one individual. Your Committee received testimony in opposition to this measure from Hawaii Reef and Ocean Coalition. Your Committee received comments on this measure from the Department of Health and Department of Taxation.

Your Committee finds that in 2017, legislation was enacted requiring every cesspool in Hawaii to be upgraded or converted to a septic system or aerobic treatment system, or connected to a sewerage system, by January 1, 2050. The cesspool conversion tax credit incentivizes homeowners to convert, upgrade, or connect their cesspools.

Your Committee has amended this measure by:

- (1) Removing language that amended the definition of "qualified cesspool" to remove the geographic limitations within that definition; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1723, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1723, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Har, Thielen).

SCRep. 549-20 Energy & Environmental Protection on H.B. No. 202

The purpose of this measure is to amend the renewable energy technologies income tax credit by amending credit amounts for solar water heater systems, other solar energy systems, and wind energy systems; allowing credits to be claimed for energy storage systems; and allowing planned community associations, condominium associations, and cooperative housing corporations to claim the credit.

Your Committee received testimony in support of this measure from 350Hawaii.org, EAH Housing, and seven individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii State Energy Office, Tax Foundation of Hawaii, Hawaii Solar Energy Association, Hoohana Solar 1 LLC, Verity CPAs, Tesla, and Adon Renewables.

Your Committee finds that it is important to provide developers of utility-scale renewable energy projects with certainty that the existing renewable energy technologies tax credit will still apply to projects that have already been approved by the Public Utilities Commission in 2019 and are currently under development, upon their ultimate completion. Such assurance will help reduce risks and costs for developers and increase the number of developers willing to propose and develop renewable energy projects in Hawaii.

Your Committee has amended this measure accordingly by deleting the proposed amendments to the renewable energy technologies income tax credit and inserting language to instead amend the existing renewable energy technologies tax credit by:

- (1) Repealing the availability of the tax credit for solar energy systems and wind-powered energy systems for commercial properties for taxable years beginning after December 31, 2019, except for taxpayers subject to a power purchase agreement approved by a decision and order issued by the Public Utilities Commission prior to December 31, 2019;
- (2) Increasing the tax credit for solar water heater systems, other solar energy systems, and wind-powered energy systems for multi-family residential properties to \$750 per unit per system;
- (3) Making the entire renewable energy technologies income tax credit unavailable after December 31, 2045; and
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion and making the measure, upon its approval, apply to taxable years beginning after December 31, 2019.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 202, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Thielen). Noes, none. Excused, none.

SCRep. 550-20 Energy & Environmental Protection on H.B. No. 1844

The purpose of this measure is to strengthen the Hawaii Green Infrastructure Authority's (HGIA) ability to support investment in clean energy technology and infrastructure by:

- (1) Creating a Clean Energy and Energy Efficiency Revolving Loan Fund (CEEERLF) Program to finance a broad range of clean energy technologies;
- (2) Repealing the Building Energy Efficiency Revolving Loan Fund; and
- (3) Making an appropriation out of the CEEERLF to make clean energy investment loans or for other approved uses.

Your Committee received testimony in support of this measure from Surfrider Oahu, 350 Hawaii.org, Honokaa People's Theatre, Blue Planet Foundation, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs Division of Consumer Advocacy, Hawaii Green Infrastructure Authority, and Hawaii State Energy Office.

Your Committee finds that green infrastructure investment supports Hawaii's evolving energy market and provides affordable options for Hawaii's ratepayers. A significant barrier to clean energy adoption has been the unavailability of flexible financing and low-cost capital. Ratepayer-funded programs, such as energy efficiency rebates and the Green Energy Market Securitization Loan Program, have made progress but do not serve all ratepaying customers or the entire clean energy technology market.

Your Committee has amended this measure by:

- (1) Excluding from deposit into the CEEERLF funds collected as payment of loans and interest payments from funds advanced from proceeds of green energy market securitization bonds;
- (2) Removing the Energy Security Special Fund as a source of funding for the CEEERLF, as the barrel tax allocation should be sufficient;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1844, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1844, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Thielen). Noes, none. Excused, 1 (Wildberger).

SCRep. 551-20 Energy & Environmental Protection on H.B. No. 2151

The purpose of this measure is to assist low- and moderate-income property owners with converting their failing cesspools to more environmentally appropriate systems by creating a Cesspool Compliance Pilot Grant Project (Project) to assist with conversion costs.

Your Committee received testimony in support of this measure from one member of the Hawaii County Council, two members of the Kauai County Council, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party of Hawaii, Maui Chamber of Commerce, Wastewater Alternatives and Innovations, Ulupono Initiative, Friends of Hanauma Bay, and one individual. Your Committee received comments on this measure from the Department of Taxation and Department of Health.

Your Committee finds that Act 125, Session Laws of Hawaii 2017, required homeowners to replace all cesspools by 2050 and directed the Department of Health to develop a system to prioritize replacement of the cesspools. Your Committee recognizes that the requirement to upgrade or convert a cesspool imposes a financial burden on low- and moderate-income families.

Your Committee has amended this measure by:

- (1) Changing the appropriation to the Department of Health for the Project to an unspecified amount;
- (2) Allowing the Department of Health to use a portion of the sum appropriated for an administrator position or to contract for services to establish and administer the Project; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2151, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2151, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Har, Thielen).

SCRep. 552-20 Energy & Environmental Protection on H.B. No. 1714

The purpose of this measure is to appropriate funds:

- (1) To substantially reduce and manage the overpopulation of axis deer in the County of Maui; provided that the population of axis deer shall be managed properly rather than eradicated; and
- (2) For the County of Maui to prepare a plan detailing how the county will reduce and manage the county's overpopulation of axis deer.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of the Mayor of the County of Maui, Maui County Farm Bureau, Hawaii Farm Bureau, Hawaii Cattlemen's Council, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that axis deer pose a significant threat to the sustainability of local food production by destroying crops and competing with livestock for forage. Although the axis deer population may be referred to as an invasive species, it also significantly contributes to the subsistence hunting lifestyle and cultural practices of residents of Maui, Molokai, and Lanai. Accordingly, available resources should be focused on the management of the axis deer population to mitigate its harmful impact on local environments and food production.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1714, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Har).

SCRep. 553-20 Energy & Environmental Protection on H.B. No. 2265

The purpose of this measure is to establish the Invasive Species Rapid Response Special Fund to be available to the Invasive Species Council for expenditure when the Governor declares that an invasive species emergency exists.

Your Committee received testimony in support of this measure from the University of Hawaii System, Office of the Mayor of the County of Hawaii, one member of the Hawaii County Council, one member of the Maui County Council, Maui Chamber of Commerce, Big Island Invasive Species Committee, Hawaii Farm Bureau, Hawaii Cattlemen's Council, Invasive Species Committee of Pauilo Mauka Kalopa Community Association, and six individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and Department of Land and Natural Resources.

Your Committee finds that responding quickly to newly detected invasive species often prevents the species from becoming firmly established, thus saving taxpayers money in the long term. State agencies currently lack the resources and response mechanisms to deal with newly identified threats from invasive species and may be missing opportunities to eliminate them. Delays may allow invasive species to become established in the State, and consequently, may make mitigation efforts more protracted and expensive.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; provided that the appropriation shall take effect on July 1, 2020; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2265, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Har).

SCRep. 554-20 Energy & Environmental Protection on H.B. No. 2624

The purpose of this measure is to establish an Environmental Impact Statement Information Hub within the Office of Environmental Quality Control (Office) to provide information, such as upcoming hearings, periods for comments, and summaries for pending Environmental Impact Statements.

Your Committee received testimony in support of this measure from Young Progressives Demanding Action and four individuals. Your Committee received comments on this measure from the Office of Environmental Quality Control.

Your Committee finds that transparency is important to the public regarding the approval and permitting processes for construction and other projects that may impact the environment. The public is often unaware of a pending project until after a decision is made on an environmental assessment or environmental impact statement, at which point the time for public comments has passed. Increasing public participation and awareness of projects prior to

acceptance of the environmental assessment or environmental impact statement will allow the public time to participate in the process. Improving the Office's website and highlighting the projects still open for public comment will allow the public to participate in the process.

Your Committee has amended this measure by:

- (1) Incorporating the proposed language into section 343-3, Hawaii Revised Statutes, rather than establishing it as a new section in Chapter 343, Hawaii Revised Statutes;
- (2) Removing references to the Environmental Impact Statement Information Hub and clarifying that the Office shall establish, implement, and maintain an interactive website that shall be accessible to the public at no cost;
- (3) Amending the functionality of, and required notifications and information to be provided through, the website;
- (4) Removing the second year of the appropriation and making the release of funds contingent upon the Office consulting its stakeholders regarding establishment of the website;
- (5) Changing the expending agency for the appropriation to the Department of Health;
- (6) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2624, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2624, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Har).

SCRep. 555-20 Energy & Environmental Protection/Health on H.B. No. 2407

The purpose of this measure is to:

- (1) Require the Department of Health to update its co-composting rules by January 1, 2021, and every five years thereafter;
- (2) Require the Department of Health to establish a multi-tiered registration and permitting system for composting facilities; and
- (3) Allow composting and co-composting in the agricultural district, including on lands with class A or B soils.

Your Committees received testimony in support of this measure from the Hawaii Youth Climate Coalition, Sustainable Coastlines Hawaii, Kokua Hawaii Foundation, and one individual. Your Committees received comments on this measure from the Department of Health.

Your Committees find that food waste is the second largest component that enters a waste stream and accounts for twenty-five percent of all materials sent to landfills. Nearly fifty percent of organic materials disposed of in incinerators and landfills can be diverted for bioconversion, including composting. Your Committees further find that the existing permitting process for composting operations is an onerous and unreasonable barrier to lawful participation for small to midsize composting operations. This measure seeks to mandate updates to composting regulations and permitting processes to increase the number of operators diverting organics from landfills and incinerators, thereby improving the State's sustainability and self-sufficiency.

Your Committees have amended this measure by:

- (1) Deleting the requirement that the Department of Health periodically update its rules and establish a multi-tiered registration and permitting system for composting facilities;
- (2) Requiring the Department of Health to instead adopt or amend rules to establish a classification system for composting facilities or operations for the purposes of regulating them for health purposes;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2407, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2407, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Yamane).

Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 556-20 Energy & Environmental Protection/Health on H.B. No. 2579

The purpose of this measure is to require minimum hazard threshold levels, including any environmental cleanup levels, set by the Department of Health to be peer reviewed and approved by an independent technical advisory committee.

Your Committees received testimony in support of this measure from the Board of Water Supply of the City and County of Honolulu, Progressive Democrats of Hawaii, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party, Our Revolution Hawaii, and six individuals. Your Committees received testimony in opposition to this measure from the Department of Health and three individuals.

Your Committees find that Environmental Action Levels (EAL) are primarily used to identify the presence of contaminated soil and groundwater that may require management and cleanup. Clear, consistent, and transparent guidance for development and consultation to establish minimum hazard thresholds are essential to protect human health and Hawaii's environment. Your Committees further find that credentialed experts should be included in the process to evaluate and affirm EALs set by the Department of Health, and notice should be provided to affected agencies.

Your Committees have amended this measure by:

- (1) Removing the peer review requirement for minimum hazard thresholds developed by the Department of Health but retaining an independent technical advisory committee's approval;

- (2) Requiring that the Department of Health provide notice of proposed changes or variances in EALs to the county boards or departments of water supply and other affected agencies;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2579, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2579, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Yamane).

Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 557-20 Energy & Environmental Protection/Health on H.B. No. 2196

The purpose of this measure is to protect groundwater and nearshore water quality and coral reefs by reducing nutrient pollution from wastewater disposal by:

- (1) Requiring onsite sewage disposal systems servicers to report multiple pump services within a year to the Department of Health;
- (2) Appropriating funds for the Department of Health to conduct outreach and engagement with residents about onsite sewage disposal systems; and
- (3) Appropriating funds for the Cesspool Conversion Working Group to compile an updated database of onsite sewage disposal systems statewide and report to the Department of Health and the Legislature.

Your Committees received testimony in support of this measure from the Hawaii Reef and Ocean Coalition, Wastewater Alternatives and Innovations, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party of Hawaii, and two individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that wastewater injection wells and onsite sewage disposal systems, especially cesspools, in coastal areas directly affect Hawaii's nearshore waters and coral reefs. Decreasing its flow to groundwater and nearshore waters via individual wastewater onsite sewage disposal systems and municipal sewer-connected wastewater disposal systems can be achieved with proper support for management, education, innovation, and nature-based solutions.

Your Committees have amended this measure by:

- (1) Rather than the Department of Health, tasking the University of Hawaii Sea Grant College Program, in collaboration with the Department of Health, with conducting outreach and engagement with the public regarding individual wastewater and onsite sewage disposal systems;
- (2) Inserting language to require the University of Hawaii Water Resources Research Center, in collaboration with the Department of Health, to conduct research on the most cost-effective way to upgrade cesspools and appropriating an unspecified sum for the research and a resultant report;
- (3) Changing all appropriations to unspecified sums;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2196, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2196, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Yamane).

Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 558-20 Energy & Environmental Protection on H.B. No. 2701

The purpose of this measure is to:

- (1) Require that agency actions undertaken with funds from the Environmental Response Revolving Fund, Energy Security Special Fund, Energy Systems Development Special Fund, and Agricultural Development and Food Security Special Fund be undertaken with careful consideration of how those actions can assist the State in achieving the zero emissions clean economy target and support the State's climate change resilience, environmental response, energy, and food systems; and
- (2) Require that these special funds explain in annual reports how expenditures support the State's clean energy economy and climate change resilience in order to increase transparency and accountability of the use of these special funds, encourage coordinated agency responses to climate change, and ensure that taxes on fossil fuels assist in addressing the impacts of the climate crisis caused by burning of fossil fuels.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Climate Protectors Coalition, 350Hawaii.org, and six individuals. Your Committee received comments on this measure from the Department of Agriculture and University of Hawaii System.

Your Committee finds that the environmental response, energy, and food security tax, also known as the barrel tax, is collected with each barrel or fractional part of a barrel of fossil fuel in the State. The barrel tax can be a valuable part of the State's response to the climate crisis, as portions of the tax are currently distributed to various sustainability-related and energy-related special funds. This measure requires agencies that receive an allocation from the barrel tax to consider how use of these monies can assist the State in achieving the zero emissions clean economy target and increase the resilience of the State's energy systems to the impacts of climate change.

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2701, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2701, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Har).

SCRep. 559-20 Judiciary on H.B. No. 2054

The purpose of this measure is to prohibit employers from:

- (1) Requiring employees to enter into, as a condition of employment, a nondisclosure agreement preventing the employee from disclosing or discussing sexual harassment or sexual assault in the workplace, at work-related events, between employees, or between an employer and an employee; and
- (2) Retaliating against employees for disclosing or discussing sexual harassment or sexual assault.

Your Committee received testimony in support of this measure from the Department of Human Services; Hawaii State Commission on the Status of Women; Hawaii Civil Rights Commission; AAUW of Hawaii; Hawaii Women's Coalition; LGBT Caucus of the Democratic Party of Hawaii; Planned Parenthood Votes Northwest and Hawaii; SAG-AFTRA; Domestic Violence Action Center; Fujiwara and Rosenbaum, LLLC; SAG-AFTRA; Domestic Violence Action Center; and five individuals.

Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault are important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work environment and retaliating against employees for disclosure provides enhanced protections and supports a safe and positive work environment for all individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2054, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 560-20 Judiciary on H.B. No. 1701

The purpose of this measure is to promote pay equity by:

- (1) Conforming statutory prohibitions against wage discrimination with other prohibitions on employment discrimination;
- (2) Clarifying the factors that can be used by employers to justify differences in compensation based on seniority, merit, or other nondiscriminatory factors;
- (3) Requiring employers to disclose wage ranges to employees and prospective employees; and
- (4) Updating the term "equal work", as used in state nondiscrimination statutes, to "substantially similar work".

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, AAUW of Hawaii, Hawaii Women's Coalition, Hawaii Advocates for Consumer Rights, LGBT Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, Pono Hawaii Initiative, Hawaii Appleseed Center for Law and Economic Justice, Planned Parenthood Votes Northwest and Hawaii, Queen's Health Systems, Zonta Club of Hilo, and ten individuals. Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League. Your Committee received comments on this measure from the Hawaii Food Industry Association, Hawaii Pacific Health, and Chamber of Commerce Hawaii.

Your Committee finds that persisting inequality in pay between genders has dire and long-lasting economic effects on women, who make up almost half of America's workforce, as well as on children and most households. This measure builds on the pay equity provisions of Act 108, Session Laws of Hawaii 2018, by prohibiting discrimination in compensation based on race; sex, including gender identity or expression; sexual orientation; age; religion; color; ancestry; disability; marital status; arrest and court record; or domestic or sexual violence victim status for substantially similar work.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1701, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 561-20 Judiciary on H.B. No. 1529

The purpose of this measure is to establish the Hawaii Student Free Expression Act to allow student journalists at public schools to exercise freedom of speech and freedom of the press in school-sponsored media.

Your Committee received testimony in support of this measure from the All Hawaii News, Big Island Press Club, Hawaii Professional Chapter of the Society of Professional Journalists, Hawaii Publishers Association, and thirteen individuals. Your Committee received comments on this measure from the Department of Education.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 562-20 Judiciary on H.B. No. 2528

The purpose of this measure is to:

- (1) Limit the civil liability of a licensed veterinarian who rendered care to a sick or injured animal in an emergency or outside of a veterinarian-client-patient relationship;
- (2) Require a veterinarian to make an appropriate record of the circumstances that would limit the veterinarian's liability; and
- (3) Require a veterinarian to report to appropriate county law enforcement authorities if there is reasonable belief that:
 - (A) Animals were injured or killed in a staged animal fight; or
 - (B) An animal is the victim of animal abuse or cruelty.

Your Committee received testimony in support of this measure from the Board of Veterinary Medicine, Animal Interfaith Alliance, Animal Welfare Institute, National LINK Coalition, Hawaii Veterinary Medical Association, Hawaiian Humane Society, Animal Rights Hawaii, and eleven individuals.

Your Committee finds that this measure will encourage veterinarians to provide care to injured or sick animals in situations where a clear veterinarian-client-patient relationship may be lacking. Your Committee further finds that this measure, through its reporting requirements, will also serve as a means to curtail staged animal fights and animal abuse and cruelty and further protect veterinarians, as mandatory reporters, from civil liability.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2528, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 563-20 Judiciary on H.B. No. 2067

The purpose of this measure is to establish a three-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Hawaii State Coalition Against Domestic Violence, Domestic Violence Action Center, AAUW of Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your Committee received comments on this measure from the Department of the Attorney General and the Office of the Public Defender.

Your Committee finds that the dynamics of domestic violence are complicated, and a more flexible approach may be necessary in sentencing defendants in abuse of family or household members cases. This measure seeks to provide this flexibility while still holding defendants accountable for their actions.

Your Committee recognizes that this measure is a work in progress. Your Committee notes that the Chair of your Committee on Human Services and Homelessness will be working with stakeholders to address the concerns raised during your Committee's public hearing on this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2067, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 564-20 Judiciary on H.B. No. 2050

The purpose of this measure is to clarify that the effective period of a temporary restraining order, protective order, or injunction for a minor may extend to a reasonable date after the minor has reached the age of eighteen.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii State Coalition Against Domestic Violence, AAUW of Hawaii, Hawaii Youth Services Network, Domestic Violence Action Center, Parents and Children Together, and two individuals.

Your Committee finds that temporary restraining orders, protective orders, and injunctions against harassment for a minor typically expire when the minor reaches the age of eighteen. This measure eliminates the automatic termination of the order or injunction and permits the extension of the order's or injunction's effective period.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2050, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 565-20 Judiciary on H.B. No. 1788

The purpose of this measure is to improve the care and treatment of children in the juvenile justice system by:

- (1) Limiting the circumstances under which children at detention and shelter facilities are subject to room confinement; and
- (2) Specifying the conditions and time limit for which room confinement may be imposed.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, American Civil Liberties Union of Hawaii, AAUW of Hawaii, and one individual.

Your Committee finds that in 2018, Congress passed the First Step Act which, among other things, prohibits facilities that confine youth in federal custody from using room confinement for discipline, punishment, retaliation, or any reason other than as a temporary response to a juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including the covered juvenile. Your Committee recognizes that the type of facility and the conditions where a child is confined can affect the child's health, safety, and outcomes upon reentry. This measure addresses the impact that room confinement has on the treatment and rehabilitation of children who are detained.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1788, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 566-20 Judiciary on H.B. No. 2061

The purpose of this measure is to require the Department of the Attorney General to convene a study group to examine the impacts of child support monies collected by the Department of Human Services for the public assistance of children for pass through to the family receiving public assistance.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii State Commission on the Status of Women, Hawaii Children's Action Network Speaks!, AAUW of Hawaii, Domestic Violence Action Center, and four individuals. Your Committee received comments on this measure from the Department of the Attorney General and Zonta Club of Hilo.

Your Committee finds that the Temporary Assistance for Needy Families (TANF) Program is a time-limited welfare program that provides cash assistance and supportive services to needy families with children. The program is designed to help low-income families while they work toward self-sufficiency. Your Committee finds that implementation of a pass through program will require modifications to the Child Support Enforcement Agency's statewide case management computer system to consider TANF household members or recipients before passing through child support payments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (McKelvey, Say). Noes, none. Excused, none.

SCRep. 567-20 Judiciary on H.B. No. 2117

The purpose of this measure is to:

- (1) Establish a three-year homeless employment grant program within the Department of Human Services that:
 - (A) Seeks out homeless individuals throughout the State to participate in the program, with a focus on those who have yet to receive services;
 - (B) Assists homeless individuals by providing them temporary jobs in public service; and
 - (C) Connects homeless individuals with service providers; and
- (2) Require the Department of Human Services to examine the effectiveness, progress, and success of employment programs that target homeless young adults and youth within the Department, including those within the Homeless Programs Office and Office of Youth Services.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network and two individuals. Your Committee received comments on this measure from the Department of Human Services, Governor's Coordinator on Homelessness, and Hope Services Hawaii.

Your Committee finds that despite increased efforts and resources to reduce homelessness in Hawaii, it has remained a significant issue. Pilot programs throughout the country provide homeless individuals with temporary work while also creating avenues for access to services these individuals need. This measure will provide work opportunities and connections to essential services for those in need.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2117, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 568-20 Judiciary on H.B. No. 2258

The purpose of this measure is to prohibit the expulsion and limit the suspension of children participating in the Executive Office on Early Learning Public Prekindergarten Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Learning Board, Hawaii State Teachers Association, Hawaii Children's Action Network Speaks!, Parents and Children Together, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by:

- (1) Updating its preamble; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should future committees deliberate on this measure further, your Committee on Judiciary respectfully requests that those committees consider the concerns raised by the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, regarding limiting the discretion and flexibility of school administrators to issue consequences.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2258, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2258, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 569-20 Labor & Public Employment on H.B. No. 2287

The purpose of this measure is to:

- (1) Amend the cash or protest bond amounts that a party must pay to the Department of Commerce and Consumer Affairs to protest the solicitation or award of a competitive sealed bidding contract or competitive sealed proposal contract estimated at:
 - (A) Less than \$500,000;

(B) \$500,000 or more but less than \$1,000,000; and

(C) \$1,000,000 or more; and

(2) Remove the \$10,000 cap on the cash or protest bond amount for contracts valued at \$1,000,000 or more.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Transportation, and Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the State Procurement Code was established to increase public confidence and foster broad-based competition, fiscal responsibility, and efficiency in the procurement process. Your Committee also finds that unwarranted and frivolous protests have the potential of resulting in project delays, lapsed funding, and project cost increases. This measure amends the cap on the protest bond amount as it is too low for public works projects that have an estimated value exceeding into the millions of dollars.

Your Committee has concerns regarding the appropriate percentage or dollar amount that should be established for cash or protest bonds.

Your Committee has amended this measure by:

- (1) Deleting the cash or protest bond percentage amounts for contracts valued at less than \$500,000 and contracts valued at \$500,000 or more but less than \$1,000,000, and instead retaining the existing cash or protest bond dollar amounts for these contracts;
- (2) Changing the cash or protest bond percentage amount for contracts valued at \$1,000,000 or more to an unspecified amount;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2287, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2287, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 570-20 Labor & Public Employment on H.B. No. 2092

The purpose of this measure is to appropriate funds to the Department of Education to establish a Workforce Readiness Program within the Adult Community Schools Program.

Your Committee received testimony in support of this measure from the Department of Education, Department of Labor and Industrial Relations, Workforce Development Council, Hawaii Pacific Health, Hawaii Food Industry Association, Change Agents, and ten individuals. Your Committee received comments on this measure from the Executive Office on Early Learning and Early Learning Board.

Your Committee finds that high school students and non-high school graduates in Hawaii would benefit from aligning educational curriculum to a workforce readiness program that is dependent on close collaboration between high schools and Department of Education adult community schools, community colleges, the Workforce Development Council, and employers. This measure will establish the Workforce Readiness Program to ensure that students receive industry-based skills and credentials required for employment after graduation or upon completion of the Adults' Workforce Preparation Program.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2092, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 571-20 Labor & Public Employment on H.B. No. 1996

The purpose of this measure is to require the Board of Education to include evaluations of the Strive HI Performance System factors as a component of the Superintendent of Education's annual performance evaluation and require improvements in at least one-half of the factors for any salary increase for the Superintendent.

Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association.

Your Committee finds that including the Department of Education's most current strategic plan indicators, rather than the Strive HI Performance System factors, are a better measure of employee performance and potential for the Superintendent of Education's annual performance evaluation.

Your Committee has amended this measure by including an evaluation of the Department of Education's most current strategic plan indicators, rather than the Strive HI Performance System factors, as a component of the Superintendent of Education's annual performance evaluation.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1996, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1996, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 572-20 Labor & Public Employment on H.B. No. 1664

The purpose of this measure is to require the Department of Human Services to examine the efficiencies and effectiveness, including program outcomes, of its existing Supporting Employment Empowerment Hawaii Work Program.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that the Supporting Employment Empowerment Hawaii Work Program serves as a valuable tool for Temporary Assistance for Needy Families (TANF) participants in establishing employment opportunities through a network of participating employers. The Supporting Employment

Empowerment Hawaii Work Program also serves as a support service for participants of the First-to-Work Program, which provides case management, employment, and support services to work eligible individuals of TANF households.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1664, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 573-20 Labor & Public Employment on H.B. No. 1846

The purpose of this measure is to promote energy efficiency in the State by:

- (1) Requiring all state facilities, with the exception of smaller facilities, to start the process for an energy audit beginning on January 1, 2022;
- (2) Set deadlines for state facilities to begin implementation of efficiency measures or enter into performance contracts;
- (3) Authorize the Hawaii State Energy Office to have access to all utility bills and energy usage data for state-owned facilities and collect the information monthly and maintain all current and past data in a publicly accessible format;
- (4) Establishing energy efficient requirements for the design of all new state building construction; and
- (5) Requiring, no later than January 1, 2022, all state facilities with an area over ten thousand feet to undergo an energy audit to be conducted by or contracted out to an independent third party by the Hawaii State Energy Office.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Education, Hawaii State Energy Office, Elemental Excelsior, Climate Protectors Coalition, Environmental Caucus of the Democratic Party of Hawaii, CarbonCure Technologies, Ulupono Initiative, and Hawaii Energy.

Your Committee finds that maximizing energy efficiency and reducing demand for power generation is a necessary component of reaching the State's goal of one hundred percent renewable energy by 2045. This measure requires the State to focus on energy efficiency, energy-efficient new building construction, and maximizing savings of taxpayer dollars that would otherwise be spent on utility bills.

Your Committee has amended this measure by:

- (1) Exempting the facilities at the Aloha Stadium from the energy audit and requirements of implementing the results of the energy audit; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1846, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1846, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 574-20 Labor & Public Employment on H.B. No. 2339

The purpose of this measure is to exempt dependents of military servicemembers from the state residency requirement for employment with state or county government if the military servicemember is in Hawaii on bona fide military orders.

Your Committee received testimony in support of this measure from the Department of Human Resources Development and Hawaii Health Systems Corporation.

Your Committee finds that recent interpretations by the Department of Taxation in response to recent federal legislation have held that income received by dependents of servicemembers is not considered Hawaii-sourced income, on the condition that the servicemember is in Hawaii on valid military orders. Your Committee further finds that this measure is intended to clarify that dependents of servicemembers may maintain residency in a state other than Hawaii and still be considered for employment in state or county government. This measure would make Hawaii law consistent with the Department of Taxation's interpretation of the Servicemembers Civil Relief Act and thus may lead to a wider pool of applicants for state and county employment.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2339, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2339, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 575-20 Labor & Public Employment on H.B. No. 2485

The purpose of this measure is to require the Board of Trustees of the Employees' Retirement System to conduct a study and recommend state retirement benefits for Hawaii National Guard members who are activated under state active duty orders.

Your Committee received testimony in support of this measure from Hawaii National Guard, Hawaii National Guard Enlisted Association, and five individuals. Your Committee received testimony in opposition to this measure from the Board of Trustees of the Employees' Retirement System.

Your Committee finds that the Hawaii National Guard was activated multiple times during 2018 to provide disaster response under the emergency proclamation for Kauai flooding and the lava emergency proclamation, both of which were extended multiple times through supplemental emergency proclamations. These state active duty activations led Hawaii National Guard members to serve as long as six months of continuous service. This measure

considers whether retirement benefits for National Guard members who have been activated by the governor through state active duty orders should be afforded benefits.

Your Committee has amended this measure by:

- (1) Expanding the scope of the study to include examining:
 - (A) The impacts of providing retirement benefits for Hawaii National Guard members on the unfunded liabilities of the Employees' Retirement System; and
 - (B) The differences between full-time and part-time beneficiaries of the Employees' Retirement System, and intermittent employees, in relation to providing state retirement benefits to these types of employees;
- (2) Clarifying that the requirement to recommend a program with policies to provide Hawaii National Guard members with retirement benefits is dependent on whether the Board of Trustees of the Employees' Retirement System finds that such a program is viable and feasible;
- (3) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the moratorium on the enhancement of Employees' Retirement System benefits under section 88-99, Hawaii Revised Statutes, may conflict with this measure.

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

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 576-20 Lower & Higher Education on H.B. No. 2715

The purpose of this measure is to establish and appropriate funds for the Research and Technology Grant Program to be administered by the Hawaii Technology Development Corporation.

Your Committee received testimony in support of this measure from Makai Ocean Engineering, Inc.; and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Education and Hawaii Technology Development Corporation.

Your Committee recognizes the importance of fostering science, technology, engineering, and mathematics (STEM) education in the public education system from grade school through the university level and beyond. However, each year many residents leave the State for STEM careers across the United States and other countries. Your Committee finds that educational efforts must be matched with initiatives to foster jobs in research and technology, as research and technology are the core of innovation and the critical first step in a product development cycle.

Your Committee further finds that innovation is essential for creating new jobs in the high technology sector; keeping Hawaii competitive globally; creating new and better STEM jobs for Hawaii's residents; and creating a resilient economy. This measure will support research and development by providing grants to qualified research and technology companies in the State for eligible projects that will foster STEM education and involve participation from the Hawaii's students.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2715, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 577-20 Lower & Higher Education on H.B. No. 1904

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to protect the online accounts of employees, prospective employees, unpaid interns, applicants, students, and prospective students, from employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Civil Rights Commission, LGBT Caucus of the Democratic Party of Hawaii, Pride at Work – Hawaii, and the Hawaii Commission to Promote Uniform Legislation. Your Committee received testimony in opposition of this measure from the State Privacy and Security Coalition. Your Committee received comments on this measure from the American Civil Liberties Union of Hawaii.

Your Committee finds that growing reports of employers and educational institutions requiring or demanding access to the personal online accounts of employees, job applicants, and students raises significant privacy concerns. These concerns have resulted in legislative efforts in other jurisdictions to protect employees and students against unwarranted invasions of privacy and from workplace access to their social media accounts. This measure seeks to prevent employers and public and private educational institutions from demanding access to the online accounts of employees and students.

Should your Committee on Judiciary decide to hear this measure, your Committee respectfully requests that it consider the amendments provided by the American Civil Liberties Union (ACLU) of Hawaii in its testimony, as the ACLU believes this measure does not adequately protect students and employees and does not address online privacy for tenants.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1904, H.D. 1, and recommends that it be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (DeCoite, D. Kobayashi). Noes, none. Excused, none.

SCRep. 578-20 Lower & Higher Education on H.B. No. 2707

The purpose of this measure is to establish a Behavioral Health Social Worker Scholarship Program to be administered by the University of Hawaii.

Your Committee received testimony in support of this measure from the Judiciary, Department of Public Safety, Department of Health, Catholic Charities Hawaii, Hawaii Substance Abuse Coalition, Democratic Party of Hawaii, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and University of Hawaii System.

Your Committee finds that increasing the number of social workers in Hawaii is necessary to address the prevalence of individuals requiring mental health services in the State. This measure addresses the need for well-trained social workers who can respond to the behavioral health needs of individuals, many of whom experience homelessness.

Your Committee has amended this measure by:

- (1) Clarifying that students participating in the Behavioral Health Social Worker Scholarship Program are required to complete five years of service with any, rather than all, of the following: the Department of Human Services; Department of Health; Department of Public Safety; Judiciary; or contracted service providers for services in the areas of psychiatric and mental health, or other behavioral health social work; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2707, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2707, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 579-20 Lower & Higher Education/Health on H.B. No. 1956

The purpose of this measure is to:

- (1) Require persons eighteen years and older but under twenty-one who use tobacco at a public school or public school function attend a tobacco education course;
- (2) Require persons under eighteen years of age who use tobacco at a public school or public school function to attend a tobacco education course accompanied by their parent or guardian; and
- (3) Establish a fee to offset the cost of the courses.

Your Committees received testimony in support of this measure from the Hawaii Primary Care Association; American Academy of Pediatrics, Hawaii Chapter; Hawaii Public Health Institute; Blue Zones Project; and fifteen individuals. Your Committees received testimony in opposition to this measure from three individuals. Your Committees received comments on this measure from the Department of Education and Department of Health.

Your Committees find that one of the Department of Education's priorities is the safety and well-being of all students. This measure helps to carry out that priority by protecting the health of students from tobacco use.

Your Committees have amended this measure by:

- (1) Reverting the title of section 302A-102, Hawaii Revised Statutes, to read "Smoking prohibited.";
- (2) Clarifying that the prohibition on the use of tobacco includes the smoking of tobacco and the use of chewing tobacco;
- (3) Deleting language requiring any person under the age of eighteen who uses tobacco at a public school or public school function to have a parent or guardian accompany the person to a tobacco education course;
- (4) Deleting language requiring a \$25 fee to offset the cost of the tobacco education course;
- (5) Deleting the definition of "tobacco";
- (6) Inserting a definition for "chewing tobacco";
- (7) Adding language which appropriates funds in an unspecified amount to the Department of Education for tobacco education courses;
- (8) Changing its effective date to July 1, 2050; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1956, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1956, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10; Ayes with Reservations (DeCoite, D. Kobayashi, Okimoto). Noes, none. Excused, 1 (Johanson).

Health: Ayes, 5. Noes, 1 (Ward). Excused, 2 (Belatti, Say).

SCRep. 580-20 Lower & Higher Education/Water, Land, & Hawaiian Affairs on H.B. No. 2010

The purpose of this measure is to appropriate funds to provide scholarships to students pursuing Hawaiian language degrees through the University of Hawaii's Hawaiian language programs.

Your Committees received testimony in support of this measure from one Councilmember of Hawaii County Council, Ke One O Kakihihewa-Oahu Council of the Association of Hawaiian Civic Clubs, and eight individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the University of Hawaii System, Kamehameha Schools, and one individual.

Your Committees find that according to article X, section 4, of the Hawaii State Constitution, the "State shall provide for a Hawaiian education program consisting of language, culture and history in the public schools." This commitment was recently reaffirmed by the Hawaii Supreme Court in their August 13, 2019, ruling on *Clarabal v. Department of Education*, which held "that the Hawaiian education provision was intended to require the State to institute a program that is reasonably calculated to revive the Hawaiian language." This measure appropriates funds to support the preservation and cultivation of the Hawaiian language.

Your Committees have amended this measure by:

- (1) Directing the appropriation of general funds for scholarships for students pursuing a Hawaiian language certification or degree within the University of Hawaii system, rather than for specific University of Hawaii programs; and
- (2) Changing its effective date to July 1, 2050.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2010, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2010, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Hashem).

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Har).

SCRep. 581-20 Judiciary on H.B. No. 2360

The purpose of this measure is to update and codify within the Uniform Controlled Substances Act certain amendments made to the federal controlled substances law.

Your Committee received testimony in support of this measure from the Department of Public Safety. Your Committee received comments on this measure from Akamai Cannabis Clinic.

Your Committee finds that this measure is necessary to make permanent the temporary designation of new controlled substances by the Department of Public Safety. Your Committee further finds that the Department of Public Safety's temporary designation of the new controlled substances will be nullified if this Legislature does not make the designations permanent.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2360, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2360, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 582-20 Judiciary on H.B. No. 2378

The purpose of this measure is to reduce the potential hazards associated with vacant and abandoned residential properties by:

- (1) Requiring counties to establish procedures for expediting the approval of permits to demolish vacant and abandoned residential structures; and
- (2) Allowing the Department of Taxation to institute nonjudicial foreclosures on vacant and abandoned residential structures with an outstanding recorded state tax lien.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Taxation.

Your Committee finds that it is in the public interest to encourage the use of residential properties and reduce the number of vacant and abandoned homes in Hawaii, which may become hazardous and sites for criminal activity.

Your Committee has amended this measure by:

- (1) Defining "vacant and abandoned";
- (2) Deleting language providing that liens existing for three years or more may be enforced by the State Tax Collector by foreclosure without suit;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2378, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2378, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Say).

SCRep. 583-20 Judiciary on H.B. No. 2379

The purpose of this measure is to:

- (1) Grant exclusive original jurisdiction in matters of annulment, divorce, and separation and other certain cases to the family court of the circuit in which an applicant is domiciled at the time the application is filed; and
- (2) Remove the time requirement to be physically present in the State to file and complete a divorce in the State.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center and one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that this measure clarifies the jurisdiction of the Family Court and enables individuals to file for annulment, divorce, or separation in the State even if they are unable to have been continuously physically present in the State for a certain period of time prior to filing.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2379, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2379, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 584-20 Judiciary on H.B. No. 2333

The purpose of this measure is to establish:

- (1) The Hawaii State Fusion Center (Center) as a program under the State Office of Homeland Security; and
- (2) The state-funded position of the Hawaii State Fusion Center Director, who shall be responsible to the Director of Homeland Security and manage the operations of the Center.

Your Committee received testimony in support of this measure from the Department of Education, Department of Human Services, Department of Defense, Department of Transportation, Hawaii State Energy Office, Department of Emergency Management of the City and County of Honolulu, Board of Water Supply, and Retail Merchants of Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will codify, and thereby solidify, the Center within the State Office of Homeland Security. Your Committee further finds that the Center allows for information sharing to ensure its partners are equipped with the tools needed to keep Hawaii and the nation safe, secure, and resilient. According to the state Department of Defense, fusion centers empower front-line law-enforcement and public-safety personnel, firefighters, emergency responders, public health workers, critical infrastructure protection personnel, and private-sector security personnel to understand the implications of intelligence to the State. Your Committee also finds that the functions of the Center are critical to the State's protection against crime, terrorism, and other incidents.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2333, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2333, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 585-20 Judiciary on H.B. No. 1972

The purpose of this measure is to establish a medical release program within the Department of Public Safety for certain ill, disabled, or impaired inmate who pose a low risk to public safety.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Hawaii Disability Rights Center, Community Alliance on Prisons, Hawaii Health and Harm Reduction Center, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority.

Your Committee finds that correctional facilities in this State are housing a growing number of elderly inmates who often have extensive medical needs. Your Committee further finds that this measure strikes an appropriate, compassionate balance when considering whether an inmate's medical condition and the low risk to public safety warrant the inmate's release before the expiration of the inmate's sentence. Your Committee believes that this measure creates a system of checks that will be protective of the public while reducing the costs associated with continuing to house a functionally declining, and in some cases terminally ill, population.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1972, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1972, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 586-20 Judiciary on H.B. No. 1634

The purpose of this measure is to impose upon both candidate and noncandidate committees consistent content, filing, and deadline requirements for organizational and preliminary reports.

Your Committee received testimony in support of this measure from Common Cause Hawaii and four individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that the time period for candidate committees to file organizational reports should coincide with the filing dates for preliminary reports. Your Committee further finds that clarification is needed regarding which candidate and noncandidate committee preliminary reports may be subject to an increased fine for failure to file the report.

Your Committee has amended this measure by:

- (1) Reducing the time period for a candidate committee to file an organizational report from ten days to two days;
- (2) Reducing the time period for a noncandidate committee to file an organizational report from ten days to two days, when receiving contributions or making or incurring expenditures of more than \$1,000;

- (3) Clarifying that only candidate and noncandidate committee preliminary reports due ten days before a primary, general, or special election may be subject to the increased late-filing fine;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1634, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1634, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Nakashima, Say).

SCRep. 587-20 Judiciary on H.B. No. 2062

The purpose of this measure is to prevent the commercial sexual exploitation of children and ensure the safety and support of these children by:

- (1) Requiring the Department of Human Services to develop a program to prevent the commercial sexual exploitation of children and assist child victims of commercial sexual exploitation;
- (2) Requiring the Director of Human Services to appoint a statewide coordinator on commercial sexual exploitation of children (Coordinator);
- (3) Establishing the Commercial Sexual Exploitation of Children Steering Committee (Steering Committee) and requiring the Steering Committee to submit preliminary and final reports to the Legislature;
- (4) Establishing a commercial sexual exploitation of children multidisciplinary team in every county to immediately respond to cases of the sex trafficking of children; and
- (5) Appropriating funds for the program and Coordinator.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Department of Education, Hawaii State Commission on the Status of Women, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hoola Na Pua, IMUAlliance, Residential Youth Services and Empowerment, Child and Family Service, Parents and Children Together, and three individuals. Your Committee received testimony in opposition to this measure from Harm Reduction Hawaii.

Your Committee finds that many of the most vulnerable children face the threat of being victimized by commercial sexual exploitation. These young victims are subject to physical, emotional, and psychological abuse by their traffickers. Your Committee notes that the Internet and other technological advances have facilitated the commercial exploitation of children nationally as well as globally. This measure supports the collaboration among state and county agencies to combat the abuse and exploitation of children.

Your Committee has amended this measure by:

- (1) Requiring the Coordinator to invite at least four representatives of nonprofit agencies that provide direct services to sexually exploited children to participate on the Steering Committee;
- (2) Amending the information required for the Steering Committee's final report;
- (3) Clarifying the approach and priorities for each multidisciplinary team; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2062, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2062, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 588-20 Judiciary on H.B. No. 2747

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to authorize the Legislature to require, by law, the forfeiture or reduction of benefits of any member, former member, or retirant of the Employees' Retirement System if the member, former member, or retirant is convicted of a felony related to the employment with the State or counties.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Indivisible Hawaii, and eight individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee finds that public officers and employees are responsible for upholding the public's trust in government and democracy. Your Committee further finds that the public's trust becomes strained when public officers and employees participate in misconduct during their employment, but still keep the benefits from their employment.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2747, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2747, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, 1 (Say). Excused, none.

SCRep. 589-20 Judiciary on H.B. No. 2362

The purpose of this measure is to appropriate funds for the purchase of the Honolulu Federal Detention Center.

Your Committee received testimony in support of this measure from the Department of Public Safety, a councilmember of the Honolulu City Council, Aiea Community Association, Ali'i Pauahi Hawaiian Civic Club, and one individual. Your Committee received testimony in opposition to this measure from the Community Alliance on Prisons, and three individuals.

Your Committee finds that the State has struggled for years to find additional capacity for its overcrowded jails and prisons, which were designed to hold a combined total of 2,491 inmates, but which currently hold approximately 5,161 inmates. Replacing or refurbishing state prisons and jails to meet the current demand for adequate space and services would cost an estimated \$1,500,000,000 to \$2,000,000,000.

Your Committee also finds that acquisition of the Honolulu Federal Detention Center would enable it to serve as the new Oahu community correctional center and eliminate the immediate financial burden of building a new state correctional facility. This will also enable the current Oahu Community Correctional Center site to be vacated by the Department of Public Safety and redesignated for a non-correctional use.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposed of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2362, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2362, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (McKelvey, Say). Noes, 1 (Perruso). Excused, none.

SCRep. 590-20 Judiciary on H.B. No. 2350

The purpose of this measure is to improve compliance with Hawaii's labor laws by updating various assessments and penalties under the Department of Labor and Industrial Relations' jurisdiction.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Regional Council of Carpenters; and Pacific Resource Partnership.

Your Committee finds that the penalties contained in this measure have not been raised recently or since the enactment of the affected statutes. According to the Bureau of Labor Statistics, the equivalent of many of the penalties with inflation were often double the existing statutory amounts. According to the Department of Labor and Industrial Relations, most of the revised amounts of the penalties contained in this measure were derived using the Bureau of Labor Statistics Consumer Price Index Inflation Calculator. Your Committee believes that changes to the assessment and penalty amounts in this measure account for inflation and will improve compliance with the law.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2350, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2350, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say, Thielen). Noes, none. Excused, none.

SCRep. 591-20 Judiciary on H.B. No. 933

The purpose of this measure is to provide those in need with appropriate care by establishing within the Department of Health a crisis intervention and diversion program to divert individuals in crisis from the criminal justice system and into the health care system.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, and one individual. Your Committee received comments on this measure from the Judiciary and the Queen's Health Systems.

Your Committee finds that each year, thousands of individuals in Hawaii are cited or arrested for offenses such as drinking liquor in public; being in public parks after the hours of closure; and camping on sidewalks, beaches, and other restricted public places. Most of these individuals suffer from issues related to drugs, alcohol, or mental illness. Many of those cited do not appear in court, which leads to the issuance of bench warrants for their arrest. Time and resources are being used to bring these individuals to court. The court system, prosecutors, and police are caught up in a never-ending revolving door situation. Your Committee further finds that mental health service providers have been working with the appropriate law enforcement agencies and criminal justice system in order to implement a crisis intervention program on Oahu.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 933, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 933, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 592-20 Judiciary on H.B. No. 2737

The purpose of this measure is to:

- (1) Increase the fireworks display permit fee from \$110 to \$150 and the fine for certain fireworks violations from \$2,000 per violation to \$5,000 per violation;
- (2) Clarify that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation; and

- (3) Increase the penalty for removing or extracting pyrotechnic contents.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Hawaii Fire Department, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will implement recommendations made by the Illegal Fireworks Task Force established by Act 170, Session Laws of Hawaii 2010. Your Committee further finds that raising permit fees and fines is one means of deterring the use of illegal fireworks, decreasing their supply in the State, and increasing funding for prevention and enforcement efforts.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2737, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2737, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 593-20 Judiciary on H.B. No. 2162

The purpose of this measure is to protect consumers from predatory towing practices by:

- (1) Clarifying the fees tow companies may charge;
- (2) Clarifying the duties of a tow company when a vehicle owner arrives on the scene while the vehicle is in the process of being hooked up;
- (3) Requiring tow and storage companies to accept credit cards;
- (4) Subjecting any violation of the towing statute to the penalties and remedies under the State's unfair or deceptive acts or practices law; and
- (5) Adding definitions for clarity.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Young Progressives Demanding Action, and one individual.

Your Committee finds that predatory towing is a combination of generally unethical practices used by some towing companies to maximize their income. These practices include using spotters to get cars towed almost as soon as they are parked; charging excessive fees for towing or storage; or making private side deals with owners of stores or parking lots to maximize towing income. Your Committee further finds that any of these practices can result in unfair and excessive charges for the vehicle owner.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2162, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2162, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 594-20 Judiciary on H.B. No. 2483

The purpose of this measure is to require all entities that provide educational or recreational activities to youth to establish, maintain, and enforce written policies and procedures on bullying and related behaviors, and provide staff with appropriate annual training, regardless of whether the entity receives any government funding.

Your Committee received testimony in support of this measure from the Department of Education, Department of Human Services, Rainbow Family 808, LGBT Caucus of the Democratic Party of Hawaii, Pride at Work-Hawaii, Filipina Advocacy Network, and three individuals. Your Committee received comments on this measure from the Hawaii Youth Services Network and Cycle on Hawaii.

Your Committee finds that youth participating in educational and recreational activities have the right to be free from bullying, and that bullying, and the related problems of harassment and retaliation, inhibit a young person's ability to learn and an educational or recreational activity provider's ability to teach students in a safe environment. Your Committee further finds that a safe and civil environment helps youth to learn and thrive. This measure ensures that such an environment will be established by requiring providers of education and recreational activities to youth in the State to create and maintain clear and consistent policies and procedures to address bullying, harassment, and retaliation, and that their employees and staff who work closely with the youths receive appropriate training on how to recognize and address such problematic behaviors.

Your Committee has amended this measure by:

- (1) Amending the definition of "covered entity" to mean any educational or recreational organization serving as the primary custodian of youth on a regular basis; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2483, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2483, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 595-20 Labor & Public Employment on H.B. No. 1606

The purpose of this measure is to amend the process for temporary licensure for military spouses in the State by:

- (1) Specifying the types of verifying documentation required for a military spouse to receive license by endorsement, license by reciprocity, or temporary license;
- (2) Requiring the applicant to submit verifying documentation within ninety days of the application for licensure by endorsement or by reciprocity;
- (3) Removing supervision requirements for military spouses as they relate to performance of services by military spouses under a temporary license;
- (4) Removing the requirement that the applicant hold a license that is substantially equivalent to or exceeds the licensing requirements of the State;
- (5) Requiring the issuance of the license by endorsement, license by reciprocity, or temporary license to a military spouse within thirty days of the application and supporting verifying documents; and
- (6) Requiring each licensing board to adopt and publish rules on their respective websites by August 1, 2020, to administer the law relating to licensure by endorsement or licensure by reciprocity for military spouses.

Your Committee received testimony in support of this measure from United States Army Garrison Hawaii, Chamber of Commerce Hawaii, and four individuals. Your Committee received comments from the Department of Commerce and Consumer Affairs, Hawaii National Guard, Hawaii Regional Council of Carpenters, Land Pacific Research Partnership.

Your Committee finds that this measure is intended to streamline the licensing process for military spouses to enable them to expand and continue their professions while in the State and providing opportunities for them to contribute to Hawaii's workforce.

Among other concerns presented in the Department of Commerce and Consumer Affairs' testimony, your Committee notes the Department's concern regarding the issuance of a temporary license to a military spouse within thirty days despite the requirement that supporting documentation for issuance of a license be provided within ninety days of the application. Your Committee is also unsure what the appropriate timeframe is to allow issuance of a temporary license to military spouses.

Your Committee has amended this measure by:

- (1) Excluding construction contracting services from the performance of services permitted under any license or temporary license issued to a military spouse;
- (2) Changing the ninety-day and thirty-day timeframes to unspecified timeframes;
- (3) Requiring that review or issuance of a license shall commence only upon receipt by the licensing authority of all required verifying documents; as specified in this measure;
- (4) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1606, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1606, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

SCRep. 596-20 Lower & Higher Education on H.B. No. 2697

The purpose of this measure is to establish and appropriate funds for a No Time to Lose Commission (Commission) to examine how the State's public schools can be internationally competitive.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, Hawaii Community Foundation, State Public Charter School Commission, Executive Office on Early Learning, Hawaii State Teachers Association, and Kamehameha Schools. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152 (HGEA), AFL-CIO and three individuals. Your Committee received comments on this measure from the Department of Education, Office of Information Practices, and University of Hawaii at Manoa College of Education.

Your Committee finds that when looking at high performing public school systems several components contribute to their success. The first component is that kids come to kindergarten ready to learn and for Hawaii that means high quality programs administrated by the Executive Office on Early Learning (EOEL) and Headstart. Your Committee is considering building out EOEL programs and providing more early learning opportunities for all three- and four-year old children across the State.

The second component is making sure all curricula are internationally benchmarked. For example, a pre- "Race to the Top" national government association came together and came up with specific metrics, which the Department of Education (DOE) adopted, and which the State should consider keeping.

The third component is in regards to career and technical education (CTE). Your Committee additionally finds that there are robust CTE programs in high performing schools and that DOE has formally taken steps to build out its computer science programs. This, along with traditional CTE coursework, is important and is done in a manner that is individualized and specific to that school's community.

Your Committee strongly believes the State needs to do a better job of supporting Hawaii's teachers and providing more flexibility. In other high performing systems, teachers are afforded time for teacher preparation, teacher collaboration, and working with students.

Your Committee further finds that the Commission established by this measure is intended to complement the Superintendent of Education's ten year plan and will lead to better results for Hawaii's public school system.

High-performing systems in the United States and other places around the world are using American-based research and applying them to their school systems. These high-performing school systems are perplexed as to why Hawaii does not do the same for its school system.

Lastly, for high performing systems that have the characteristics described above, all of them have improved and demonstrated that greater results are possible.

Your Committee notes that concerns were raised by HGEA and others, including various principals from multiple islands, regarding the requirement that the Commission consider the rotation of school administrators. After careful consideration, your Committee recognizes those concerns and agrees that the requirement should be removed.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Commission shall consider:
 - (A) Individual teacher preparation time within their regular scheduled hours to allow teachers to adequately prepare for instruction the following day;
 - (B) Collaborative teacher preparation time within their regular scheduled hours to allow opportunities for similar-grade teachers to facilitate conversation regarding effective pedagogy and the creation of high quality lesson plans; and
 - (C) Time for teachers within their regular scheduled hours to work with students who have not mastered any lessons;
- (2) Include in the Commission's considerations higher compensation given to all teachers to produce competitive pay that drastically affects high quality teacher recruitment and retention;
- (3) Deleting the requirement for the Commission to consider the rotation of principals and vice principals among the public elementary, middle or intermediate, and high schools in a complex area;
- (4) Changing the composition of the members of the Commission as follows:
 - (A) Changing the Chair of the House of Representatives Committee on Lower and Higher Education, or the Chair's designee, to a member of the House of Representatives, to be appointed by the Speaker of the House of Representatives;
 - (B) Changing the Chair of the Senate Committee on Education, or the Chair's designee, to a member of the Senate, to be appointed by the President of the Senate;
 - (C) Removing a Department of Education principal and teacher;
 - (D) Adding the Chairperson of the Early Learning Board, or the Chairperson's designee;
 - (E) Adding the Chairperson of the State Public Charter School Commission, or the Chairperson's designee;
 - (F) Adding the Dean of the University of Hawaii at Manoa College of Education, or the Dean's designee;
 - (G) Adding the President of the Hawaii State Parent Teacher Student Association, or the President's designee; and
 - (H) Clarifying that a representative from bargaining unit (5), the Hawaii State Teachers Association, is invited to be a member;
- (5) Requiring the Governor, President of the Senate, and Speaker of the House of Representatives to select a chairperson of the Commission;
- (6) Exempting members of the Commission from the financial disclosure requirements of sections 84-13 and 84-17, Hawaii Revised Statutes;
- (7) Changing the deadline for the Commission to report its findings to no later than twenty days prior to the 2021 Regular Session, and report any additional findings and progress toward the state public school system becoming internationally competitive to the 2022 Regular Session and each regular session thereafter;
- (8) Upon request of the Board of Education, requiring the Commission to create a master plan of its findings and how to implement the master plan, which shall be recommended to the Board;
- (9) Changing its effective date to July 1, 2050; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the operational and startup costs for the Commission are estimated to be \$25,000.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2697, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Quinlan, Johanson).

SCRep. 597-20 Economic Development & Business/Labor & Public Employment on H.B. No. 1912

The purpose of this measure is to:

- (1) Establish the Pacific International Space Center for Exploration Systems within the Department of Business, Economic Development, and Tourism for administrative purposes;
- (2) Amend the composition of the Board of Directors of the Pacific International Space Center for Exploration Systems;
- (3) Create and appropriate funds for six exempt positions within the Pacific International Space Center for Exploration Systems; and
- (4) Transfer the rights, powers, functions, and duties of the Pacific International Space Center for Exploration Systems from the Research Corporation of the University of Hawaii to the Department of Business, Economic Development, and Tourism.

Your Committees received testimony in support of this measure from Oceanit Laboratories, Inc.; NASA Solar System Exploration Research Virtual Institute, David S. De Luz, Sr. Enterprises, Inc.; Global Ground Systems LLC; BridgeSat Inc.; Hawaii Space Industry Innovation Program; and seventeen individuals. Your Committees received comments on this measure from the Pacific International Space Center for Exploration Systems and Department of Business, Economic Development, and Tourism.

Your Committees find that the Pacific International Space Center for Exploration Systems is entering a transition period in which it will need to make modifications to move from Research Corporation of the University of Hawaii contract based operations into being an attached agency of the Department of Business, Economic Development, and Tourism. This measure will make the necessary adjustments and modifications that will make this transition possible and allow the program to continue to operate into the future.

Your Committees have amended this measure by:

- (1) Changing the number of full-time equivalent positions within the Pacific International Space Center for Exploration Systems to an unspecified number;
- (2) Authorizing the Executive Director of the Pacific International Space Center for Exploration Systems, instead of the Director of Business, Economic Development, and Tourism, to prescribe the duties and qualifications and fix the salaries of employees that are transferred;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider adding six full-time equivalent (6.0 FTE) exempt positions within the Pacific International Space Center for Exploration Systems.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1912, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1912, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (Matsumoto).

SCRep. 598-20 Economic Development & Business on H.B. No. 2138

The purpose of this measure is to increase the aggregate cap amount of the tax credit for research activities from \$5,000,000 to \$25,000,000, to apply to taxable years beginning after December 31, 2020.

Your Committee received testimony in support of this measure from Oceanit; Chamber of Commerce Hawaii; Makai Ocean Engineering, Inc.; and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Taxation, Hawaii Technology Development Corporation, and Tax Foundation of Hawaii.

While your Committee finds that this measure will support the growth of Hawaii's technology industry by providing necessary additional capital to assist businesses with their research and development activities, there may not be an ability to raise the aggregate cap amount of the tax credit for research activities to \$25,000,000 this fiscal year, and as such requests your Committee on Finance to examine an increase of \$10,000,000 from the cap.

Your Committee has amended this measure by:

- (1) Changing the aggregate cap amount of the tax credit for research activities to an unspecified amount; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2138, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

SCRep. 599-20 Economic Development & Business on H.B. No. 2139

The purpose of this measure is to appropriate funds to support certain programs of the Hawaii Technology Development Corporation.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Oceanit; Makai Ocean Engineering, Inc.; Hawaii Food Industry Association; Chamber of Commerce Hawaii; Maui Chamber of Commerce; Mana Up; Hawaii Venture Capital Association; and two individuals.

Your Committee finds that manufacturing is critical to the State's economy. Your Committee further finds that the Hawaii Technology Development Corporation is a key state agency in the development and support of the State's manufacturing industry. The Small Business Innovation Research Program, Manufacturing Assistance Program, and Excelerator Program were created by the Legislature and have been very successful in supporting the manufacturing industry and providing jobs in the State. This measure appropriates funds to continue to support these programs.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated for the Small Business Innovation Research Program, Manufacturing Assistance Program, and Excelerator Program to unspecified amounts; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee finds that both the Small Business Innovation Research Program and Manufacturing Assistance Program, which were legislatively created, have been a great success. Besides economic activity, these programs have boosted other areas, such as agriculture and tourism, and as such have had a multiplier effect.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$10,000,000 each to the Small Business Innovation Research Program, Manufacturing Assistance Program, and Excelerator Program.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2139, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

SCRep. 600-20 Economic Development & Business on H.B. No. 2140

The purpose of this measure is to require and appropriate funds to the Department of Business, Economic Development, and Tourism to develop and implement an investment in innovative technologies plan.

Your Committee received testimony in support of this measure from Oceanit, Chamber of Commerce Hawaii, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Hawaii State Energy Office and Elemental Excelsior.

Your Committee finds that the development and utilization of innovative technologies will aid in Hawaii's ability to achieve its clean energy and sustainability goals within the aggressive timelines established. This measure will support the State's efforts to promote the advancement of innovative technologies in the areas of energy, transportation, agriculture, and water.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation or so much thereof as may be necessary shall be appropriated for the administrative costs for the development and implementation of an investment in innovative technologies plan and for any contract entered into pursuant to this measure;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$1,000,000 for the development and implementation of an investment in innovative technologies plan.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2140, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

SCRep. 601-20 Economic Development & Business on H.B. No. 2075

The purpose of this measure is to increase the annual cap on the motion picture, digital media, and film production income tax credit.

Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; University of Hawaii System; Tax Foundation of Hawaii; and Island Film Group.

Your Committee finds that the film industry in the State continues to be an important component of a diversified economy. The motion picture, digital media, and film production income tax credit has been effective in stimulating the economy and creating quality jobs while promoting Hawaii as a visitor destination, and its success is important enough to warrant an increase on the annual cap on the tax credit to further this prosperity and the goal of making Hawaii the "Hollywood of the Pacific".

Your Committee has amended this measure by:

- (1) Changing the annual cap amount for the motion picture, digital media, and film production income tax credit to an unspecified amount;
- (2) Changing its effective date to July 1, 2112; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee further finds that the film industry is a multibillion dollar success in the States of New Mexico and Georgia, where tax credits have been expanded, and should be supported as such. Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider amending the annual cap amount for the motion picture, digital media, and film production income tax credit to \$1,000,000,000.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2075, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2075, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 3 (Quinlan, Yamashita, Matsumoto).

SCRep. 602-20 Economic Development & Business on H.B. No. 2538

The purpose of this measure is to appropriate funds for the education and support of local businesses regarding the Food and Drug Administration's (FDA) industry guidance on colored sea salt, contingent upon the collective contribution by private businesses of one-half of the cost of conducting any research, studies, or analysis required to obtain FDA approval of color additives used in Hawaii sea salt.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Chamber of Commerce Hawaii; H.K. Enterprise Group dba: Hawaii Kai Corporation; Molokai Chamber of Commerce; Hawaiian Paakai Inc.; Sea Salts of Hawaii; For J's Hawaii Inc.; and three individuals.

Your Committee finds that Hawaii-made sea salt products are growing in popularity. Sea salt products colored with Hawaiian charcoal, volcanic clay, and other natural ingredients help to promote the State's brand. Your Committee further finds that FDA industry guidance on the use of color additives in sea salt products indicates that sea salt manufacturers who intend to use color additives that are not currently approved for food use should first obtain approval through the FDA's color additive petition process. This measure appropriates funds to provide education and support to local businesses regarding the industry guidance on colored sea salt to ensure the continued viability of the State's sea salt manufacturing industry.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee notes that despite its altruism in assisting these businesses in these endeavors, the Department of Business, Economic Development, and Tourism is not the appropriate agency to receive an appropriation to provide education and support to businesses in Hawaii regarding the FDA's industry guidance on colored sea salt. Your Committee strongly feels that the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources may be a more appropriate entity to receive the appropriation to carry out this measure.

Your Committee respectfully requests the Senate, should it receive and deliberate on this measure, to consider discussing this issue with the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources, the Department of Agriculture, and the Department of Business, Economic Development, and Tourism.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2538, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2538, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Eli, Matsumoto).

SCRep. 603-20 Economic Development & Business on H.B. No. 2551

The purpose of this measure is to appropriate funds for the International Sister State Relations Program of the Department of Business, Economic Development, and Tourism.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that Hawaii has formal sister state relations with eighteen foreign states. Significant anniversaries are planned to be recognized and celebrated in 2020 with Okinawa, Japan, and Ilocos Norte, Philippines; and in 2021 with Fukuoka, Japan; Jeju, Korea; and Ilocos Sur, Cebu, and Isabella, Philippines. Your Committee further finds that additional funding for the Department of Business, Economic Development, and Tourism International Sister State Relations Program is needed to support the business and trade missions; conferences, symposiums, and seminars; and educational and cultural exchanges to be conducted in conjunction with the respective sister state anniversary recognition celebrations.

Your Committee has amended this measure by:

- (1) Requiring the Department of Business, Economic Development, and Tourism to report to the Legislature on the types of economic activity generated from activities funded by the sum appropriated in this measure;
- (2) Changing the amount appropriated to an unspecified sum;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that other states seem to be moving aggressively to generate economic and other opportunities from sister state relations and emphasizes that it would like to see more activity from the International Sister State Relations Program.

Should Your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$100,000 for strategic marketing and support (BED100) for the support of international sister state relations.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2551, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2551, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 604-20 Economic Development & Business on H.B. No. 2605

The purpose of this measure is to disallow dividends paid deductions for real estate investment trusts for taxable years beginning after December 31, 2020, until December 31, 2023.

Your Committee received testimony in support of this measure from Hawaii Advocates for Consumer Rights, Faith Action for Community Equity, Hawaii Appleseed Center for Law & Economic Justice, IMUAlliance, ILWU Local 142, and twenty individuals. Your Committee received testimony in opposition to this measure from Public Storage; Host Hotels & Resorts, Inc.; Simon Property Group; Taubman Centers; NAIOP Hawaii; Sunstone Hotel Investors; Park Hotels & Resorts, Inc.; OPTrust; Nareit Hawaii; RMR Group LLC; Ala Moana Center; RLJ Lodging Trust; Alexander & Baldwin; Extra Space Storage Inc.; Chamber of Commerce Hawaii; Land Use Research Foundation of Hawaii; Pacific Resource Partnership; Hawaii Operating Engineers Industry Stabilization Fund; Maui Chamber of Commerce; and one individual. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; Church of the Crossroads; Tax Foundation of Hawaii; and Douglas Emmett, Inc.

Your Committee finds that real estate investment trusts in Hawaii own real estate assets of about \$17 billion, generating an annual income of \$1 billion, which, if taxed at the current corporate rate assessed on all other corporations, would generate Hawaii taxes of \$65 million per year. Your Committee finds that the aforementioned number is disputable because it may not accurately reflect the potential number of real estate investment trusts that may be taxable under this measure and as such, your Committee respectfully asks your Committee on Finance to examine this issue with the Department of Taxation. Your Committee further finds that while real estate investment trusts own more real estate in Hawaii per capita than in any other state, it ranks fortieth in the nation for the number of real estate investment trust shareholders as a percentage of the population, resulting in many real estate investment trusts and their shareholders paying a mere fraction of the Hawaii state income tax compared to what other corporations pay.

Through this measure, corporations and other business entities doing business in Hawaii will pay a fair tax burden commensurate with the substantial privileges and resources in Hawaii that were used to generate their profits.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As you requested, your Committee also respectfully asks your Committee on Finance to examine the effect this measure may have on public and private pension plans.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2605, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2605, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Quinlan, Yamashita, Matsumoto).

SCRep. 605-20 Economic Development & Business on H.B. No. 2299

The purpose of this measure is to appropriate funds out of the Hawaii Film and Creative Industries Development Special Fund and make a housekeeping amendment relating to the Special Fund.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that Act 228, Session Laws of Hawaii 2019, renamed the Hawaii Television and Film Development Special Fund as the Hawaii Film and Creative Industries Development Special Fund and amended deposits into and uses of the fund. However, the Act did not include an appropriation into or out of the Special Fund, prohibiting the expenditure of any monies from the Special fund for various programs. Your Committee further finds that an appropriation out of the Hawaii Film and Creative Industries Development Special Fund is needed so that any grants or contributions received by the Department of Business, Economic Development, and Tourism from other sources that are deposited into the Special Fund may be expended.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$500,000 out of the Hawaii Film and Creative Industries Development Special Fund for the purposes of the Special Fund.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2299, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Eli, Matsumoto).

SCRep. 606-20 Economic Development & Business on H.B. No. 2681

The purpose of this measure is to authorize the issuance of revenue bonds and appropriate funds to the Hawaii Technology Development Corporation to construct one electrolysis hydrogen production, storage, and dispensing facility on Oahu and one on a neighbor island, to be managed by the Hawaii Center for Advanced Transportation Technologies.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association; Servco Pacific, Inc.; and Alliance for Automotive Innovation. Your Committee received comments on this measure from the Hawaii Center for Advanced Transportation Technologies.

Your Committee finds that the State established a goal of achieving one hundred percent clean energy by 2045. The development and deployment of hydrogen infrastructure will serve to further expand the State's renewable energy portfolio and reduce dependency on fossil fuels. This measure will make available revenue bond authority that would be a strategic revenue source for hydrogen infrastructure.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2681, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2681, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Eli, Johanson, Matsumoto).

SCRep. 607-20 Energy & Environmental Protection on H.B. No. 1854

The purpose of this measure is to control the spread of little fire ants in the State by:

- (1) Requiring the use of best practices, as identified by the Department of Agriculture (Department) and Hawaii Ant Lab, for the treatment of little fire ants by pest control operators;
- (2) Authorizing the Department and Pest Control Board to adopt rules to carry out the requirement; and
- (3) Requiring the posting of the best practices, and any rules that may be adopted by the Department and Pest Control Board, on the websites of the Department and Pest Control Board.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs Pest Control Board, Hawaii Pest Control Association, and Able Pest Management, LLC. Your Committee received comments on this measure from the Department of Agriculture and Office of the Mayor of the County of Hawaii.

Your Committee finds that little fire ants threaten human health, wildlife, agriculture, and tourism. Since first discovered on the island of Hawaii in 1999, little fire ants have been spreading rapidly throughout the State. There are now little fire ant populations on Kauai, Maui, and Oahu.

Your Committee further finds that the Hawaii Ant Lab's methods for treating little fire ants have been successful in controlling infestations on properties of homeowners and farmers. The method targets the source of the infestation, kills the queen, and causes colony collapse. Using less effective methods that do not completely eradicate the infestation allow nests to grow, and little fire ants to spread to surrounding properties. Requiring pest control operators in the State to use the Hawaii Ant Lab's approach when treating little fire ants reduces the likelihood that this invasive species will spread.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, the Department, in conjunction with the Hawaii Ant Lab, to identify best practices for the treatment of little fire ants;
- (2) Deleting references to the adoption of rules by the Department or the Pest Control Board;
- (3) Deleting language that would have amended the powers and duties of the Pest Control Board;
- (4) Inserting language to require applicants for a pest control operator license to be tested on the written examination for knowledge of the current best practices identified by the Department for any pest, including the little fire ant, designated for eradication by emergency rule, and for which a pest control operator might reasonably be expected to treat;
- (5) Subjecting a pest control operator to potential licensing sanctions for failure to report known or suspected cases of little fire ants;
- (6) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1854, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1854, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Har).

SCRep. 608-20 Health on H.B. No. 676

The purpose of this measure is to make intentionally or knowingly causing bodily injury to certain health care facility workers a Class C felony.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of the measure and inserts language to classify intentionally or knowingly causing bodily injury to health care security professionals as felony assault in the second degree.

Your Committee received testimony in support of the proposed H.D. 1 from the Honolulu Police Department; The Queen's Health Systems; United Public Workers, AFSCME Local 646, AFL-CIO; Healthcare Association of Hawaii; Hawaii Primary Care Association; and seven individuals.

Your Committee finds that under existing law, it is a misdemeanor to assault a health care security professional. Your Committee further finds that health care security professionals are at increased risk of sustaining violent injuries due to the nature of their profession. According to testimony from The Queen's Health Systems (Queen's), workplace violence incidents at Queen's have led to serious injuries for Queen's staff, resulting in medical treatment, disability claims, and leaves of absence. Queen's also testified that, based on a review of Queen's Punchbowl Security Dispatch data, total incidents have increased from 27,918 dispatches in 2018 to 28,328 dispatches in 2019. Not including incidents involving behavioral health patients, in 2018, there were over twenty-five assault-related dispatch calls to the Queen's security team, five calls of which involved an assault on a health care security professional.

Your Committee also finds that health care security professionals provide a safe work place environment for all staff and patients. The proposed H.D. 1 recognizes the critical role health care security professionals play as frontline staff in violent situations and as essential members of the health care team by classifying assault against these professionals as felony assault in the second degree.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 676, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 609-20 Health on H.B. No. 2228

The purpose of this measure is to exempt from the general excise tax all gross proceeds from medical services provided by physicians and advanced practice registered nurses acting in the capacity of primary care providers.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawaii, Hawaii Medical Association, East Hawaii Independent Physicians Association, Hawaii Emergency Physicians Association, Hawaii Radiologic Society, Hawaii Physician Shortage Crisis Task Force, and five individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii/American College of Emergency Physicians, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that the most recent annual report submitted to the Legislature by the Hawaii Physician Workforce Assessment Project determined that there is a serious twenty-four percent physician shortage in the State. The neighbor island shortage is more severe, reaching forty-four percent in Hawaii County, thirty-six percent in Maui County, and thirty-two percent in Kauai County. Furthermore, the federal government has also recognized the shortage by designating Hawaii, Maui, and Kauai counties as health professional shortage areas. Your Committee further finds that the physician shortage will worsen unless mitigating steps are taken immediately.

According to testimony received by your Committee, the biggest obstacles to practicing medicine in Hawaii are the high cost of living and conducting business and the low payment for service rates, of which the general excise tax is a part. Your Committee notes that Hawaii is the only state in the nation that taxes medical care gross revenue, which renders Hawaii non-competitive in the physician market.

Your Committee notes that the Department of Taxation, in testimony before your Committee, noted that it is able to administer this measure, but requested that changes to the general excise tax be made to apply to gross receipts received on or after January 1, 2021, which will give the Department sufficient time to make the necessary form and computer system modifications.

Your Committee has amended this measure by:

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

Your Committee requests that the Department of Taxation provide to your Committee on Finance an estimate on the fiscal impact of the general excise tax exemption for medical services by physicians and advanced practice registered nurses, as proposed by this measure, should your Committee on Finance deliberate on this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2228, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2228, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 610-20 Judiciary on H.B. No. 2588

The purpose of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian home lands tract from obtaining a subsequent lease for the same class of land, with certain exceptions.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that certain native Hawaiians who have qualified for and acquired a Hawaiian home lands lease have subsequently sold or transferred their interest in the lease, then placed their name on the waitlist for a second lease of Hawaiian home lands. This practice has contributed to many otherwise eligible native Hawaiians never receiving a lease offer. This measure sees to address this issue by prohibiting lessees who sell or transfer their interest in a Hawaiian home lands tract from obtaining a subsequent lease for the same class of land, except in certain situations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2588, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 611-20 Judiciary on H.B. No. 2069

The purpose of this measure is to:

- (1) Prohibit civil asset forfeiture except when the covered offense is chargeable as a felony and the owner of the asset has been convicted; and
- (2) Require the Attorney General to deposit the net proceeds of the forfeited property to the credit of the state general fund.

Your Committee received testimony in support of this measure from the Office of the Public Defender, American Civil Liberties Union of Hawaii, Hawaii Health & Harm Reduction Center, Drug Policy Forum of Hawaii, Community Alliance on Prisons, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Department of the Attorney General, Office of the Prosecuting Attorney of the County of Hawaii, Office of the Prosecuting Attorney of the County of Kauai, Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual. Your Committee received comments on this measure from Grassroot Institute of Hawaii.

Your Committee finds that requiring a criminal conviction before permanently confiscating an offender's property will help establish an important protection for property owners and ensure fairness in the asset forfeiture process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2069 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Say). Excused, 1 (Nakashima).

SCRep. 612-20 Judiciary on H.B. No. 1676

The purpose of this measure is to promote public safety by:

- (1) Establishing a three-year pilot program in major arterial zones on state or county highways within a specified area to provide for the implementation of photo red light imaging detector systems to improve traffic enforcement;
- (2) Authorizing any affected county to implement the photo red light imaging detector systems pilot program; and
- (3) Appropriating funds for the establishment of a photo red light imaging detector systems pilot program.

Your Committee received testimony in support of this measure from the Disability and Communications Access Board, Honolulu Police Department, Maui Police Department, Blue Zones Project, Mothers Against Drunk Driving Hawaii, and ten individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and two individuals. Your Committee received comments on this measure from the Judiciary, Department of Transportation, Department of Budget and Finance, Prosecuting Attorney of the City and County of Honolulu, Office of the Mayor of the County of Hawaii, Peoples Advocacy for Trails Hawaii, Hawaii Public Health Institute, Hawaii Bicycling League, and one individual.

Your Committee finds that the prevalence of motorists who violate Hawaii's traffic laws, particularly those who fail to stop at red lights, has greatly increased. These violations endanger the lives of motorists, pedestrians, and other highway users and compound the already hazardous conditions on Hawaii's roads and highways.

Your Committee understands that this measure is a work in progress and notes the comments of the Judiciary requesting the effective date for this program be extended to give the Judiciary ample time to create new citations and ensure system compatibility. Your Committee also notes the comments of the Prosecuting Attorney of the City and County of Honolulu requesting amendments for clarification of several terms in this measure. Your Committee

further notes the difficulty prosecutors may face when establishing foundational evidence to convict low-level traffic offenders; however, your Committee believes this measure should continue through the process for further consideration.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1676, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 613-20 Judiciary on H.B. No. 1729

The purpose of this measure is to allow the director of finance of a county to require payment of outstanding charges owed to the county for the towing, removal, or disposal of an abandoned or derelict vehicle within the county before issuing a motor vehicle certificate of registration.

Your Committee received testimony in support of this measure from the County of Hawaii Office of the Mayor; County of Maui Office of the Mayor; County of Maui Department of Environmental Management's Environmental Protection and Sustainability Division; Patrol Services Bureau of the County of Kauai Police Department; County of Kauai Department of Finance; and two individuals. Your Committee received comments on this measure from the Hawaii State Association of Counties; Department of Customer Services of the City and County of Honolulu; and Enterprise Holdings.

Your Committee finds that some individuals and entities intentionally abandon vehicles on roads and highways throughout the State, creating blight and the need for costly cleanup measures to be taken. Your Committee also finds that it can prove difficult for the counties to recoup the costs of towing and disposing of these vehicles. Requiring the costs of towing and disposal to be paid as a condition precedent to registration of a vehicle will help the counties recoup these costs.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1729, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 614-20 Judiciary on H.B. No. 2191

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, or governmental leases, other than those to which the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to making substantial improvements to existing improvements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, County of Hawaii Office of the Mayor, and Prince Kuhio Plaza. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Kupuna for the Moopuna, and six individuals.

Your Committee finds that lessees of public lands whose leases may be nearing the end of the lease term have little incentive to make major investments in infrastructural improvements and ensure the long-term maintenance of the facilities. Your Committee further finds that because business lessees nearing the end of their lease often sell or assign their lease at a discount, it would be unfair to these prior assignors if the State granted extensions of leases. This measure will address the issue of deteriorating facilities by authorizing the Board of Land and Natural Resources to extend certain leases, that have not been sold or assigned within the last ten years, for lessees who commit to making substantial improvements to the existing improvements.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2191, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, 2 (Perruso, Thielen). Excused, 1 (Nakashima).

SCRep. 615-20 Judiciary on H.B. No. 1725

The purpose of this measure is to make the interference with the operation of an automated public transit vehicle a Class C felony.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Transportation Services and County of Maui Department of Transportation. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that this measure updates the offense of interference with the operator of a public transit vehicle to encompass advances in transportation technology over the past twenty-five years. Automated operation of public transit, specifically driver-less operations, are now a reality in Hawaii, and passengers on these public transit systems should be protected from interference.

Your Committee has amended this measure by:

- (1) Deleting delay of the operation of an automated public transit vehicle, system, or service from the offense;
- (2) Changing the effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1725, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1725, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9; Ayes with Reservations (McKelvey, Perruso, Thielen). Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 616-20 Judiciary on H.B. No. 1793

The purpose of this measure is to amend when recommendations by the Commission on Salaries are effective.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that salaries recommended by the Commission on Salaries currently take effect at staggered times. Under article XVI, section 3.5 of the Hawaii State Constitution, the Commission reviews and recommends "salaries for the justices and judges of all state courts, members of the [L]egislature," Governor and Lieutenant Governor, and specified appointed officials within the State executive branch. However, recommended salaries currently take effect in a staggered timeline.

Your Committee finds that all salary recommendations should become effective at the same time. Your Committee further finds that this measure will not affect when the Commissions submit their recommendations and dissolve, which will still occur every six years in accordance with the Hawaii State Constitution. Rather this measure will require that recommendations take effect simultaneously at a later date.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1793, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1793, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Lowen, Say).

SCRep. 617-20 Judiciary on H.B. No. 2123

The purpose of this measure is to require:

- (1) Employers with fifty or more employees to submit regular reports to the Hawaii Civil Rights Commission; and
- (2) The Hawaii Civil Rights Commission to publish annual reports about legal settlements resulting from these reports and make the annual reports accessible to the public.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Hawaii Civil Rights Commission (Commission).

Your Committee finds that employment-related sexual harassment claims made by certain employees should be disclosed for the purposes of providing transparency and prohibiting certain employers from taking adverse action against those employees.

Your Committee has amended this measure by:

- (1) Removing the requirement that reports be electronically filed;
- (2) Requiring the Commission to publish the reports containing information on employers' legal settlements in an annual report rather than on the Commission's website; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2123, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2123, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 618-20 Judiciary on H.B. No. 2037

The purpose of this measure is to improve the State's relationship with members of the lesbian, gay, bisexual, transgender, queer, plus community by establishing the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission (Commission).

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Health, Hawaii Civil Rights Commission, LGBT Caucus of the Democratic Party of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Pride at Work-Hawaii, Rainbow Family 808, Hawaii Island HIV/AIDS Foundation, Filipina Advocacy Network, Hawaii Psychological Association, Hawaii Health & Harm Reduction Center, Iron Workers Stabilization Fund, and eighteen individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs and two individuals.

Your Committee finds that individuals of the lesbian, gay, bisexual, transgender, queer, plus community are often targets of harassment and discrimination and are at elevated risks of bullying, suicide, and ostracism. Addressing the needs of these individuals who experience multiple forms of marginalization will lead to a better understanding of the risks and challenges they face and support greater intervention and prevention efforts in the State. Establishing the Commission is an effective means of researching, planning, and advocating for the equality of the lesbian, gay, bisexual, transgender, queer, plus community in Hawaii.

Your Committee has amended this measure by:

- (1) Deleting the requirement that one of the eight voting members appointed to the Commission be identified by the Hawaii Sexual and Gender Minority Health Work Group;
- (2) Requiring the Commission to promote the diversity of cultural expressions of persons of all sexual orientations, gender identities, gender expressions, and sex characteristics and ensure the recognition of culturally-based sexual and gender identities specific to Hawaii, such as mahu and aikane;
- (3) Authorizing, rather than requiring, the mayor of each county to appoint a county committee; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2037, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2037, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 619-20 Judiciary on H.B. No. 2722

The purpose of this measure is to authorize law enforcement officers and commissioned volunteer enforcement officers to enter private property to enforce electric vehicle parking space violations.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office and Ulupono Initiative. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the availability of charging infrastructure to support electric vehicles is a critical catalyst to increasing the number of electric vehicles in the State. Your Committee further finds that the counties should also be able to regulate electric vehicle parking spaces and related charging systems.

Accordingly, your Committee has amended this measure by:

- (1) Authorizing each county to adopt ordinances to enforce electric vehicle parking and charging system requirements;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2722, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Say).

SCRep. 620-20 Judiciary on H.B. No. 2571

The purpose of this measure is to create the theft of a bicycle as a Class C felony.

Your Committee received testimony in support of this measure from the Maui Police Department and Hawaii Bicycling League. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that as more people have begun to use bicycles to commute to work, bicycle theft has become a pernicious offense that can deprive an individual of not just their personal property, but also their ability to earn an income. Your Committee further finds that although existing law classifies the theft of a bicycle valued at \$750 or more as a Class C felony, many bicycles are sold below the \$750 threshold. Your Committee believes that establishing the theft of any bicycle as a separate crime will serve to deter theft of all bicycles.

Your Committee further finds that the State's Penal Code does not adequately address situations where an offender takes the property of another that is commonly used to store items of personal or monetary value, such as purses, handbags, or wallets. Your Committee believes that specifying this particular offense as a felony may have a long-term deterrent effect and create a safer environment for the community.

Accordingly, your Committee has amended this measure by inserting the contents of H.B. No. 1738 (Regular Session 2020), which amends the offense of theft in the second degree to include theft of property commonly used to store items of personal or monetary value, including any purse, handbag, or wallet.

Your Committee has further amended this measure by:

- (1) Requiring property owners to hold illegally parked bicycles found on their property for seven days, after which the illegally parked bicycle shall become the property of the property owner;
- (2) Establishing that for the first offense of theft of a bicycle, a person shall be guilty of a misdemeanor, and, for the second and each subsequent offense, shall be guilty of a Class C felony;
- (3) Inserting a definition for "toy bicycle";
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2571, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2571, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Creagan, McKelvey, Perruso). Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 621-20 Judiciary on H.B. No. 2272

The purpose of this measure is to amend the offense of solicitation of a minor for prostitution by:

- (1) Specifying that the act of offering or agreeing to any type of consideration in exchange for sexual conduct with a minor, rather than solely offering to pay a fee, constitutes solicitation of a minor;
- (2) Changing the offense to a Class B felony; and
- (3) Clarifying that the offender's state of mind does not apply to a situation involving an undercover law enforcement officer.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Maui Police Department, Honolulu Police Department, Hawaii Youth Services Network, IMUAlliance, Hoola Na Pua, and three individuals. Your Committee received comments on this measure from City and County of Honolulu Department of the Prosecuting Attorney.

Your Committee finds that solicitation of a minor does not always involve the exchange of monetary consideration for sex, but may involve the exchange of some other thing of value, such as basic necessities like a meal for the day, a place to sleep, or clothing. The existing statute penalizing the solicitation of a minor for prostitution only penalizes offenders who solicit a minor in exchange for a fee. Additionally, the solicitation of a minor for prostitution is only a Class C felony, while an analogous offense, the electronic enticement of a child in the first degree, is a Class B felony. This measure protects vulnerable victims by expanding the offense of solicitation of a child for prostitution to include cases where non-monetary consideration is exchanged for sex, and by increasing the penalty for the offense by one grade.

Your Committee has amended this measure by:

- (1) Imposing a criminal penalty on:
 - (A) A parent or guardian who offers or agrees for consideration or the promise of consideration for the purpose of another engaging in sexual conduct with the parent or guardian's minor child;
 - (B) An adult who communicates with someone who represents themselves as having control or custody of a minor, including a parent or guardian, for the purpose of engaging in sexual conduct with the minor; and
 - (C) A person seeking to solicit sexual conduct with a minor from a third person;
- (2) Adding a definition for "consideration";
- (3) Specifying that the new offenses are covered offenses for registration of sex offenders;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2272, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 622-20 Judiciary on H.B. No. 1819

The purpose of this measure is to:

- (1) Establish a statutory framework for the Department of Agriculture (DOA) to monitor and regulate hemp;
- (2) Establish and provide temporary legislative funding for the Hemp Regulatory Special Fund, which will later be funded by inspection fees, for necessary staff to administer the program;
- (3) Exclude hemp from the State's prohibitions against marijuana;
- (4) Expedite the repeal of the existing Industrial Hemp Pilot Program;
- (5) Require the Chairperson of the Board of Agriculture to seek approval from the United States Department of Agriculture of a state plan to monitor and regulate hemp; and
- (6) Appropriate funds to:
 - (A) DOA for the monitoring and regulation of hemp production; and
 - (B) The College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa for hemp research.

Your Committee received testimony in support of this measure from the Department of Public Safety; University of Hawaii System; a Councilmember of the Kauai County Council; We Are One, Inc.; Hawaii Farm Bureau; Kihei Community Association; Vote Hemp; Hawaii Hemp Farmers Association; and three individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Agriculture, and Department of Budget and Finance.

Your Committee recognizes that the federal Agriculture Improvement Act of 2018, also known as the 2018 Farm Bill, legalized hemp by removing it from the definition of "marihuana" under the federal Controlled Substances Act. Furthermore, in October 2019, the United States Department of Agriculture established new regulations through which states may monitor and regulate hemp production.

Your Committee finds that hemp is a high-value crop that can be a significant benefit to Hawaii's economy. Your Committee further finds that Hawaii's hemp industry remains in a nascent stage, in part due to restrictive regulatory actions taken by DOA under existing laws. Therefore, your Committee believes that state laws regarding hemp should be reformed.

Your Committee has amended this measure by:

- (1) Clarifying that the samples collected by DOA or authorized third parties shall be representative samples;
- (2) Establishing labeling requirements for one hundred percent Hawaii-grown hemp; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1819, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1819, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 623-20 Judiciary on H.B. No. 2675

The purpose of this measure is to require an appellate court to conduct a hearing when a party to any suit, action, or proceeding of the appellate court files a motion for hearing on possible conflict of interest pertaining to a judge or a justice.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Judiciary and Common Cause Hawaii.

Your Committee finds that the fair, independent, and impartial administration of justice is a long-standing value of American jurisprudence. In Hawaii, judges are recused for various reasons including a disqualifying relationship, pecuniary interest, previous judgment, or other perceived bias or prejudice. Your Committee further finds that authorizing the filing of a motion for a hearing on a possible conflict of interest when a party to a suit, action, or proceeding believes that a judge or justice hearing an appellate case has a disqualifying conflict of interest would facilitate a valuable colloquy regarding impartiality, allow a judge or justice the opportunity to rebut any allegation of a disqualifying conflict of interest, and promote transparency within the State's Judiciary.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2675, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2675, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 624-20 Consumer Protection & Commerce on H.B. No. 953

The purpose of this measure is to clarify the powers of the Governor and Director of Business, Economic Development, and Tourism and procedures in preparation for and during a fuel shortage or state of emergency.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Emergency Management Agency; Hawaii State Energy Office; Hawaii Natural Energy Institute; ReadyZoneHQ; and Hawaii Petroleum Marketers Association. Your Committee received comments on this measure from the Public Utilities Commission and Hawaii Gas.

Your Committee finds that adequate supplies of energy resources are essential to the health, welfare, and safety of the people of Hawaii, and that any actual or potential disruption or shortage of energy resources within the State would cause grave hardship, pose a threat to the economic well-being of the people of the State, and have significant adverse effects upon public confidence, order, and the effective conservation of energy resources. This measure allows the Governor or Director of Business, Economic Development, and Tourism to adequately plan and prepare for, respond to, recover from, and mitigate against any actual or potential energy supply disruption or shortage, and to preserve the State's energy security.

Your Committee has amended this measure by:

- (1) Designating the Chief Energy Officer, rather than the Director of Business, Economic Development, and Tourism, as the alternative executive officer delegated with authority during a fuel shortage or state of emergency;
- (2) Designating the Hawaii State Energy Office, rather than the Department of Business, Economic Development, and Tourism, as the agency tasked with conducting quantitative and qualitative analyses of the State's energy resources, preparing the comprehensive and integrated biennial state energy emergency preparedness plan, and gathering supply and demand data when there's a state of emergency; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 953, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 953, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 625-20 Consumer Protection & Commerce on H.B. No. 2726

The purpose of this measure is to:

- (1) Amend the definition of "cooler beverage" to include spirits-based beverages, to encourage local distilleries to produce ready-to-drink cocktails; and
- (2) Create a more equitable taxation scheme by establishing a separate tax rate on beer for small craft producer pubs.

Your Committee received testimony in support of this measure from Maui Brewing Co., Honolulu Beerworks, Hawaiian Craft Brewers Guild, Waikiki Brewing Company, Beerlab Hawaii, and Lanikai Brewing Company. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that under the existing definition of "cooler beverage", the relevant tax rate is only applicable to wine-based or beer-based beverages, while beverages that are spirits-based are taxed as distilled spirits. This measure addresses the disparate tax treatment and will encourage local distilleries to produce ready-to-drink cocktails.

Your Committee further finds that the existing tax scheme on beer is punitive and burdensome for small brewers and hinders their sustainability and growth. Small brewers operate on a much different economic scale than larger brewing companies, and tax rates should take these differences into account. This measure will create a more equitable tax burden across brewers of different sizes.

Your Committee notes that the Department of the Attorney General raised concerns that this measure could be challenged under the Commerce Clause of the United States Constitution. Should your Committee on Finance consider this measure, your Committee requests that it give consideration to these concerns.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2726, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Onishi). Noes, none. Excused, none.

SCRep. 626-20 Consumer Protection & Commerce on H.B. No. 1804

The purpose of this measure is to regulate pharmaceutical representatives in Hawaii by requiring these professionals to:

- (1) Register with the Department of Commerce and Consumer Affairs;
- (2) Meet continuing education requirements; and
- (3) Comply with certain ethical standards.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii. Your Committee received testimony in opposition to this measure from Pharmaceutical Research and Manufacturers of America. Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that pharmaceutical marketing can exert significant influence on prescription decisions and costs. The pharmaceutical industry devotes substantial resources toward marketing because it is an effective tool to sell more drugs. For instance, sales of OxyContin ultimately exceeded \$35 billion, generating large profits for drug manufacturers; however, patients and their families suffered the consequences. Your Committee further finds that the public has very limited insight into how drugs are marketed, outside of what is revealed in discovery from court cases and advertisements on television. According to testimony received by your Committee, pharmaceutical companies spent \$20 billion on marketing in 2016, the vast majority of which was related to sales representatives and samples. This measure represents common sense policy that will help shine light on and foster ethical pharmaceutical marketing practices.

Your Committee has amended this measure by specifying that all applicants for registration as pharmaceutical representatives shall complete one continuing education required course, as determined by the Department of Commerce and Consumer Affairs.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1804, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1804, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 627-20 Consumer Protection & Commerce on H.B. No. 1878

The purpose of this measure is to require that mandatory seller disclosures in residential real property transactions identify property within the sea level rise exposure area, as officially designated by the relevant county.

Your Committee received testimony in support of this measure from the Hawaii Youth Climate Coalition, IMUAlliance, and seven individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation and Adaptation Commission; Office of Economic Development of the County of Maui; Office of Economic Development of the County of Kauai; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Department of Research and Development of the County of Hawaii; Sierra Club of Hawaii; and Hawaii Association of REALTORS.

Your Committee finds that a property's vulnerability to sea level rise is a material fact for the purposes of mandatory disclosures of residential property sales, as it would be expected to measurably affect the value of the property. Your Committee further finds that it is critical for buyers to understand the hazards and risks they are assuming when purchasing oceanfront property, in the spirit of transparency and disclosure and to support informed decision making by buyers and government agencies.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii Climate Change Mitigation and Adaptation Commission or its successor to designate the sea level rise exposure area, rather than the individual counties;
- (2) Allowing the use of State-produced and adopted SLR-XA maps as an alternative until maps provided by the counties that designate the sea level rise exposure area are available; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1878, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1878, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 628-20 Consumer Protection & Commerce on H.B. No. 141

The purpose of this measure is to:

- (1) Require public schools and public charter schools to have at least one employee trained to administer seizure rescue medication, except under certain circumstances;
- (2) Require a seizure action plan for every student diagnosed with a seizure disorder and distribution of the plan to employees charged with supervising the student; and
- (3) Require all principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials.

Your Committee received testimony in support of this measure from the Epilepsy Foundation of Hawaii, Epilepsy Foundation of America, Hawaii Primary Care Association, and numerous individuals. Your committee received comments on this measure from the Department of Education.

Your Committee finds that this measure is based on model legislation proposed by the national Epilepsy Foundation to increase the public's awareness of seizure disorders and make schools safer for students affected by seizure disorders. Your Committee further finds that this measure is a critical priority for the epilepsy community and is needed to promote safety and continuity of care in the event of a seizure. Your Committee also finds that this measure contains important protections necessary to enhance the safety of Hawaii's students living with seizure disorders while they are attending school.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 141, H.D. 2, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 629-20 Consumer Protection & Commerce on H.B. No. 2110

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility; and
- (2) Repeal the provisions that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license.

Your Committee received testimony in support of this measure from the Department of Health; ILWU Local 142; Moonlight Vista ARCH Expanded Care, Inc.; Big Island Adult Foster Home Operators; Big Island Adult Foster Home Association; The Paperbark House Inc.; Adult Foster Homecare Association of Hawaii; and three individuals.

Your Committee finds that the Department of Health aims to ensure quality of care by requiring all residential care homes to be licensed. The enforcement activities conducted by the Department are a critical component of the State's efforts to ensure the health, safety, and welfare of the State's kupuna. This measure is intended to assist the Department with these goals.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2110, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 630-20 Consumer Protection & Commerce on H.B. No. 2692

The purpose of this measure is to amend the rulemaking requirements for community care foster family homes by increasing the number of hours the primary caregiver may be absent from a community care foster family home; provided that a substitute caregiver is present.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that primary caregivers are responsible for procuring supplies, getting continuing education, and addressing incidental matters related to their operation. This measure allows for greater flexibility for primary caregivers to maintain the standards of their operation.

Your Committee has amended this measure by reinstating the minimum age requirement of twenty-one for caregivers caring for three clients in community care foster family homes.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2692, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2692, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 631-20 Consumer Protection & Commerce on H.B. No. 1851

The purpose of this measure is to prohibit the issuance of building permits for new multi-unit dwellings that do not include grid-interactive water heater systems.

Your Committee received testimony in support of this measure from Blue Planet Foundation, Shifted Energy, and Climate Protectors Coalition. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii and Building Industry Association of Hawaii. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and Bradford White Corporation.

Your Committee finds that requiring the Public Utilities Commission to establish specified standards for grid-interactive water heater systems addresses possible interoperability issues. At the same time, the technology for these water heater systems is still developing. This measure requires the Commission to establish standards for grid-interactive water heater systems by July 1, 2021.

Your Committee has amended this measure by clarifying that a "grid-interactive water heater system" includes heat pump water heaters.

Your Committee notes that there were concerns that this measure would exacerbate the cost of housing in the State. Should your Committee on Finance consider this measure, your Committee requests that it examine the impact this measure would have on housing costs in the State.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1851, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1851, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Kong). Noes, none. Excused, none.

SCRep. 632-20 Consumer Protection & Commerce on H.B. No. 2676

The purpose of this measure is to:

- (1) Require health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures; and
- (2) Prohibit discrimination in the provision of reproductive health services.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, LGBT Caucus of the Democratic Party of Hawaii, AAUW of Hawaii, Pono Hawaii Initiative, Breastfeeding Hawaii, Hawaii Children's Action Network Speaks!, Hawaii Section of the American College of Obstetricians and Gynecologists, Save Medicaid Hawaii, Common Cause Hawaii, Hawaii State Coalition Against Domestic Violence, numerous individuals, and a written petition from numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association of Health Plans. Your Committee received comments on this measure from the Department of the Attorney General, Department of Commerce and Consumer Protection, Hawaii Civil Rights Commission, Hawaii Primary Care Association, Hawaii Medical Service Association, and Kaiser Permanente Hawaii.

Your Committee finds that thousands of people in Hawaii lack access to the full range of sexual and reproductive health care services, benefits, and protections. Comprehensive sexual and reproductive health care, without discrimination, is essential for the health and economic security of the people of Hawaii. Your Committee further finds that it is vital to preserve certain important aspects of the federal Patient Protection and Affordable Care Act of 2010 and expand access to comprehensive sexual and reproductive health care for residents of Hawaii.

Your Committee has amended this measure by:

- (1) Removing the assignment of enforcement jurisdiction under the Hawaii Civil Rights Commission for violations of the prohibition against discriminatory denial of insurance coverage for reproductive health care; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2676, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2676, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Cachola, Har, Kong, Onishi, Matsumoto). Noes, none. Excused, none.

SCRep. 633-20 Economic Development & Business on H.B. No. 2210

The purpose of this measure is to require and appropriate funds to the Office of Planning to conduct a study of the business climate in the State and submit a report to the Legislature.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and Maui Chamber of Commerce. Your Committee received comments on this measure from the Office of Planning.

Your Committee finds that the study proposed by this measure will consider issues specifically tied to running a business in Hawaii and provide an accurate sense of challenges and opportunities that can lead to economic growth.

Your Committee has amended this measure by:

- (1) Removing language permitting the Office of Planning to contract the service of public or private entities to conduct the study;
- (2) Changing the deadline for the Office of Planning to submit its report to the Legislature to twenty days prior to the Regular Session of 2022; and
- (3) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee believes this measure is crucial for the Legislature to really identify the areas that need to be addressed in order to truly transform the business climate in Hawaii.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$600,000 for one full-time equivalent (1.0 FTE) exempt Planner V position for the Office of Planning, whose duties shall include conducting the study proposed by this measure.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2210, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2210, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 634-20 Economic Development & Business on H.B. No. 1892

The purpose of this measure is to establish and appropriate funds for a five-year Food Hub Pilot Program (Pilot Program) to be administered by the Department of Agriculture.

Your Committee received testimony in support of this measure from the Hawaii Farmers Union United, A'a Li'I Farm, Hawaii Farmers Union, Alternative Structures International (dba Kahumana Organic Farms), Pono Hawaii Initiative, Hawaii Appleseed Center for Law & Economic Justice, Hawaii Public Health Institute, GreenWheel Food Hub, Hawaii Farm Bureau, Ka Ohana O Na Pua, Ulupono Initiative, Kokua Kalihi Valley, North Shore Economic Vitality Partnership, Jones Family Farm, and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that models for agricultural and food processing industries have a proven track record of success, and that food hubs allow for families and small farms to join the greater economy and allow local people to benefit from markets they previously did not have access to. Food hubs also can support rural communities and present opportunities for new generations of farmers to work and live in Hawaii. Your Committee further finds that

supporting small local farmers is essential to the economic development and self-reliance of the State. This measure will support local families and farms with facilities for aggregation, storage, processing, distribution, and marketing, which strengthens their ability to participate in larger agricultural economies.

Your Committee notes that food hub start up happens in phases. For the business planning phase, as much as \$50,000 can suffice. For the "proof of concept" start-up phase, fixed expenses can go up to \$200,000 for space, cars, manufacturing equipment, and other physical assets. These two stages combined take two to three years. After that, a successful food hub might expand for three to five more years until it reaches maturity or balance, when it can then pay for some of its own costs and is likely to invest up to \$5,000,000 during the first five years, as in the case of the Hawaii Ulu Cooperative. In total, start-up food hubs may need \$200,000 to \$300,000 in the first two years to be able to launch.

Your Committee has amended this measure by:

- (1) Clarifying that the Pilot Program shall award grant funding to qualified applicants for construction or improvement of facilities for aggregation, washing, minimal processing, packaging, cold storage, and other value-added facilities.
- (2) Clarifying how the Department of Agriculture shall establish criteria for the award of initial start-up grant funding or subsequent expansion funding under the Pilot Program;
- (3) Requiring the Department of Agriculture to include in its final report to the Legislature a recommendation as to whether the Pilot Program should be made permanent, with or without modifications;
- (4) Changing the sum appropriated for the Pilot Program to an unspecified sum;
- (5) Amending its preamble;
- (6) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it appropriate \$1,000,000 for the Food Hub Pilot Program.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1892, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1892, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 635-20 Economic Development & Business on H.B. No. 1685

The purpose of this measure is to establish an income tax credit for investments in qualified businesses that develop cybersecurity and artificial intelligence.

Your Committee received comments on this measure from the Department of Taxation, Hawaii Technology Development Corporation, and Tax Foundation of Hawaii.

Your Committee finds that cybersecurity and artificial intelligence are technologies with great potential for the State. This measure incentivizes investment in qualified businesses developing cybersecurity and artificial intelligence technologies through an income tax credit.

Your Committee has amended this measure by:

- (1) Changing the amount of the income tax credits, the percentage of the recapture of the income tax credit, and the percentage of various activities that qualify a business as a "qualified business" to unspecified percentages;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it determine the appropriate percentages to apply to the amounts of the income tax credits allowed, the recapture percentage of the income tax credit, and the percentages of various activities that qualify a business as a "qualified business". Your Committee notes that this measure is structured similarly to the infamous Act 221, Session Laws of Hawaii 2001 (Act 221) tax credit, which presented the State with many fiscal and oversight challenges. Your Committee further respectfully requests that your Committee on Finance examine whether the tax credit in this measure, if enacted, would cause the same types of issues as the tax credit in Act 221.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1685, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1685, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 636-20 Economic Development & Business/Energy & Environmental Protection on H.B. No. 2717

The purpose of this measure is to:

- (1) Extend the Alternative Energy Research and Development Revolving Fund lapse date from June 30, 2020, to June 30, 2021; and
- (2) Appropriate funds into and out of the Alternative Energy Research and Development Revolving Fund for the provision of grants by the Hawaii Technology Development Corporation.

Your Committees received testimony in support of this measure from Makai Ocean Engineering, Inc.; Chamber of Commerce Hawaii; and three individuals. Your Committees received comments on this measure from the Hawaii Technology Development Corporation.

Your Committees find that research focused on creating new forms of alternative energy is in line with the State's clean energy goal of one hundred percent renewable energy by the end of 2045. Your Committees further find that extending the Alternative Energy Research and Development Revolving

Fund will continue to help companies obtain needed funding for their alternative energy research and development, which helps to create high paying jobs and meet Hawaii's clean energy goals.

Your Committees have amended this measure by:

- (1) Appropriating general revenues, rather than monies from the Alternative Energy Research and Development Revolving Fund, for the provision of grants by the Hawaii Technology Development Corporation;
- (2) Changing the amount appropriated to an unspecified sum;
- (3) Changing its effective date to July 1, 2112; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider appropriating \$1,000,000 for the purpose of providing grants by the Hawaii Technology Development Corporation for the Alternative Energy Research and Development Program.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2717, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2717, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 6. Noes, none. Excused, 2 (Eli, Matsumoto).

Energy & Environmental Protection: Ayes, 5. Noes, none. Excused, 2 (Har, Yamane).

SCRep. 637-20 Judiciary on H.B. No. 2001

The purpose of this measure is to authorize manslaughter prosecutions for wilful and wanton disregard of the need to exercise reasonable case that results in the death of another person.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Kauai; Hawaii Construction Alliance; Hawaii Laborers' Union, Local 368; Mothers Against Drunk Driving Hawaii; Hawaii Bicycling League; and eleven individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that prosecutors have an obligation to charge offenders with manslaughter when offenders demonstrate a wilful and wanton disregard of the need to exercise care and commit crimes that result in the death of another person.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

Should this measure proceed further in the legislative process, your Committee respectfully requests that consideration be given to the concerns raised in testimony by the Department of the Attorney General that the terms "wilful" and "wanton" be defined.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2001, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2001, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 638-20 Judiciary on H.B. No. 2550

The purpose of this measure is to:

- (1) Expedite the appeals from the Hawaii family court orders by making the orders appealable directly to the Hawaii Supreme Court instead of the Hawaii Intermediate Court of Appeals;
- (2) Require the Supreme Court to render a final decision on appeals from the family court orders within one hundred eighty days; and
- (3) Encourage a reduction in the number of remands from the Supreme Court to the family courts.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that the delays experienced by parents and children while awaiting the disposition of appeals from family court decisions arguably violate the Due Process Clauses of the state and federal constitutions. Indeed, delays conflict with the stated mission of the family court "to provide a fair, speedy, economical, and accessible forum for the resolution of matters involving families and children".

Your Committee further finds that delays can result in unacceptable incongruities if the matter to be decided becomes moot while the appeal is pending, such as when a child reaches the age of majority before the child custody decision is finally made.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2550, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2550, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 639-20 Judiciary on H.B. No. 1929

The purpose of this measure is to:

- (1) Extend the deadline for the Hawaii Housing Finance and Development Corporation to exercise its power of eminent domain to acquire the Front Street Apartments affordable housing project on Maui, unless the ground lease is renegotiated or a new ground lease issued; and
- (2) Extend the deadline to obtain land use approval for the Lealii affordable housing project on Maui.

Your Committee received testimony in support of this measure from Hawaii Housing Finance and Development Corporation, Maui Chamber of Commerce, and two individuals.

Your Committee finds that there is a severe shortage of affordable rental housing in the county of Maui, particularly in the western part of the island. The deadline extensions proposed by this measure will help ensure Maui residents continue to have available affordable housing options.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1929, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1929, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 640-20 Judiciary on H.B. No. 2346

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Tax and regulate e-liquid products and electronic smoking devices in the same manner as other tobacco products;
- (3) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (4) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products; and
- (5) Repeal various statutory provisions relating to electronic smoking devices made obsolete by this measure.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawaii System, American Heart Association, Hawaii Pacific Health, American Lung Association, Hawaii Primary Care Association, Blue Zone Project Hawaii, The Friends of Kamalani and Lydgate Park, We Are One, Inc., Pediatric Therapies Hawaii, Hui No Ke Ola Pono, University of Hawaii Student Health Advisory Council, Filipina Advocacy Network FAN, Hawaii Community Foundation, Hawaii State Teachers Association, Cancer Action Network, Hawaii Public Health Institute, The Salvation Army, Maui Family Magazine, and numerous individuals. Your Committee received testimony in opposition to this measure from Volcano eCigs, Hawaii Smokers Alliance, and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii Substance Abuse Coalition, Hawaii Food Industry Association, and Tax Foundation of Hawaii.

Your Committee finds that tobacco use is the single most preventable cause of disease, disability, and death in the United States. Your Committee further finds that the rapid growth of the electronic smoking device industry necessitates additional regulations to protect consumers. Your Committee also finds that electronic smoking devices and e-liquids should be taxed to encourage users of e-liquids to quit, sustain cessation, prevent youth initiation, and reduce consumption.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2346, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2346, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 641-20 Judiciary on H.B. No. 2679

The purpose of this measure is to establish, within the Traffic Violations Bureau of the District Court of the First Circuit, a three-year pilot project that requires the court to adjust court-imposed monetary assessments resulting from motor vehicle moving violations and establishes income-based adjustments for related fines.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Community Alliance on Prisons, ACLU of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Health and Harm Reduction Center, and two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that an income-based civil fine system creates more equitable results than a flat fine system. Your Committee further finds that there is significant evidence that an income-based system leads to higher rates of payment and lower defaults by violators than a flat fine system, and better deters civil infractions. However, your Committee believes that further research is needed regarding income-based fines and how other states address habitual offenders who have low incomes.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its substantive contents;
- (2) Requiring the Judiciary to conduct a study regarding income-based fines and how other states address habitual offenders who have low incomes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2679, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2679, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (McKelvey, Say, Thielen). Noes, none. Excused, none.

SCRep. 642-20 Judiciary on H.B. No. 2751

The purpose of this measure is to:

- (1) Expand the conditions for authorizing a restricted driver's license or instruction permit, other than a commercial driver's license;
- (2) Provide judges with greater discretion to adjust the amount owed by a person who violates certain traffic offenses based on the person's inability to pay; and
- (3) Increase the amount of credit given to a contumacious person committed for nonpayment.

Your Committee finds that the Financial Hardship Task Force, established pursuant to Act 112, Session Laws of Hawaii 2019, made several recommendations on how to improve the current traffic system to address the needs of those who are experiencing financial hardship. Your Committee further finds that this measure implements several recommendations from the Task Force.

Your Committee received testimony in support of this measure from County of Kauai Office of the Prosecuting Attorney, Community Alliance on Prisons, and one individual. Your Committee received comments on this measure from the Judiciary, Office of the Public Defender, and American Civil Liberties Union of Hawaii.

Your Committee has amended this measure by:

- (1) Inserting the provisions of H.B. No. 2023, which:
 - (A) Provides Hawaii residents with the option of paying for the registration of their motor vehicles and associated taxes and fees on a biannual basis;
 - (B) Restricts the amount of delinquency tax due to the current tax due plus one year; and
 - (C) Removes language allowing storage costs and costs incident to seizure of a vehicle from inclusion in the amount the owner of a vehicle must pay in order to redeem the vehicle after seizure;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2751, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2751, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 643-20 Judiciary on H.B. No. 2457

The purpose of this measure is to prohibit the sale or distribution of all flavored tobacco products in the State. Among other things, this measure:

- (1) Bans the sale of flavored tobacco products; prohibits the mislabeling of e-liquid products containing nicotine; and establishes fines and penalties for violations, beginning on January 1, 2021;
- (2) Requires the Department of Education to establish a safe harbor program by which persons under twenty-one years of age may dispose of electronic smoking devices in their possession;
- (3) Requires public school teachers or educators to confiscate electronic smoking devices;
- (4) Increases fines for the purchase or possession of tobacco products and electronic smoking devices by persons under twenty-one years of age; and
- (5) Authorizes a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine.

Your Committee received testimony in support of this measure from the Honolulu Police Department; Hawaii Substance Abuse Coalition; Hawaii Pacific Health; Hawaii Primary Care Association; Blue Zones Project; Friends of Kamalani and Lydgate Park; We Are One, Inc.; Pediatric Therapies Hawaii; Hui No Ke Ola Pono; Filipina Advocacy Network; Hilo Medical Center; Coalition for a Tobacco-Free Hawaii; Hawaii Public Health Institute; Hawaii Association of Independent Schools; Waianae Coast Comprehensive Health Center; Flavors Hook Kids Hawaii; E Ola Pono Ma Kapolei; The Man Cave; Emma Whitney Photography; Salvation Army, Maui Family Magazine, Kahoomiki, and numerous individuals. Your Committee received testimony in opposition to this measure from Irie Hawaii Stores; VOLCANO eCigs; Hawaii Smokers Alliance; Hawaii Petroleum Marketers Association; Cigar Association of America, Inc.; and numerous individuals. Your Committee received comments on this measure from the Department of Health, Department of the Attorney General, Department of Education, American Heart Association, American Lung Association, American Cancer Society Cancer Action Network, Hawaii State Teachers Association, Hawaii Food Industry Association, and two individuals.

Your Committee finds that flavored tobacco products are a significant threat to public health. Your Committee further finds that Hawaii should take steps to regulate flavored tobacco products to reduce tobacco-related health disparities and address the youth vaping epidemic.

Your Committee has amended this measure by:

- (1) Removing the requirement that any fines paid to the Department of Health from retailers be deposited into the Hawaii tobacco prevention and control trust fund;

- (2) Changing the amount of fines to be paid by any person under twenty-one years of age who purchases or possesses any tobacco product or electronic smoking device to an unspecified amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that requiring fines to be paid by anyone under twenty-one years of age for purchasing or possessing a tobacco product or electronic smoking device may be counterproductive to reducing under age use of tobacco products and electronic smoking devices.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2457, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2457, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (Nakashima).

SCRep. 644-20 Judiciary on H.B. No. 2119

The purpose of this measure is to increase opportunities for eligible individuals to register to vote and participate in the democratic process by:

- (1) Requiring that any person who is eligible to vote and applies for a driver's license, provisional license, instruction permit, or identification card be automatically registered to vote, if that person is not already registered to do so, unless the applicant affirmatively declines to be registered; and
- (2) Authorizing the electronic transmission of certain information from the examiner of drivers to elections officials and the statewide voter registration system.

Your Committee received testimony in support of this measure from the Office of Elections; County of Hawaii Office of the County Clerk; American Association of University Women of Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work – Hawaii; Breastfeeding Hawaii; Indivisible Windward; Hawaii Alliance of Nonprofit Organizations; Planned Parenthood Votes Northwest and Hawaii; Young Progressives Demanding Action; Sierra Club of Hawaii; Hawaii Public Health Institute; Common Cause Hawaii; AVR Hawaii Coalition; Hawaii Appleseed Center for Law and Economic Justice; Americans for Democratic Action; Community Alliance on Prisons; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Community Foundation; League of Women Voters; and seventeen individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation, Pono Hawaii Initiative, Zonta Club, and American Civil Liberties Union of Hawaii.

Your Committee finds that this measure will require applicants to either automatically register to vote or affirmatively opt out of registration as part of the driver's license and identification card application process. In addition, the electronic sharing of data will help ensure the accuracy of voter-registration rolls and compliance with the National Voter Registration Act of 1993 and Help America Vote Act of 2002.

Your Committee has amended measure by:

- (1) Deleting all references to permanent absentee ballots;
- (2) Authorizing the Director of Transportation, rather than the Chief Election Officer, to determine other voter registration or election purposes for providing election officials and the online voter registration system access to databases maintained or operated by the counties or Department of Transportation that contain driver's license or identification card information; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2119, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2119, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 645-20 Judiciary on H.B. No. 1705

The purpose of this measure is to clarify which candidate and noncandidate committee preliminary reports may be subject to a higher fine for failure to file the report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and League of Women Voters of Hawaii.

Your Committee finds that this measure is necessary to clarify that only candidate and noncandidate committee preliminary reports due ten days before a primary, general, or special election may be subject to the increased late-filing fine.

Your Committee further finds that Hawaii law currently requires only candidate reimbursements to be itemized in candidate committee reports. However, it is common for individuals other than the candidate to be reimbursed for campaign costs. Your Committee believes that those reimbursements should also be itemized.

Your Committee also finds that persons should be required to file statements of information when electioneering communications are publicly distributed, rather than when the expenditure is made. Your Committee believes that this would be timelier since contracts for electioneering communications occur weeks to months before the communication is publicly distributed.

Your Committee additionally finds that advertisements mailed at any rate, instead of only bulk rate, should be considered electioneering communications. Furthermore, your Committee believes that exclusion of communications that constitute expenditures by the expending organization from the definition of "electioneering communications" is unnecessary and often leads to confusion among committees regarding its application.

Your Committee further finds that statements of information should include the disclosure date, website, and name of the candidate or ballot issue supported or opposed if a candidate committee or noncandidate committee makes an expenditure for an advertisement on the Internet.

Accordingly, your Committee has amended this measure by:

- (1) Inserting the language from H.B. No. 1703, which requires schedules filed with candidate committee reports to include itemized expenditures for committee reimbursements to the candidate or other individuals; and

- (2) Inserting the language from H.B. No. 1708, which amends the requirements for a statement of information filed by each person who makes an expenditure for electioneering communications of more than \$2,000 in the aggregate during any calendar year by:
 - (A) Amending the definition of "disclosure date" to mean the first date on which an electioneering communication is publicly distributed and any other date during that same year on which an electioneering communication is publicly distributed;
 - (B) Amending the definition of "electioneering communication" to:
 - (i) Include any advertisement sent by mail instead of at a bulk rate; and
 - (ii) Repeal the exclusion of communications that constitute expenditures by the expending organization; and
 - (C) Repealing the requirement that a person be treated as having made an expenditure if the person has executed a contract to make the expenditure.

Your Committee has further amended this measure by:

- (1) Changing the amount required to trigger a statement of information for electioneering communications from \$2,000 to a blank amount;
- (2) Requiring a statement of information to include the disclosure date, website, and name of the candidate or ballot issue supported or opposed, if a candidate committee or noncandidate committee makes an expenditure for advertisement on a social media platform;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1705, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1705, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Nakashima, Say).

SCRep. 646-20 Judiciary on H.B. No. 2188

The purpose of this measure is to:

- (1) Establish a setback from the nearest farm or residential dwelling unit for certain wind energy facilities in the agricultural district; and
- (2) Require the University of Hawaii at Manoa John A. Burns School of Medicine to conduct or contract for a study on the effects of noise produced by certain wind energy facilities in Hawaii on the health of residents and students.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Hawaii State Energy Office, University of Hawaii System, Hawaiian Electric, and Apollo Energy.

Your Committee finds that wind energy facility siting or setback requirements vary across the nation, with various approaches to their establishment. Setback requirements are usually defined with respect to the height of the system. Of the states with substantial local autonomy, only two states have established statewide setback requirements. This measure is important to continuing the conversation about the appropriate distance for certain wind energy facilities from dwellings.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2188, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 647-20 Judiciary on H.B. No. 2704

The purpose of this measure is to:

- (1) Establish long-term commitments to reduce energy use and fresh water consumption at all Department of Land and Natural Resources state facilities and all state facilities operated by the Judiciary; and
- (2) Encourage the use of innovative means of energy-savings and water reclamation financing to reduce taxpayer costs for capital improvement and energy efficient and water reclamation projects.

Your Committee received testimony in support of this measure from the Pono Hawaii Initiative, Climate Protectors Coalition, and two individuals. Your Committee received comments on this measure from the Judiciary and Department of Land and Natural Resources.

Your Committee finds that Hawaii has made a commitment to sustainability and renewable energy by setting goals for net-zero energy use across all public school facilities and University of Hawaii campuses by January 1, 2035, and by directing the Hawaii water plan to achieve a one hundred percent utilization of reclaimed water for uses other than drinking and for potable water needs by December 31, 2045. This measure extends those commitments by expanding the goals of net-zero energy use and reclaimed water consumption to all state facilities operated by the Department of Land and Natural Resources and Judiciary.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2704, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 648-20 Judiciary on H.B. No. 2556

The purpose of this measure is to:

- (1) Authorize the county directors of finance to withhold the issuance or renewal of a certificate of registration until the county is reimbursed for all costs relating to the disposition of an abandoned vehicle;
- (2) Make it a misdemeanor, with a \$250 to \$500 fine, if a person abandons any vehicle on any public or private roadway or any property without the consent of the owner or lessee;
- (3) Require the court to report the misdemeanor conviction to the county director of finance, who may proceed to prohibit the person from operating a vehicle; and
- (4) Authorize the county to assess and collect fees, fines, and penalties for actions relating to the disposition of abandoned and derelict vehicles.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui, a member of the Maui County Council, and three individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Transportation, Department of Environmental Management of the County of Maui, and Enterprise Holdings.

Your Committee finds that abandoned vehicles on public roads are a widespread and increasingly common environmental concern that adversely affects human health and safety. This measure seeks to reduce the number of abandoned vehicles in the State by imposing restrictions and fines on owners of abandoned cars.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2556, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (McKelvey). Noes, none. Excused, 1 (Nakashima).

SCRep. 649-20 Economic Development & Business on H.B. No. 1850

The purpose of this measure is to:

- (1) Amend the uses of the Energy Security Special Fund to allow the Hawaii State Energy Office to enter into public-private partnerships with certain not-for-profit entities to support the commercialization of technologies that will further Hawaii's clean energy and sustainability goals and benefit Hawaii's economy; and
- (2) Increase the allocation of funding to the Energy Security Special Fund that is deposited from the state environmental response, energy, and food security tax from 5 cents to 15 cents per barrel, to ensure sufficient funding levels for these public-private partnerships.

Your Committee received testimony in support of this measure from the University of Hawaii System, Hawaii State Energy Office, Elemental Excelsior, 350Hawaii.org, Chamber of Commerce Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that this measure will aid the Hawaii State Energy Office in stimulating development and commercialization of technologies needed to facilitate the State's progress toward its clean energy and sustainability goals. Your Committee further finds that increasing the allocation of the barrel tax to the Energy Security Special Fund will allow for additional financial resources to be made available to assist in achieving a clean energy future.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1850, H.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 650-20 Economic Development & Business on H.B. No. 2404

The purpose of this measure is to incentivize the development of new recycled products manufacturing, bioconversion, or composting businesses within the State by establishing a Recycled Products Manufacturing Grant Program (Program), to be administered by the Office of Solid Waste Management within the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Reynolds Recycling, 350Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Hawaii's small population, prohibitive land and infrastructure costs, and current recycling participation rates create significant challenges to operating new recycling facilities. Grants for the manufacturing of recycled products using the local waste stream and commercial composting using the local waste stream can help close the loop of inputs and outputs, thereby creating a circular economy for Hawaii's solid waste stream.

Your Committee has amended this measure by:

- (1) Requiring grants awarded under the Program to meet a standard to be determined by the Department of Health;
- (2) Exempting grants made under the Program from Chapter 103D, Hawaii Revised Statutes, relating to the Hawaii Public Procurement Code;
- (3) Directing the appropriation of general revenues to be deposited into the Environmental Management Special Fund, and appropriating an unspecified amount from the Special Fund for the Program, to be expended by the Department of Health; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that this measure was amended to require the Department of Health to establish standards for which grants are awarded under the Program and will be contained within the rules of the Department, so as to satisfy Hawaii constitutional concerns raised by the Department of the Attorney General in its testimony.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2404, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2404, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 651-20 Economic Development & Business on H.B. No. 2627

The purpose of this measure is to provide that Chapter 1, Subchapter Z (with respect to opportunity zones), of the Internal Revenue Code shall not be operative for the purposes of state income tax law.

Your Committee received testimony in opposition to this measure from the Department of Business, Economic Development, and Tourism. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure would disallow tax deferrals on capital gains that are reinvested in qualified opportunity zones, which are generally economically distressed areas that are specially designated by state governors.

Your Committee is concerned that some designated opportunity zones offer little to no potential impact to low-income areas because most of the region of some opportunity zones are on conservation land or inhospitable terrain. Furthermore, your Committee notes that some of the opportunity zones, while low-income areas in the past, are now high-income areas where investors may be receiving an unfair tax advantage with no benefit to a truly low-income area. However, your Committee also notes that opportunity zones can offer an important investment tool for Aloha Stadium and the Hilo redevelopment area. Because of these concerns, your Committee recommends that this measure eliminate the tax advantages for taxable years beginning after December 31, 2022.

Accordingly, your Committee has amended this measure by:

- (1) Making it applicable to taxable years beginning after December 31, 2022;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2627, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2627, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 652-20 Economic Development & Business/Energy & Environmental Protection on H.B. No. 1604

The purpose of this measure is to require retailers of household appliances to conspicuously display on household appliances available energy efficiency rebates and Hawaii-specific energy costs for operation.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Blue Planet Foundation, 350Hawaii, and twelve individuals. Your Committees received testimony in opposition to this measure from the Association of Home Appliance Manufacturers and Retail Merchants of Hawaii. Your Committees received comments on this measure from the Public Utilities Commission.

Your Committees find that supplying information about available rebates and energy costs in the State will present a more accurate picture of how much an appliance will cost to operate by a household in Hawaii and enable consumers to make more informed choices by choosing products that yield long-term savings as opposed to choosing primarily on lowest initial cost.

Your Committees have amended this measure by:

- (1) Clarifying that the signage or text on household appliances shall inform consumers of available energy efficiency rebates funded by the public benefits fee;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees respectfully request the Hawaii State Energy Office to begin reaching out to affected retailers on this proposal on how to seamlessly implement this measure should it be enacted. Your Committees are concerned that without a financial or regulatory scheme in place to ensure that Hawaii data is included in the cost of usage, businesses may simply choose to ignore this measure.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1604, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1604, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.
Economic Development & Business: Ayes, 6. Noes, none. Excused, 2 (Eli, Matsumoto).
Energy & Environmental Protection: Ayes, 5. Noes, none. Excused, 2 (Har, Yamane).

SCRep. 653-20 Economic Development & Business/Energy & Environmental Protection on H.B. No. 1910

The purpose of this measure is to establish and appropriate funds for a Sustainable Aviation Fuel Program to provide grants to any business in the State that is developing products related to sustainable aviation fuel or aviation greenhouse gas reduction.

Your Committees received testimony in support of this measure from Simonpietri Enterprises, 350Hawaii, and twelve individuals. Your Committees received comments on this measure from the Hawaii Technology Development Corporation, Hawaii State Energy Office, Life of the Land, and one individual.

Your Committees find that greenhouse gas emissions from air travel are a particularly important area to address, since jet fuel is one of the largest sources of the State's greenhouse gas emissions. Your Committees further find that the State is uniquely positioned to develop solutions and to continue to be a leader in the area of sustainable aviation fuels and reduce the emission of greenhouse gases.

Your Committees further find that the development of aviation gas which has lower greenhouse gas emissions than the current standard will help to address the challenges of global warming in a state where air travel is a critical component of the economy.

Your Committees have amended this measure by:

- (1) Clarifying the determinations to be made by the Hawaii Technology Development Corporation when analyzing grant applications for the Sustainable Aviation Fuel Program;

- (2) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1910, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1910, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 6. Noes, none. Excused, 2 (Eli, Matsumoto).

Energy & Environmental Protection: Ayes, 5. Noes, none. Excused, 2 (Har, Yamane).

SCRep. 654-20 Consumer Protection & Commerce on H.B. No. 2492

The purpose of this measure is to:

- (1) Preserve federal regulations on the use of hydrofluorocarbons in state law;
- (2) Establish a preference for products that do not contain hydrofluorocarbons in the state procurement code; and
- (3) Direct the Hawaii State Energy Office and the Environmental Management Division of the Department of Health to study how to increase the use of refrigerants with low global warming potential and recommend how to establish a state program that supports the elimination of legacy uses of hydrofluorocarbons.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Wastewater Alternatives & Innovations, and six individuals. Your Committee received comments on this measure from the Department of Health, State Procurement Office, The Natural Resources Defense Council, and Honeywell.

Your Committee finds that hydrofluorocarbons are synthetic gases that pose a significant risk to the environment and therefore should be phased out and replaced with available alternatives that are safer and more cost-effective. Given the State's efforts to reduce greenhouse gas emissions and mitigate the effects of climate change, the phase-out of hydrofluorocarbons aligns with many existing goals and priorities.

Your Committee has amended this measure by:

- (1) Adopting the Department of Health's recommendation to remove penalties from the new part to be added, to be consistent with other U.S. Climate Alliance states developing model rules;
- (2) Replacing the term, "Secretary," with "director," on page 10, line 12;
- (3) Inserting an appropriation of an unspecified amount for the Hawaii State Energy Office, in conjunction with the Environmental Management Division of the Department of Health, to conduct a study about reducing hydrofluorocarbons in the State; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2492, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2492, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 655-20 Consumer Protection & Commerce on H.B. No. 2561

The purpose of this measure is to require the Insurance Commissioner to conduct a study on the feasibility of establishing a mechanism to review prescription drug costs and set levels of reimbursement and rates without additional cost to the State.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association and one individual. Your Committee received testimony in opposition to this measure from Biotechnology Innovation Organization. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Office of Information Practices, Kaiser Permanente Hawaii, and AARP Hawaii.

Your Committee finds that prescription medications are as important to the health and safety of the residents of the State as traditional public utilities such as transportation, gas, electricity, telecommunications, and water. The State has traditionally regulated the price of utilities charged to consumers because of the monopoly structure of the market.

The cost of many prescription drugs has become increasingly unaffordable for residents, employers, and the government because parts of the prescription drug market are monopolies or oligopolies, and the costs to consumers in these parts of the market are not managed. The difference between the affordability of traditional utilities and the costs of prescription drugs is due in part to the active role that the State plays in directing what consumers will pay for utilities and the corresponding inactive role that the State plays in not directing what consumers will pay for drugs.

Your Committee has amended this measure by reverting to the original version of this measure, as introduced, which establishes the Prescription Affordability Commission (Commission) to review prescription drug costs and establish levels of reimbursement and rates, and further amending the measure by:

- (1) Removing language that would have allowed the Commission to hold an executive meeting closed to the public to discuss proprietary data and information;
- (2) Removing language that deemed all submissions to the Commission pertaining to prescription drug cost reviews government records subject to chapter 92F, Hawaii Revised Statutes;
- (3) Authorizing the Commission to hold an executive meeting to discuss confidential commercial or financial information that would be authorized to be withheld from the public;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2561, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2561, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 656-20 Consumer Protection & Commerce on H.B. No. 2161

The purpose of this measure is to make various clarifications to the statutory provisions governing condominiums.

Specifically, this measure clarifies:

- (1) That all condominiums may amend their declarations by the vote or written consent of owners representing at least sixty-seven percent of the common interest, unless the unit owners agree to require a higher percentage;
- (2) Who may serve on a board of directors and when a tenant of a unit is disqualified from being a member of a board;
- (3) The civil liability of associations, boards of directors, association directors, officers, agents, attorneys, or other association representatives with respect to any statement submitted by an owner for the purposes of proxies; and
- (4) Provisions concerning the installation of solar energy devices on common elements or limited common elements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Law Offices of Mark K. McKellar, LLC; Associa; Community Associations Institute; Hawaii State Association of Parliamentarians; Country Club Village, Phase 2; Hawaii Council of Associations of Apartment Owners; and ten individuals. Your Committee received testimony in opposition to this measure from Kokua Council and four individuals.

Your Committee finds that a number of existing state laws concerning condominiums require clarification due to unintended consequences resulting from amendments to other sections, or provisions being subject to more than one interpretation. This measure amends the law to clarify ambiguous provisions and remove the impediments to effective governance by condominiums.

Your Committee has amended this measure by:

- (1) Requiring that the content of a statement by an owner is the sole responsibility of the owner and subject to any libel, slander, or other defamation of character charges;
- (2) Broadening the term "solar energy devices", as it relates to installation on single-family residential dwellings or townhouses, by delinking the term from the definition of "solar energy devices" in section 196-7, Hawaii Revised Statutes;
- (3) Providing that consent of owners of a condominium unit is not required regarding installation of solar energy and wind energy devices on portions of a building as it applies to the area of installation, rather than the entire building, that is reserved as a limited common element; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2161, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 657-20 Consumer Protection & Commerce on H.B. No. 2504

The purpose of this measure is to specify:

- (1) Disclosure and consent requirements for health care providers, health care facilities, and hospitals that are nonparticipating providers in a patient's health care plan;
- (2) The circumstances in which a patient shall not be liable to a health care provider for any sums owed by an insurer, mutual benefit society, or health maintenance organization; and
- (3) That insurers, mutual benefit societies, and health maintenance organizations shall enter into independent dispute resolutions with nonparticipating providers to resolve their outstanding obligations.

Your Committee received testimony in support of this measure from the Hawaii Health Systems Corporation, Hawaii Primary Care Association, Healthcare Association of Hawaii, Hawaii Chapter of the American College Emergency Physicians, Adventist Health Castle, The Queen's Health System, Pali Momi Medical Center, Straub Medical Center, Kapiolani Medical Center for Women and Children, Hawaii Pacific Health, Wilcox Medical Center, Kauai Medical Clinic, AARP Hawaii, Maui Health Systems, and numerous individuals. Your Committee received testimony in opposition to this measure from Department of Health. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Medical Assurance Association, Hawaii Medical Service Association, Hawaii Medical Association, Kaiser Permanente Hawaii, and one individual.

Your Committee finds that surprise bills are an unwelcome shock to patients who unknowingly receive health care services from a provider outside of their network. These surprise bills place significant financial burdens on patients. These financial burdens are especially painful in a State with a high cost of living. Your Committee finds that proposals, such as this measure, are important steps needed to continue the conversation in addressing these surprise billing practices.

Your Committee has amended this measure by:

- (1) Reverting to the disclosure and consent requirements in the version of this measure, as introduced;
- (2) Conforming the definition of "emergency services" with the existing statutory definition of this term under the Patient's Bill of Rights and Responsibilities Act;
- (3) Clarifying that the hold harmless provision in this measure applies to all claims, rather than actions at law;

- (4) Clarifying the dispute resolution process for mutual benefit societies and managed care plans; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2504, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2504, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Belatti). Noes, none. Excused, none.

SCRep. 658-20 Consumer Protection & Commerce on H.B. No. 1886

The purpose of this measure is to support Hawaii's coffee growers by:

- (1) Requiring disclosure on the label of coffee blends of the respective geographic and regional origins and per cent by weight of the blended coffees;
- (2) Making it a violation of the coffee labeling law to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent; and
- (3) Prohibiting use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii.

Your Committee received testimony in support of this measure from the Department of Agriculture; Kona Chapter of the Hawaii Farmers Union United; Kona Coffee Farmers Association; Cassandra Farms; LavaRock Farm; Absolute Palate LLC; Lions Gate Farms; Bea's Knees Farm; Hawaii County Committee of the Democratic Party of Hawaii; Hawaii Coffee Association; Kona Coffee Farmers Association; Pele Lani Farm LLC; Athena of Hawaii LLC; Hawaii Tropical Fruit Growers; Apollo Kauai, Zero Waste Kauai; Malama Kauaa; Kona Lisa Coffee; We Are One, Inc.; Aloha Breeze Kona Coffee; A'a Li'i Farm; and numerous individuals. Your Committee received testimony in opposition to this measure from Hawaii Teamsters & Allied Workers Local 996; Kona Coffee Council; Kaiwi Farms; Hawaii Coffee Company; Hawaii Restaurant Association; HKCC, LLC; and two individuals.

Your Committee finds that existing labeling requirements for coffee cause consumers to falsely believe that a package of coffee blend contains coffee exclusively from Kona or other regions in Hawaii. In reality, ninety percent of the package could be from other regions of the world. Therefore, immediate legislative action is necessary to protect the reputation of Hawaii-grown coffees as premier and preserve specialty coffees from further degradation.

Your Committee has amended this measure by:

- (1) Including Hawaii-grown green coffee, cherry coffee and parchment coffee in the coffee labeling requirements;
- (2) Appropriating funds for the Department of Agriculture to administer the coffee labeling requirements program; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1886, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.B. No. 1886, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Belatti, Cabanilla Arakawa, Har, Kong, Onishi, Matsumoto). Noes, none. Excused, none.

SCRep. 659-20 Health on H.B. No. 1661

The purpose of this measure is to strengthen public health and safety by amending the definitions of "dangerous to others" and "dangerous to self" to include the refusal to take psychiatric medication or undergo mental health treatment such that self-inflicted violence and violence to others is probable.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition and two individuals. Your Committee received comments on this measure from the Department of Health, Department of the Attorney General, Hawaii Disability Rights Center, and Kaiser Permanente Hawaii.

Your Committee finds that Hawaii's current standard for involuntary hospitalization does not adequately prevent harm, either to persons suffering from mental illness or substance abuse, or to members of the public. Your Committee further finds that a portion of the mentally ill population, including the chronically homeless, is being deprived of urgent, medically appropriate mental health intervention that is best administered on an inpatient basis.

Your Committee notes that although mentally ill individuals have a right to refuse medication or mental health treatment to some degree, steps must be taken to ensure that these individuals take medication and undergo treatment that is necessary to help prevent them from causing danger to themselves or to others. This measure allows law enforcement and hospital workers to intervene and temporarily take individuals into custody when certain medication is not taken or necessary mental health treatment is not used, which will help and protect persons who are suffering from mental illness or substance use disorders, as well as others who may be harmed.

Your Committee has amended this measure by deleting its contents and, instead, modifying the criteria for emergency examination, release from emergency examination, emergency hospitalization, and release from emergency hospitalization for individuals suffering from a behavioral health crisis.

Your Committee finds that these amendments, offered by the Department of Health and developed in collaboration with state agency partners through the task force and working group established by Act 90 and Act 263, Session Laws of Hawaii 2019, respectively, will enhance the current efforts of the Department of Health and its stakeholder partners and will better support continued discussion and efforts to achieve optimal levels of functionality within the mental health crisis management system of the State.

Furthermore, your Committee requests that the Department of Health develop a statutory definition of an "MH-1 order".

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1661, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1661, H.D. 2, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 660-20 Health on H.B. No. 2235

The purpose of this measure is to help ensure access to health care for Medicaid or Medicare patients by establishing an income tax credit for qualified physicians who accept these patients.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawai'i, Hawaii Medical Association, and three individuals. Your Committee received comments on this measure from the Department of Taxation and Hawaii Disability Rights Center.

Your Committee finds that Medicare and Medicaid operate below the costs of providing service. This makes it extremely difficult for physicians to manage practices in the Hawaii market, where costs are extremely high, and particularly in rural areas with a high proportion of Medicare and Medicaid patients. According to testimony received by your Committee, the biggest obstacles to practicing medicine in Hawaii are the high costs of living and conducting business and the low payment for service rates.

Your Committee finds that an income tax credit for merely accepting Medicare and Medicaid patients may not be a sufficient incentive to ensure these patients receive medical treatment. A more appropriate incentive may be to provide an exemption from the general excise tax for amounts received from providing treatment to Medicare and Medicaid patients, and requests the Department of Taxation to provide an estimate of the fiscal impact of such an exemption. Additionally, your Committee has heard the concerns of the Department of Taxation that disclosure by a physician that a patient is a Medicare or Medicaid patient may be a violation of the federal Health Insurance Portability and Accountability Act.

Your Committee has amended this measure by:

- (1) Creating a general excise tax exemption for gross proceeds arising from medical services provided by qualified physicians to Medicare and Medicaid patients, rather than an income tax credit for qualified physicians who accept Medicare and Medicaid patients;
- (2) Removing requirements that the Department of Taxation develop forms and adopt any rules necessary to allow a taxpayer to claim the proposed income tax credit;
- (3) Changing the effective date to taxable years beginning after July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2235, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 661-20 Health on H.B. No. 1637

The purpose of this measure is to appropriate funds for one permanent full-time equivalent Medicare administrator position within the Department of Health for outreach and support for those transitioning to Medicare coverage.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language to eliminate the spending ceiling for using monies in the Civil Monetary Penalty (CMP) Special Fund by the Department of Health for compliance activities approved by the federal Centers for Medicare and Medicaid Services (CMS).

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Health; Healthcare Association of Hawaii; Hawaii Martin Luther King, Jr., Coalition; and four individuals. Your Committee received comments on the proposed H.D. 1 from one individual.

Your Committee finds that under existing law, the CMP Special Fund has an annual spending ceiling of \$30,000. However, CMS now prefers for state laws not to contain spending limits so that favorable reinvestment projects can be better funded from CMP Special Fund monies. Your Committee notes that Hawaii's reinvestment plan was deemed unacceptable by the federal government because of the CMP Special Fund's spending limit. The proposed H.D. 1 removes the spending limit, which will align state law with the federal CMP reinvestment program.

Your Committee further finds that according to AARP, every month, Medicare spends approximately \$134 more for each socially isolated older adult than it would if the person were more communally connected. As an estimated four million older adults enrolled in traditional Medicare are considered socially isolated, Medicare spends an additional approximately \$6.7 billion per year.

Your Committee also finds that the federal Creating High-Quality Results and Outcomes Necessary to Improve Chronic (CHRONIC) Care Act of 2017 extends and expands the Independence at Home demonstration program, through which comprehensive primary care services are delivered at home to Medicare beneficiaries with multiple chronic conditions.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Specifically including supplemental health care benefits, such as in-home care, adult day care, and other non-medical, in-home items and services as acceptable expenditures by the Department of Health out of the CMP Special Fund;
- (2) Retaining the original version of this measure, as introduced, which appropriates funds for one permanent full-time equivalent Medicare administrator position within the Department of Health for outreach and support for those transitioning to Medicare coverage;
- (3) Adding a severability clause;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1637, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1637, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 662-20 Health/Human Services & Homelessness on H.B. No. 668

The purpose of this measure is to authorize the Director of Human Services, on behalf of the State, to apply for membership in the Sovereign States Drug Consortium, which is a collaborative group of state Medicaid programs organized as a collective Medicaid purchasing and rebate pool to provide residents of member states with high-quality pharmaceutical care while controlling costs.

Prior to decision-making on this measure, your Committees made available for public review a proposed H.D. 1, which amends this measure by deleting its contents and inserting language to require the Department of Human Services to make available to all enrollees of QUEST Integration managed care health plans in the State the opportunity to choose from any of the four health plans awarded contracts through RFP-MQD-2019-002.

Your Committees received testimony in support of the proposed H.D. 1 from Hana Health, West Hawaii Community Health Center, Lanai Community Health Center, Waimanalo Health Center, Molokai General Hospital, Kaiser Permanente Hawaii, Pediatric Therapies Hawaii, Green Wheel Food Hub, AlohaCare, Alii Health Center, No Shame Hawaii, Hoola Lahui Hawaii, and numerous individuals. Your Committees received testimony in opposition to this measure from the Hawaii Medical Service Association and one individual. Your Committees received comments on the proposed H.D. 1 from the Department of the Attorney General, Department of Health, State Procurement Office, UnitedHealthcare Community Plan of Hawaii, and Kalo Physical Therapy Multispecialty Group.

Your Committees find that ensuring that neighbor island residents have access to the same health plans as residents of Oahu is a matter of parity and fairness. This measure seeks to provide equitable access to health care for Medicaid members statewide.

Your Committees have amended this measure by deleting its contents and inserting language that:

- (1) Requires the Department of Human Services, prior to executing any contract that would reduce the number of Medicaid plans available in any part of the State, to receive the approval of the Legislature by concurrent resolution by a two-thirds vote of each house of the Legislature;
- (2) Requires the State Auditor to conduct an audit of the Department of Human Services' request for information and request for proposals processes regarding RFP-MQD-2019-002;
- (3) Establishes a legislative task force to review the Department of Human Services' request for information and request for proposals processes;
- (4) Adds a severability clause; and
- (5) Changes the effective date to July 1, 2050, to encourage further discussion.

Your Committees find that section 103F-408, Hawaii Revised Statutes, may apply to the Department of Human Services' reduction in the number of Medicaid health plans available to residents of the neighbor islands. Furthermore, your Committees request the Department of Human Services to review the possibility of making available the two additional Medicaid health plans to neighbor island residents, thus providing parity with Oahu's Medicaid patients.

Your Committees note that during the Regular Session of 2010, the Legislature passed S.B. No. 2650, S.D. 2, H.D. 2, C.D. 1. This measure effectively prevented the Department of Human Services from closing all of its walk-in offices and establishing only two call centers--one in Honolulu and one in Hilo--for all clients served by the Department of Human Services. This measure was vetoed by the Governor. However, the Legislature overrode the Governor's veto, and this measure was enacted as Act 67, Session Laws of Hawaii 2010, on April 29, 2010.

Furthermore, your Committees note that during the Regular Session of 2005, the Legislature passed H.B. No. 1317, H.D. 1, S.D. 1, C.D. 1. This measure prohibited the Department of Human Services from taking any action to remove pharmaceutical benefits management from managed care plans for Medicaid beneficiaries. This measure was vetoed by the Governor. However, the Legislature overrode the Governor's veto, and this measure was enacted as Act 4, Special Session Laws of Hawaii 2005, on July 12, 2005.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 668, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 668, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 7; Ayes with Reservations (Belatti, Nakamura, Tokioka). Noes, 1 (Say). Excused, none.

Human Services & Homelessness: Ayes, 7; Ayes with Reservations (Nakamura, Belatti, Tokioka). Noes, 1 (Say). Excused, none.

SCRep. 663-20 Water, Land, & Hawaiian Affairs on H.B. No. 2035

The purpose of this measure is to:

- (1) Set a deadline for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture; and
- (2) Clarify that the care and production of pasture land constitutes "agricultural activities" for purposes of non-agricultural park lands.

Your Committee received testimony in support of this measure from Meadow Gold Dairies; Hawaii Cattlemen's Council, Inc.; Ponoholo Ranch Limited; Kapapala Ranch; Larry Jefts Farms, LLC; Barbed S Ranch LLC; McCandless Ranch; Ulupalakua Ranch; Maui County Farm Bureau; Hawaii Aquaculture & Aquaponics Association; Hawai'i Farm Bureau; Local Food Coalition; Hawaii Crop Improvement Association; Land Use Research Foundation of Hawaii; a petition signed by numerous individuals and one organization; and twelve individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources; Office of Hawaiian Affairs; Ahahui Malama I Ka Lokahi; Nature Conservancy; Sierra Club of Hawai'i; American Bird Conservancy; Conservation Council for Hawai'i; Ka Makani O Kohala Ohana; and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture; The Wildlife Society, Hawai'i Chapter; and one individual.

Your Committee finds that Act 90, Session Laws of Hawaii 2003, required the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture. However, this transfer has yet to occur. This measure effectuates the transfer of those lands by requiring the Department of Land and Natural Resources to complete the transfer of the identified non-agricultural park lands by June 30, 2020.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2035, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2035, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, 2 (Lowen, Wildberger). Excused, 1 (Har).

SCRep. 664-20 Water, Land, & Hawaiian Affairs on H.B. No. 2358

The purpose of this measure is to:

- (1) Permit the Board of Land and Natural Resources to amend and extend pasture leases to promote certain state purposes relating to recreation and sustainability; and
- (2) Permit the Board of Land and Natural Resources to issue pasture leases by direct negotiation.

Your Committee received testimony in support of this measure from The Nature Conservancy; Ahahui Malama I Ka Lokahi; and seven individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; Hawaii Cattlemen's Council, Inc.; Kapapala Ranch; Ponoholo Ranch Limited; Barbed S Ranch LLC; Larry Jeffs Farms, LLC; McCandless Ranch; Hawai'i Farm Bureau; and eleven individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that pasture lands comprise an important part of the Department of Land and Natural Resources' (DLNR) forest protection and hunting and recreation initiatives. However, state pasture lessees have campaigned to have these lands transferred to the Department of Agriculture (DOA), as DOA has greater flexibility to extend, amend, and issue new leases by negotiation. This measure extends similar powers to DLNR as a means of encouraging DLNR and pasture lessees to work together to promote public priorities.

Your Committee has amended this measure by:

- (1) Clarifying that DLNR may extend or amend leases or dispose of leases by negotiation to further public purposes;
- (2) Requiring DLNR and DOA to identify lands in limbo and defining the term;
- (3) Establishing a process for the Land Use Commission to determine whether lands in limbo are bona fide agricultural land, including pasture land, or conservation land;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2358, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2358, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Wildberger, Ward). Noes, none. Excused, 1 (Har).

SCRep. 665-20 Judiciary/Consumer Protection & Commerce on H.B. No. 2590

The purpose of this measure is to establish a two-year autonomous vehicle testing program within the Department of Transportation.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawaii State Council on Developmental Disabilities, Department of Transportation Services of the City and County of Honolulu, Ulupono Initiative, 350Hawaii, Big Island EV Association, Hawaii Electric Vehicle Association, and nine individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Alliance for Automotive Innovation and Hawaii Automobile Dealers' Association.

Your Committees find that the automotive industry is rapidly evolving. Today's vehicles are more advanced than ever and feature remarkable capabilities, all with the primary goal of passenger safety and saving lives. According to the United States Department of Transportation, more than thirty-seven thousand lives were lost on United State roadways in 2017, with human error accounting for more than ninety-five percent of those fatalities. These numbers underscore the importance for automobile manufacturers to develop life-saving autonomous vehicle technologies. Furthermore, autonomous vehicles increase transportation options, allowing individuals to navigate and participate more meaningfully in their communities.

Your Committees have amended this measure by:

- (1) Changing the maximum speed limit where an autonomous vehicle may be tested on any public road from thirty-five miles per hour to a blank number; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2590, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2590, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

Consumer Protection & Commerce: Ayes, 10. Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 666-20 Judiciary/Consumer Protection & Commerce on H.B. No. 2043

The purpose of this measure is to improve minors' access to mental health care by:

- (1) Allowing an unlicensed mental health professional, working under the supervision of a licensed mental health professional, to provide mental health treatment or counseling services to minors without parental or legal guardian consent, knowledge, or participation;

- (2) Requiring a mental health professional to assist a minor with completing a nondisclosure notification form to send to covered entities, when appropriate; and
- (3) Requiring a covered entity, upon receiving a completed notification form, to maintain the confidentiality of minor-initiated mental health treatment or counseling services.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Medical Service Association, Pride at Work – Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Youth Services Network, Planned Parenthood Votes Northwest and Hawaii, Rainbow Family 808, Hawaii Substance Abuse Coalition, Democratic Party of Hawaii, Hawaii Island HIV/AIDS Foundation, Filipina Advocacy Network, Hawaii Psychological Association, Parents And Children Together, and twelve individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that this measure is based on the November 2018 report submitted to the Legislature by the Sexual Orientation Counseling Task Force convened pursuant to Act 13, Session Laws of Hawaii 2018. In its report, the task force generally agreed that existing laws should be amended to increase access to adolescent mental health services by allowing unlicensed mental health professionals to provide minor-initiated mental health treatment or counseling services under the supervision of licensed mental health professionals and maintain the confidentiality of those services.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2043, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2043, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 12; Ayes with Reservations (Say). Noes, none. Excused, none.

Consumer Protection & Commerce: Ayes, 10; Ayes with Reservations (Cachola, Kong). Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 667-20 Judiciary/Consumer Protection & Commerce on H.B. No. 583

The purpose of this measure is to better serve the needs and protect the safety of the State's seriously ill patients by:

- (1) Clarifying the process for the voluntary or involuntary sale or transfer of a dispensary license;
- (2) Removing the exclusion from dispensary employment for felony convictions;
- (3) Repealing certain restrictions on medical cannabis dispensary siting; and
- (4) Including primary caregivers, qualifying out-of-state patients, and caregivers of qualifying out-of-state patients as individuals able to access medical cannabis retail dispensing locations.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Cannabis Industry Association, and one individual. Your Committees received testimony in opposition to this measure from Maui Police Department, Patients Without Time, and one individual.

Your Committees find this measure improves the State's medical cannabis dispensary law and helps fulfill the original intent of the program by clarifying provisions and implementing reasonable modifications to support patient access to medical cannabis and manufactured cannabis products.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 583, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 583, H.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 11; Ayes with Reservations (Say). Noes, none. Excused, 1 (Yamane).

Consumer Protection & Commerce: Ayes, 10; Ayes with Reservations (Cachola, Kong, Matsumoto). Noes, none. Excused, 1 (Cabanilla Arakawa).

SCRep. 668-20 Judiciary on H.B. No. 2565

The purpose of this measure is to:

- (1) Require the Department of Agriculture, in consultation with the Department of Health, to develop and implement a Pesticide Disposal Amnesty Program (Program) to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted use pesticides and nonrestricted use pesticides from a bona fide agricultural entity;
- (2) Convene a steering committee to guide and monitor the Program; and
- (3) Appropriate funds for purposes of the Program.

Your Committee received testimony in support of this measure from the Western Plant Health Association; Hawaii Alliance for Progressive Action; Larry Jeffs Farms, LLC; and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Department of Agriculture, Hawaii Pest Control Association, Hawaii Center for Food Safety, Young Progressives Demanding Action, Hawaii Farm Bureau, and fourteen individuals.

Your Committee finds that responsible environmental stewardship requires management and supervision of the safe collection and lawful disposal of banned, outdated, or unwanted pesticides. Your Committee believes that this measure addresses this need by establishing a one-time, affordable, and environmentally accessible means for the disposal of pesticides.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Agriculture shall not charge a fee for the disposal of restricted use pesticides or nonrestricted use pesticides that include an active ingredient of restricted use pesticide or nonrestricted use pesticide weighing less than five pounds or fifteen gallons, but may charge a fee for disposal of a nonrestricted use pesticide that includes an active ingredient weighing five pounds or more or fifteen gallons or more;
- (2) Inserting language which increases fines for pesticide use violations; and

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2565, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2565, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 669-20 Judiciary on H.B. No. 2745

The purpose of this measure is to prohibit:

- (1) Government use of face surveillance other than existing police department use; and
- (2) Private use of face surveillance unless the subject of the face surveillance has given clear, discrete, written consent.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Public Defender, Community Alliance on Prisons, and four individuals. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, Hawaii Credit Union League, and Internet Association. Your Committee received comments on this measure from the Hawaii Bankers Association, American Civil Liberties Union of Hawaii, and Microsoft.

Your Committee finds that the unregulated use of face surveillance poses a unique and significant threat to the civil rights and liberties of residents and visitors of Hawaii. This measure seeks to limit government and private use of face surveillance.

Your Committee has amended this measure by:

- (1) Allowing driver's license and civil identification card issuing agencies to obtain, retain, access, and use a face surveillance system or information obtained from a face surveillance system to satisfy the requirements of the federal REAL ID Act of 2005;
- (2) Clarifying that prohibitions against the private use of face surveillance does not prohibit private entities from using cameras for internal security related purposes;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2745, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2745, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 670-20 Judiciary on H.B. No. 2749

The purpose of this measure is to increase prosecutorial transparency in the State by:

- (1) Requiring the offices of the prosecuting attorney of the respective counties to collect and publish certain data relating to criminal defendants and prosecutorial decision-making; and
- (2) Establishing a prosecutorial transparency advisory board.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, Filipina Advocacy Network, Hawaii Health & Harm Reduction Center, Drug Policy Forum of Hawaii, American Civil Liberties of Hawaii, Hawaii Friends of Restorative Justice, Community Alliance on Prisons, Faith Action for Community Equity Hawaii, Ohana Hoopakele, Young Progressives Demanding Action, and twelve individuals. Your Committee received comments on this measure from the Office of Information Practices, City and County of Honolulu Department of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, and County of Hawaii Office of the Prosecuting Attorney.

Your Committee finds that information and data about the offices of the prosecuting attorney of the respective counties and their practices are difficult to access and understand. Your Committee further finds that providing access to this information will improve accountability and inform the public about the decision-making processes within these offices.

Your Committee has amended this measure by:

- (1) Amending the purpose section;
- (2) Amending the data each office of the prosecuting attorney must collect, disclose, and maintain;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2749, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 671-20 Judiciary on H.B. No. 2174

The purpose of this measure is to:

- (1) Define "highly intoxicated driver";

- (2) Provide the evidentiary standard for establishing that a person was a "highly intoxicated driver";
- (3) Require that ignition interlock devices be installed and maintained on one or more vehicles registered to and all vehicles operated by anyone convicted of operating a vehicle under the influence of an intoxicant, during the applicable period of license revocation;
- (4) Increase the license revocation period ordered by the Administrative Driver's License Revocation Office and extend the applicable lookback periods from five to ten years;
- (5) Establish higher penalties for a highly intoxicated driver operating a vehicle; and
- (6) Amend the penalties for offenses of operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation; City and County of Honolulu Department of the Prosecuting Attorney; County of Kauai Office of the Prosecuting Attorney; Honolulu Police Department; Smart Start LLC, Hawaii Corporate Office; Maui Metropolitan Planning Organization; Mothers Against Drunk Driving Hawaii; AAA Hawaii; and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure is a product of the collaborative effort by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group, Hawaii Association of Criminal Defense Lawyers, and Office of the Public Defender to address Hawaii's increasing number of traffic fatalities involving alcohol and drugs. Your Committee further finds that highly intoxicated drivers who are convicted of habitually operating a vehicle under the influence of an intoxicant should be subject to harsher penalties.

Accordingly, your Committee has amended this measure by:

- (1) Making it a class B felony and imposing harsher sentencing requirements for any highly intoxicated driver who is convicted of habitually operating a vehicle under the influence of an intoxicant and removing language imposing a higher penalty for offenses within a ten year period;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2174, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2174, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 672-20 Judiciary on H.B. No. 2127

The purpose of this measure is to broaden who may solemnize marriage by authorizing the issuance of temporary licenses and allowing this rite to be performed by persons without regard to religion.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health and one individual.

Your Committee finds that the right to marry belongs to citizens without regard to their particular moral beliefs or religious creed. Your Committee further finds that existing state law requires a marriage officiant to be affiliated with or ordained by a religious denomination or society. Your Committee believes that this requirement undermines the neutrality of marriage law.

Your Committee has amended this measure by repealing the statutory requirement that a marriage must be solemnized.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2127, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 673-20 Judiciary on H.B. No. 2607

The purpose of this measure is to prohibit urination or defecation in a public place within business districts.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from one individual.

Your Committee finds that witnessing other individuals urinating and defecating in public frightens and offends many people. Your Committee also finds that these behaviors also create a public health risk because of the spread of diseases and other health hazards stemming from human waste. These health concerns, along with the smell associated with public urination and defecation, can often discourage people from patronizing establishments located in business districts.

Your Committee has amended this measure by:

- (1) Specifying that urinating or defecating in a public place is punishable by a fine of no more than \$100;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2607, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2607, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Creagan). Noes, 1 (Perruso). Excused, 3 (Lowen, Say, Yamane).

SCRep. 674-20 Judiciary on H.B. No. 2216

The purpose of this measure is to:

- (1) Amend the membership requirements for the Hawaiian Homes Commission (HHC) to require:
 - (A) At least five members to be native Hawaiian and existing or prospective lessees of Hawaiian homestead lands; and
 - (B) Two of the five members to be on the Department of Hawaiian Home Lands waitlist for a homestead land award;
- (2) Allow for the election of a Chairperson and Vice Chairperson from among the members of HHC by HHC members, rather than by appointment by the Governor; and
- (3) Create the position of the Director of Hawaiian Home Lands and separate the Director's responsibilities from those of the Chairperson of HHC.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee notes that title 43 Code of Federal Regulations part 48, as amended, outlines the process for amendments to the Hawaiian Homes Commission Act and whether or not Congressional approval is necessary. Your Committee finds that this measure does not require Congressional approval.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2216, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2216, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Lowen, Say, Yamane).

SCRep. 675-20 Judiciary on H.B. No. 2459

The purpose of this measure is to require the Department of Health to conduct a study relating to authorized exemptions from medically authorized vaccinations and submit a report of its findings to the Legislature.

Your Committee received testimony in support of this measure from Pearl Harbor Christian Academy; Hawaii Medical Association; Hawaii Association of Independent Schools; Calvary Chapel Pearl Harbor; Hawaii for Informed Consent; Peace of Mind Therapy HI LLC; Seeds of Truth; and over one hundred individuals. Your Committee received testimony in opposition to this measure from the Department of Health, Hawaii Immunization Coalition; National Vaccine Information Center; Hawaii Pacific Health; Hawaii Health and Harm Reduction Center; and seventeen individuals. Your Committee received comments on this measure from the American Academy of Pediatrics, Hawaii Chapter; Hawaii Medical Service Association; Kauai Christian Academy; Waolani Judd Nazarene School; and one individual.

Your Committee has amended this measure by:

- (1) Amending the purpose section;
- (2) Amending the Department of Health's study to focus on the development and disbursement of vaccinations for modern disease outbreaks and various procedures associated with medically authorized exemptions from required vaccinations; and
- (3) Allowing the Department of Health to partner with federal partners or universities to conduct relevant research for this study.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2459, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2459, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 676-20 Judiciary on H.B. No. 2128

The purpose of this measure is to make various housekeeping amendments to clarify and improve the administration of the elections by mail law.

Your Committee received testimony in support of this measure from the Office of Elections, Common Cause Hawaii, Hawaii Alliance for Progressive Action, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure is necessary to effectively implement the administration of all elections conducted by mail in the upcoming 2020 primary election pursuant to Act 136, Session Laws of Hawaii 2019. Your Committee further finds that this measure will help address the needs of voters in certain areas where no service centers would have been established due to the lack of facilities or personnel to support the operation of a voter service center as required by law.

Your Committee also finds that in 2016, Hawaii had the lowest voter turnout in the United States. Data suggests that after an individual votes one time, that individual often becomes a voter for life. Your Committee believes that establishing a process for the automatic preregistration and registration of public school- and charter school-enrolled students who are at least sixteen years of age will empower and create lifelong voters at a young age.

Your Committee additionally finds that ranked choice voting is a method of voting that allows voters to rank their choice of candidates based on preference from favorite to least favorite. Your Committee believes that implementing ranked choice voting in certain elections will ensure fair, efficient, and diverse elections.

Your Committee further finds that if a vacancy occurs in the state Senate after the close of candidate filing, a candidate who has already filed will find themselves in a situation where they cannot withdraw and file for the special vacancy election. The ability for a candidate to withdraw for any reason is limited only to the day immediately following the close of candidate filing. Therefore, your Committee believes that the filing deadlines for candidates attempting to fill vacant state Senate seats should be amended to coincide with the close of candidate filing.

Accordingly, your Committee has amended this measure by:

- (1) Requiring at least two voter service centers in each county with a population greater than one hundred fifty thousand beginning with the 2022 primary election;
- (2) Requiring the Office of Elections to review the process for the electronic transmission of ballots, including its vulnerability to hacking or cyberattacks, and submit a report to the Legislature;
- (3) Inserting the language from H.B. No. 2126, which establishes a process for the automatic preregistration and registration of public school- and charter school-enrolled students who are at least sixteen years of age, and further amending the language to:
 - (A) Require the Department of Education to collect and transmit any voter registration affidavit to the clerk of the county in which the applicant resides, as necessary; and
 - (B) Authorizing the Superintendent of Education, instead of the Board of Education and Superintendent, to adopt and communicate guidelines, in consultation with the Office of Elections, as necessary to maximize and facilitate the preregistration and registration of qualifying students to vote;
- (4) Inserting the language from H.B. No. 2121, which authorizes ranked choice voting for certain federal elections and special elections for vacant seats on county councils, and further amending this language by authorizing ranked choice voting for general elections for vacant state Senate and state House of Representatives seats that are vacant for one year or longer;
- (5) Inserting the language from H.B. No. 1753, which amends the filing deadlines for candidates attempting to fill vacant state Senate seats; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2128, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2128, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (Thielen). Noes, none. Excused, none.

SCRep. 677-20 Finance on H.B. No. 2200

The purpose of this measure is to appropriate supplemental funds for the operating costs of the Executive Branch for fiscal year (FY) 2019-2020 and FY 2020-2021.

Testimony received on this measure can be found at the Legislature's website at <https://www.capitol.hawaii.gov/>

The Administration submitted an operating budget that totaled:

	<u>FY 2020</u>	<u>FY 2021</u>
General Funds	\$8.086 billion	\$8.405 billion
All Means of Financing	\$15.694 billion	\$16.196 billion

Your committee on Finance has amended this budget to appropriate:

	<u>FY 2020</u>	<u>FY 2021</u>
General Funds	\$7.962 billion	\$8.133 billion
All Means of Financing	\$15.564 billion	\$15.656 billion

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2200, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 678-20 Public Safety, Veterans, & Military Affairs/Judiciary on H.B. No. 2709

The purpose of this measure is to:

- (1) Require a personal representative of a decedent appointed under the Uniform Probate Code to notify the police department of the appropriate county of any and all firearms in an estate; and
- (2) Require the police department to certify that all firearms in an estate are properly transferred or disposed of before the estate may close.

Your Committees received testimony in support of this measure from the Mayor of Hawaii County and two individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association of America and eighteen individuals. Your Committees received comments on this measure from the Honolulu Police Department.

Your Committees find that this measure will help to close a gap in accounting for firearms that may be left behind when a person dies and will promote the proper disposal or transfer of those firearms.

Your Committees heard testimony from the Honolulu Police Department about their inability to certify the proper disposal or transfer of firearms in an estate unless they have knowledge of the existence of the firearms.

Accordingly, your Committees amended this measure to limit certification to those firearms that are registered and for which the department has otherwise received notification.

As affirmed by the records of votes of the members of your Committees on Public Safety, Veterans, & Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2709, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2709, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Public Safety, Veterans, & Military Affairs: Ayes, 5. Noes, 1 (McDermott). Excused, 1 (Kong).

Judiciary: Ayes, 9; Ayes with Reservations (Say). Noes, none. Excused, 3 (Creagan, Yamane, Thielen).

SCRep. 679-20 Public Safety, Veterans, & Military Affairs/Judiciary on H.B. No. 1902

The purpose of this measure to:

- (1) Extend the prohibition for large capacity magazines to all firearms, rather than just pistols; and
- (2) Provide an exception to the prohibition for law enforcement agencies and duly authorized officers.

Your Committees received testimony in support of this measure from the Honolulu Police Department; Office of the Mayor, County of Hawaii; Church of the Crossroads; Giffords Law Center; and numerous individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association of America; Pu'u'loa Rifle & Pistol Club; Young Guns; Hawaii Firearms Coalition; Mid-Pacific Pistol League; Lessons in Firearms Education; Danger Close Tactical; and over one hundred individuals.

Your Committees find that the State first prohibited the manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of detachable ammunition magazines with a capacity in excess of ten rounds which are designed for or capable of use with a pistol in 1992. Your Committees find that, by extending this prohibition to other firearms, this measure will improve the State's gun safety laws by reducing the ease and speed with which a shooter can fire a large number of rounds.

Your Committees have amended this measure by:

- (1) Inserting the language from H.B. No. 2232 (Regular Session 2020), which:
 - (A) Prohibits certain individuals from owning firearms who:
 - (1) As a minor, were diagnosed with behavioral, emotional, or mental disorders, unless the person has been medically documented to be no longer either adversely affected by the behavioral, emotional, or mental disorder or deemed a danger to themselves or others; or
 - (2) Were adjudicated by the family court to have committed a certain number of crimes of violence; and
 - (B) Requires records of these diagnoses or adjudications to be made available to law enforcement officials;
- (2) Including a person who is twenty-five years of age in the firearm prohibition of persons adjudicated by the family court of having committed more than one crime of violence; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety, Veterans, & Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1902, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1902, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Public Safety, Veterans, & Military Affairs: Ayes, 4. Noes, 2 (D. Kobayashi, McDermott). Excused, 1 (Kong).

Judiciary: Ayes, 9; Ayes with Reservations (McKelvey, Say). Noes, none. Excused, 3 (Creagan, Yamane, Thielen).

SCRep. 680-20 Judiciary on H.B. No. 2256

The purpose of this measure is to extend the availability of certain exemptions from the State Ethics Code regarding technology transfer activities sponsored by the University of Hawaii to June 30, 2025.

Your Committee received testimony in support of this measure from the University of Hawaii System, Hawaii Technology Development Corporation, Chamber of Commerce Hawaii, Hawaii Business Roundtable, and Blue Startups. Your Committee received comments on this measure from the Hawaii State Ethics Commission and Adnoviv, Inc.

Your Committee finds that Act 38, Session Laws of Hawaii 2017 (Act 38), clarified and updated the application of the State Ethics Code to technology transfer activities sponsored by the University of Hawaii, which facilitated the University's contributions to research commercialization and economic development. However, Act 38 is set to repeal on June 30, 2022. Your Committee finds that it is a matter of statewide concern to support the timely and efficient commercialization of intellectual property created by basic and applied research at the University of Hawaii. Therefore, extending repeal date of Act 38 will allow the University to continue its contributions to research commercialization and economic development.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2256, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2256, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 681-20 Water, Land, & Hawaiian Affairs on H.B. No. 2192

The purpose of this measure is to increase the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.

Your Committee received testimony in support of this measure from the Department of Agriculture, one member of the Hawai'i County Council, Hawaii Farming LLC, Hawaii Farm Bureau, Ulu'pono Initiative, Big Island Produce Asset Holdings LLC, Hawaii Aquaculture & Aquaponics Association, and one individual.

Your Committee finds that the existing maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that qualifies the structure for an exemption from building permit and building code requirements is 20,000 square feet. Increasing the maximum area allowed from 20,000 to 60,000 square feet will support local food production.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2192, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 682-20 Judiciary on H.B. No. 1747

The purpose of this measure is to include coercion as a means of committing the offense of sex trafficking.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, City and County of Honolulu Department of the Prosecuting Attorney, County of Kauai Office of the Prosecuting Attorney, Honolulu Police Department, IMUAlliance, and two individuals.

Your Committee finds that this measure is necessary to address instances where offenders advance prostitution by means that include coercion. Your Committee further finds that this measure will better align state law with the federal law regarding "severe forms of trafficking in persons".

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1747, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 683-20 Judiciary on H.B. No. 2060

The purpose of this measure is to permit family court judges to withhold from public inspection any record of a denied temporary restraining order or denied protective order; provided that these records shall remain accessible to law enforcement officers without a court order.

Your Committee received testimony in support of this measure from American Association of University Women of Hawaii, Midwives Alliance of Hawaii, Domestic Violence Action Center, Breastfeeding Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and Civil Beat Law Center for the Public Interest.

Your Committee finds that victims of domestic abuse who petition the courts for temporary restraining orders or protective orders are sometimes subjected to counter-petitions for the same relief by their abusers. Your Committee further finds that due to the potential negative impacts of these baseless counter-petitions on victims of domestic abuse, courts should be able to withhold denied temporary restraining orders and denied protective orders from public inspection.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2060, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2060, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Nakashima).

SCRep. 684-20 Judiciary on H.B. No. 1673

The purpose of this measure is to amend Hawaii's ethics laws regarding fair treatment by:

- (1) Restoring statutory protection for legislators when carrying out a legislative function; and
- (2) Clarifying that each house of the Legislature shall adopt rules regarding the disclosure of the nature and extent of any interest or transaction that a legislator believes may be affected by the legislator's official action.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure restores language that existed before the enactment of Act 208, Session Laws of Hawaii 2012, which, pursuant to article III, section 7 of the Hawaii State Constitution, protects legislators when carrying out legislative functions.

Your Committee further finds that this measure clarifies the rulemaking responsibilities of the Hawaii State Ethics Commission and the Legislature by tasking the Hawaii State Ethics Commission with adopting general rules relating to Hawaii's fair treatment laws and the Legislature with determining its own rules for how members disclose potential conflicts of interest.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1673, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1673, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Nakashima, Say).

SCRep. 685-20 Judiciary/Public Safety, Veterans, & Military Affairs on H.B. No. 2744

The purpose of this measure is to prevent gun violence and save lives by establishing the Hawaii Gun Violence Prevention Center within the University of Hawaii with the mission to bring law enforcement and medical stakeholders together to analyze related data and develop evidence-based strategies to prevent gun violence in Hawaii.

Your Committees received testimony in support of this measure from the County of Hawaii Office of the Mayor and thirteen individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association of America, Lessons in Firearms Education, and fifteen individuals.

Prior to decision making on this measure, your Committees made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Deleting its substantive contents;
- (2) Establishing, and appropriating funds for, the Gun Violence and Violent Crimes Commission within the Department of the Attorney General to:
 - (A) Address gun violence and violent crimes in Hawaii;
 - (B) Provide coordination, facilitation, and planning among state and county agencies, federal agencies, and other partners, as appropriate; and
 - (C) Submit reports to the Legislature on policy relating to preventing gun violence and violent crimes.

Your Committees received testimony in support of the proposed H.D. 1 from one individual. Your Committees received testimony in opposition to the proposed H.D. 1 from the National Rifle Association of America.

Your Committees find that individuals with minimal expertise may assemble firearms without serial numbers or other identification markings from firearm parts or components, including what is known as eighty percent receivers, which are items that have not yet reached a stage of manufacture that meets the definition of firearm frame or receiver under the Gun Control Act of 1968, and therefore are not subject to regulation. Your Committees further find that individuals who are otherwise prohibited from owning or possessing firearms under state law can assemble these "ghost guns", thereby bypassing background checks, registration, and other legal requirements.

Accordingly, your Committees have amended this measure by adopting the proposed H.D. 1, and further amending the measure by:

- (1) Deleting the appropriations for the Gun Violence and Violent Crimes Commission;
- (2) Inserting the contents of H.B. No. 1733, Regular Session (2020), which:
 - (A) Prohibits the manufacture, purchase, or obtaining of firearm parts for the purpose of assembling a firearm having no serial number; and
 - (B) Amends certain requirements relating to firearms registration;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Public Safety, Veterans, & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2744, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2744, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 9; Ayes with Reservations (Say). Noes, none. Excused, 3 (Creagan, Yamane, Thielen).

Public Safety, Veterans, & Military Affairs: Ayes, 5. Noes, 1 (McDermott). Excused, 1 (Kong).

SCRep. 686-20 Judiciary/Public Safety, Veterans, & Military Affairs on H.B. No. 2736

The purpose of this measure is to require:

- (1) Licensure of sellers of ammunition; and
- (2) Gun owners to show their firearms registrations and identification when purchasing ammunition for the permitted firearms.

Your Committees received testimony in support of this measure from the Honolulu Police Department, Giffords Law Center to Prevent Gun Violence, and two individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association of America, Hawaii Firearms Coalition, Puuloa Rifle and Pistol Club, Young Guns, Hawaii Hunting Association, and over one hundred individuals. Your Committees received comments on this measure from the County of Hawaii Office of the Mayor and one individual.

Your Committees find that requiring gun owners to show their firearm registrations and identification in order to be able to purchase ammunition will limit the ability of those who possess firearms illegally to get ammunition.

Your Committees have amended this measure by:

- (1) Exempting ammunition purchases by persons from a firing range business or target shooting business from the proof of registration and identification requirements;
- (2) Authorizing a registered owner of a firearm to designate an alternate person, instead of only a spouse, to purchase ammunition for up to three years at a time, unless the alternate person is prohibited from ownership or possession of a firearm;
- (3) Requiring the alternate person designated to purchase ammunition to complete a similar background check required to obtain a firearm permit;
- (4) Allowing a registered owner of a firearm to obtain a permit, for up to three years at a time, to purchase ammunition of a caliber that is not the caliber listed on the registered firearm if the owner demonstrates to the police that the firearm is capable of firing a caliber of ammunition that is not the caliber listed on the registration of the firearm;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Public Safety, Veterans, & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2736, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2736, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 9; Ayes with Reservations (Say). Noes, none. Excused, 3 (Creagan, Yamane, Thielen).

Public Safety, Veterans, & Military Affairs: Ayes, 5; Ayes with Reservations (Ohno). Noes, 1 (McDermott). Excused, 1 (Kong).

SCRep. 687-20 Finance on H.B. No. 1654

The purpose of this measure is to appropriate funds to the Department of Agriculture for feral pig control, including grants for fencing and corral traps and a program to reduce feral pig populations.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Maui County Farm Bureau; Hawaii Crop Improvement Association; Dole Food Co. Hawaii; Hawaii Cattlemen's Council; CITO Farm; Larry Jefts Farms, LLC; and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1654, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 688-20 Finance on H.B. No. 1819

The purpose of this measure is to:

- (1) Establish a statutory framework for the Department of Agriculture (DOA) to monitor and regulate hemp;
- (2) Establish and provide temporary legislative funding for the Hemp Regulatory Special Fund, which will later be funded by inspection fees, for necessary staff to administer the program;
- (3) Exclude hemp from the State's prohibitions against marijuana;
- (4) Expedite the repeal of the existing Industrial Hemp Pilot Program;
- (5) Require the Chairperson of the Board of Agriculture to seek approval from the United States Department of Agriculture of a state plan to monitor and regulate hemp; and
- (6) Appropriate funds to:
 - (A) DOA for the monitoring and regulation of hemp production; and
 - (B) The College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa for hemp research.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Kihei Community Association; Vote Hemp; We Are One, Inc.; Hawaii Royal Hemp; and four individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Agriculture, Department of Budget and Finance, Department of Public Safety, University of Hawaii System, Hawaii Hemp Farmers Association, Hawaii Farmers Union United, Hawaii Hemp Solutions, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1819, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 689-20 Finance on H.B. No. 1861

The purpose of this measure is to:

- (1) Extend the Pesticide Subsidy Program to June 30, 2025;
- (2) Extend the Pesticide Subsidy Program Manager position and the position's civil service and collective bargaining laws exemption to June 30, 2026; and
- (3) Appropriate funds for the Program and Program Manager position.

Your Committee heard testimony in support of this measure from the Department of Agriculture, University of Hawaii System, Office of the Mayor of the County of Hawaii, Maui Chamber of Commerce, Land Use Research Foundation of Hawaii, Hawaii Farm Bureau, Kona Coffee Farmers Association, Hawaii Organic Farming Association, Synergistic Hawaii Agriculture Council, Mauna Mama Kona Coffee, Rancho Aloha Kona Coffee, Old Hawaiian Coffee, Rusty's Hawaiian, Pohaku Farm, Kona Mountain Coffee, and sixteen individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1861, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 690-20 Finance on H.B. No. 1891

The purpose of this measure is to reestablish and fund one full-time equivalent permanent veterinary medical officer position within the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Veterinary Medical Association, and two individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1891, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 691-20 Finance on H.B. No. 1922

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for efforts to substantially reduce and eradicate invasive species in the County of Maui.

Your Committee received testimony in support of this measure from the Maui County Farm Bureau, Maui Chamber of Commerce, Hawaii Farm Bureau, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1922, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 692-20 Finance on H.B. No. 2041

The purpose of this measure to appropriate funds to the Department of Agriculture for three full-time equivalent inspectors to perform meat inspection services.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Hawaii Meats, LLC; and Young Brothers. Your Committee received comments on this measure from the Department of Agriculture and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2041, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15; Ayes with Reservations (B. Kobayashi, Matayoshi). Noes, none. Excused, none.

SCRep. 693-20 Finance on H.B. No. 2167

The purpose of this measure is to:

- (1) Establish a three-year Cover Crop Reimbursement Pilot Program to provide up to one hundred percent cost reimbursement to farming operations in the State for acquisition of cover crop seeds or green manure;
- (2) Establish a Cover Crop Reimbursement Pilot Program manager position within the Department of Agriculture to administer the program;
- (3) Require a report to the Legislature; and
- (4) Appropriate funds for the pilot program.

Your Committee received testimony in support of this measure from Sierra Club of Hawaii; Hawaii Alliance for Progressive Action; Hawaii Center for Food Safety; Pono Hawaii Initiative; Larry Jefts Farms, LLC; and one individual. Your Committee received comments on this measure from the Department of Agriculture and Hawaii Farm Bureau.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2167, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14; Ayes with Reservations (Nakamura). Noes, 1 (Matayoshi). Excused, none.

SCRep. 694-20 Finance on H.B. No. 2181

The purpose of this measure is to:

- (1) Appropriate funds to the Department of Agriculture for a pilot program to identify and purchase foreign agricultural technology, including small equipment tractors and retrofit engines, that will benefit the State's farmers and ranchers and comply with the Environmental Protection Agency's emission standards; and
- (2) Require the Chairperson of the Board of Agriculture to submit a report to the Legislature on the pilot program's progress and any findings, recommendations, or proposed legislation.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Maui County Farm Bureau, Hawaii Cattlemen's Council, Ulupono Initiative, and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2181, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 695-20 Finance on H.B. No. 2193

The purpose of this measure is to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

Your Committee received testimony in support of this measure from the Hawaii Wildlife Center and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2193, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 696-20 Finance on H.B. No. 2275

The purpose of this measure is to establish a grant program in the Department of Agriculture to assist beginning farmers and beginning ranchers in meeting the operating costs to start their own farm or ranch operations.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of Labor and Industrial Relations, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Pono Hawaii Initiative, Ulupono Initiative, and Maui Chamber of Commerce.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2275, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 697-20 Finance on H.B. No. 2276

The purpose of this measure is to allow revenue generated by the State Veterinary Laboratory and Animal Disease Control Branch to be deposited into the Animal Industry Special Fund.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawaii Farm Bureau.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2276, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 698-20 Finance on H.B. No. 2532

The purpose of this measure is to:

- (1) Appropriate funds to mitigate and control the two-lined spittlebug and to fund recovery efforts; and
- (2) Require the Department of Agriculture to submit a report to the Legislature on its expenditure of funds and the progress of funded activities.

Your Committee received testimony in support of this measure from the Department of Agriculture; County of Hawaii Office of the Mayor; Hawaii Farm Bureau; Kohala Coast Resort Association; Local Food Coalition; Hawaii Meats, LLC; Maui County Farm Bureau; Larry Jefs Farms, LLC; Ulupono Initiative; Ulupalakua Ranch; Hawaii Cattlemen's Council, Inc.; McCandless Ranch; Ponoholo Ranch Limited; and ten individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2532, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 699-20 Finance on H.B. No. 1724

The purpose of this measure is to clarify that county-issued stored-value cards are not subject to the State's law that outlines unfair and deceptive practices with respect to gift certificates.

Your Committee received testimony in support of this measure from the Department of Transportation Services of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1724, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 700-20 Finance on H.B. No. 2102

The purpose of this measure is to establish uniform standards and practices to facilitate the safe availability of hemp products in the State.

Your Committee received testimony in support of this measure from Pan Pacific Ventures, LP; and four individuals. Your Committee received testimony in opposition to this measure from Hawaii Hemp Farmers Association, Hawaii Farmers Union United, Patients Without Time, Irie Hawaii Stores, Hawaii Royal Hemp, Vote Hemp, Community Alliance on Prisons, and numerous individuals. Your Committee received comments on this measure from the Department of Health, Maui Grown Therapies, Hawaiian Choice, ABC Stores, U.S. Hemp Roundtable, and Honaunau Farm and Wellness Retreat.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2102, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Matayoshi, McDermott). Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 701-20 Finance on H.B. No. 2162

The purpose of this measure is to protect consumers from predatory towing practices by:

- (1) Clarifying the fees tow companies may charge;
- (2) Clarifying the duties of a tow company when a vehicle owner arrives on the scene while the vehicle is in the process of being hooked up;
- (3) Requiring tow and storage companies to accept cash and credit cards, rather than cash and either credit cards or onsite automated teller machines;
- (4) Subjecting any violation of the towing statute to the penalties and remedies under the State's unfair or deceptive acts or practices law; and
- (5) Adding definitions for clarity.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and three individuals. Your Committee received testimony in opposition to this measure from Honolulu Towing Inc., and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2162, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Gates). Noes, none. Excused, 1 (Eli).

SCRep. 702-20 Finance on H.B. No. 2195

The purpose of this measure is to relieve condominium developers whose development consists of up to two units, one of which is the developer's residence and the other of which has been initially sold, from the burden of annually filing or updating the developer's public report and paying annual fees.

Your Committee received testimony in support of this measure from Associa and two individuals. Your Committee received comments on this measure from the Real Estate Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2195, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 703-20 Finance on H.B. No. 2202

The purpose of this measure is to grant an exemption to certain entities from the State's laws governing cemeteries and funeral trusts with certain conditions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; The Episcopal Diocese of Hawaii; MYM Services, LLC; The Roman Catholic Church in the State of Hawaii; Resurrection of the Lord Catholic Church; Congregation of the Sacred Hearts of Jesus and Mary; Sisters of St. Francis of the Newmann Communities; Holy Trinity Catholic Church; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Funeral and Cemetery Association, Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2202, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 704-20 Finance on H.B. No. 2425

The purpose of this measure is to amend the definition of "domestic abuse" under Hawaii's insurance laws and laws relating to domestic abuse protective orders to include coercive control between family or household members.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, Parents and Children Together, and five individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2425, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 705-20 Finance on H.B. No. 2552

The purpose of this measure is to exempt applications for a class 1 liquor license on land designated as agricultural by state or county zoning laws and for which the majority of the agricultural products used in the manufacturing of the liquor are grown and produced in the State by the license holder from the automatic refusal of a liquor license that may be invoked by a majority of nearby voters or real estate owners and lessees.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture and LBD Coffee, LLC.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2552, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 706-20 Finance on H.B. No. 1892

The purpose of this measure is to increase access to local food by establishing and appropriating funds for a five-year Food Hub Pilot Program, to be administered by the Department of Agriculture, to award grants to qualified applicants for the construction of critical infrastructure to establish or expand a food hub in Hawaii.

Your Committee received testimony in support of this measure from the Office of Planning, Hawaii Appleseed Center for Law & Economic Justice, Maui Chamber of Commerce, Center for Getting Things Started, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Farmers Union United, North Shore Economic Vitality Partnership, Maui Farmers Union United, Hawaii Farmers Union United - Haleakala Chapter, Hawaii Public Health Institute, Kahana Foundation, National Hemp Association, Aa Lii Farm, La Kahea LLC, When We Shine Foundation, Oahu Farm to School Network, Alternative Structures International dba Kahumana Organic Farms, Kokua Kalihi Valley, Farm Link Hawaii, Blue Zones Project, Aloha Harvest, and numerous individuals. Your Committee received comments on this measure from the Jones Family Farm.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1892, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 707-20 Finance on H.B. No. 1912

The purpose of this measure is to:

- (1) Establish the Pacific International Space Center for Exploration Systems within the Department of Business, Economic Development, and Tourism for administrative purposes;
- (2) Amend the composition of the Board of Directors of the Pacific International Space Center for Exploration Systems;
- (3) Create and appropriate funds for an unspecified amount of exempt positions within the Pacific International Space Center for Exploration Systems; and
- (4) Transfer the rights, powers, functions, and duties of the Pacific International Space Center for Exploration Systems from the Research Corporation of the University of Hawaii to the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from David S. De Luz, Sr. Enterprises, Inc.; Canada-France-Hawaii Telescope Corporation; and fifteen individuals. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Pacific International Space Center for Exploration Systems; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1912, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Wildberger). Noes, none. Excused, none.

SCRep. 708-20 Finance on H.B. No. 2139

The purpose of this measure is to appropriate funds to the Hawaii Technology Development Corporation to support certain programs.

Your Committee received testimony in support of this measure from Makai Ocean Engineering, Inc.; Chamber of Commerce Hawaii; Hawaii Food Industry Association; Maui Chamber of Commerce; and Hawaii Island Chamber of Commerce. Your Committee received comments on this measure from the Hawaii Technology Development Corporation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2139, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 709-20 Finance on H.B. No. 2140

The purpose of this measure is to:

- (1) Require the Department of Business, Economic Development, and Tourism to develop and implement an investment in innovative technologies plan to support the advancement of innovative technologies in the areas of energy, transportation, agriculture, and water; and
- (2) Appropriate funds for the development and implementation of an investment in innovative technologies plan.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce, Chamber of Commerce Hawaii, and Elemental Excelsior. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and Hawaii State Energy Office.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2140, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 710-20 Finance on H.B. No. 2299

The purpose of this measure is to appropriate funds out of the Hawaii Film and Creative Industries Development Special Fund and make a housekeeping amendment relating to the Special Fund.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2299, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 711-20 Finance on H.B. No. 2627

The purpose of this measure is to provide that Chapter 1, Subchapter Z (with respect to opportunity zones), of the Internal Revenue Code shall not be operative for the purposes of state income tax law.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2627, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15; Ayes with Reservations (Hashimoto, Matayoshi, Nakamura, McDermott). Noes, none. Excused, none.

SCRep. 712-20 Finance on H.B. No. 2681

The purpose of this measure is to authorize the issuance of revenue bonds and appropriate funds to the Hawaii Technology Development Corporation to develop and construct two electrolysis hydrogen production, storage, and dispensing facilities, one on Oahu and one on a neighbor island, to be managed by the Hawaii Center for Advanced Transportation Technologies.

Your Committee received testimony in support of this measure from the Alliance for Automotive Innovation, Hawaii Center for Advanced Transportation Technologies, Hawaii Food Industry Association, Hawaii Automobile Dealers' Association, and Servco Pacific Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2681, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 713-20 Finance on H.B. No. 2715

The purpose of this measure is to support research and development by establishing and appropriating funds for the Research and Technology Grant Program, to be administered by the Hawaii Technology Development Corporation, to provide grants to qualified research and technology companies in Hawaii for eligible projects that foster science, technology, engineering, or mathematics education at the K-12 or university levels.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and Makai Ocean Engineering, Inc. Your Committee received comments on this measure from the Department of Education, Hawaii Technology Development Corporation, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2715, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 714-20 Finance on H.B. No. 2717

The purpose of this measure is to:

- (1) Extend the Alternative Energy Research and Development Revolving Fund lapse date from June 30, 2020, to June 30, 2021; and
- (2) Appropriate funds for the provision of grants by the Hawaii Technology Development Corporation under the Alternative Energy Research and Development Program.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; 350Hawaii.org; Pele Lani Farm LLC; Makai Ocean Engineering, Inc.; We Are One, Inc.; and five individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2717, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 715-20 Finance on H.B. No. 1520

The purpose of this measure is to accelerate the State's progress toward energy efficiency by:

- (1) Requiring electric and gas utilities to benchmark energy consumption for all nonresidential buildings, including commercial buildings; and
- (2) Based upon building size specifications, requiring owners and operators of nonpublic, nonresidential buildings to disclose benchmarking data to prospective buyers, lessees, or lenders by a certain date.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; 350Hawaii.org; Pele Lani Farm LLC; We Are One, Inc.; and five individuals. Your Committee received comments on this measure from the Public Utilities Commission; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; County of Kauai Office of Economic Development; Hawaii Energy; Blue Planet Foundation; and Hawaii Gas.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1520, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 716-20 Finance on H.B. No. 1696

The purpose of this measure is to require the Fuel Tank Advisory Committee to meet at least twice a year.

Your Committee received testimony in support of this measure from the Department of Health, Board of Water Supply of the City and County of Honolulu, and one individual. Your Committee received comments on this measure from the Department of the Navy and Chamber of Commerce Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1696, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 717-20 Finance on H.B. No. 1846

The purpose of this measure is to:

- (1) Require all state facilities, except smaller state facilities and facilities at Aloha Stadium, to undergo an energy audit no later than January 1, 2022;
- (2) Set deadlines for state facilities to begin implementation of efficiency measures or enter into performance contracts for efficiency measures;
- (3) Authorize the Hawaii State Energy Office to have access to all utility bills and energy usage data for state-owned facilities, collect this information monthly, and make the data publicly accessible; and
- (4) Beginning July 1, 2020, require the design of all new state building construction to meet certain energy efficiency requirements.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Department of Education, Ulupono Initiative, Hawaii Energy, Climate Protectors Coalition, Elemental Excelsior, Mitsubishi Corporation, CarbonCure Technologies, Blue Planet Foundation, and five individuals. Your Committee received comments on this measure from the Department of Accounting and General Services, Department of Transportation, 350Hawaii.org, and eight individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1846, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 718-20 Finance on H.B. No. 1850

The purpose of this measure is to:

- (1) Allow the Hawaii State Energy Office to enter into public-private partnerships with certain not-for-profit entities to create a plan and administer expenditures from the Energy Security Special Fund; and
- (2) Increase the allocation of barrel tax revenue to the Energy Security Special Fund from 5 cents to 15 cents per barrel.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, University of Hawaii System, Chamber of Commerce Hawaii, Climate Protectors Coalition, Elemental Excelsior, 350Hawaii.org, and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1850, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 719-20 Finance on H.B. No. 1851

The purpose of this measure is to prohibit the issuance of building permits for new multi-unit dwellings that do not include grid-interactive water heater systems.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, 350Hawaii.org, Climate Protectors Coalition, Blue Planet Foundation, and ten individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii, Building Industry Association of Hawaii, and Bradford White Corporation. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; Hawaiian Electric Company, Inc.; and Kobayashi Group LLC.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1851, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 720-20 Finance on H.B. No. 1854

The purpose of this measure is to control the spread of little fire ants in the State by:

- (1) Authorizing the Department of Agriculture (Department), in conjunction with the Hawaii Ant Lab, to identify best practices for the treatment of little fire ants by pest control operators;
- (2) Requiring the posting of any best practices identified by the Department on its website;

- (3) Requiring applicants for a pest control operator license to be tested on the written examination for knowledge of the current best practices identified by the Department for treatment of pests, including the little fire ant; and
- (4) Subjecting a pest control operator to potential licensing sanctions for failure to report known or suspected cases of little fire ants.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Pest Control Association. Your Committee received comments on this measure from the Department of Agriculture, Pest Control Board, and Office of the Mayor of the County of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1854, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 721-20 Finance on H.B. No. 1856

The purpose of this measure is to direct and fund the Hawaii Climate Change Mitigation and Adaptation Commission to inventory critical public infrastructure; identify priority areas subject to coastal erosion and sea level rise; design and propose sea level rise impact zone maps and adaptation plans; and provide policy recommendations regarding managed retreat, relocation of infrastructure, and mitigation measures.

Your Committee received testimony in support of this measure from the Sierra Club of Hawaii, IMUAlliance, and two individuals. Your Committee received comments on this measure from the Office of Planning and Hawaii Climate Change Mitigation and Adaptation Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1856, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 722-20 Finance on H.B. No. 1859

The purpose of this measure is to establish and appropriate funds for a New Waste Management Solution Pilot Project to be conducted by the University of Hawaii Water Resources Research Center to:

- (1) Review and demonstrate new toilet and sewage treatment technologies at different scales and in different locations across the State; and
- (2) Examine and implement a range of toilet and sewage treatment technologies and examine options for community-scale solutions, as appropriate.

Your Committee received testimony in support of this measure from the Board of Water Supply of the City and County of Honolulu, Environmental Caucus of the Democratic Party of Hawaii, Hawaii Reef and Ocean Coalition, Surfrider Oahu, Uluono Initiative, Wastewater Alternatives and Innovations, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of the Attorney General.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1859, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 723-20 Finance on H.B. No. 1864

The purpose of this measure is to amend the definition of "renewable portfolio standard" to more accurately reflect the percentage of total electrical energy generated that is represented by renewable electrical energy in the State.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Elemental Excelsior, Uluono Initiative, 350Hawaii.org, Climate Protectors Coalition, Blue Planet Foundation, and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company, Inc.; and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Public Utilities Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1864, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 724-20 Finance on H.B. No. 1934

The purpose of this measure is to create jobs that advance the State's goals of achieving greater energy security and adapting to climate change.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Sierra Club of Hawaii, IMUAlliance, Young Progressives Demanding Action, Climate Protectors Coalition, 350Hawaii.org, Hawaii Youth Climate Coalition, and numerous individuals. Your Committee received comments on this measure from the Hawaii State Energy Office and Pono Hawaii Initiative.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1934, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 725-20 Finance on H.B. No. 2151

The purpose of this measure is to:

- (1) Assist low- and moderate-income property owners with converting their failing cesspools to more environmentally appropriate systems by creating a Cesspool Compliance Pilot Grant Project (Project) within the Department of Health to assist with conversion costs; and
- (2) Appropriate funds to the Department of Health to implement the Project, including funds for an administrator position or to contract for services to establish and administer the Project.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawaii, Hawaii Reef and Ocean Coalition, Surfrider Oahu, Ulupono Initiative, Wastewater Alternatives and Innovations, and one individual. Your Committee received comments on this measure from the Department of Health, Department of Taxation, and County of Hawaii Office of the Mayor.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2151, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 726-20 Finance on H.B. No. 2188

The purpose of this measure is to:

- (1) Establish a setback from the nearest farm dwelling or residential dwelling unit for certain wind energy facilities in the agricultural district; and
- (2) Require the University of Hawaii at Manoa John A. Burns School of Medicine to conduct or contract for a study on the effects of noise produced by certain wind energy facilities in Hawaii on the health of residents and students.

Your Committee received testimony in support of this measure from the Department of Communication Sciences and Disorders, John A. Burns School of Medicine, University of Hawaii System; We Are One, Inc.; 350Hawaii.org; and six individuals. Your Committee received comments on this measure from the Hawaii State Energy Office; Hawaiian Electric Company, Inc.; and seven individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2188, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 727-20 Finance on H.B. No. 2196

The purpose of this measure is to protect groundwater and nearshore water quality and coral reefs by reducing nutrient pollution from wastewater disposal. Specifically, this measure:

- (1) Requires onsite sewage disposal systems servicers to report multiple pump services within a year to the Department of Health;
- (2) Appropriates funds to the University of Hawaii Sea Grant College Program, in collaboration with the Department of Health, to develop and conduct a two-year comprehensive statewide outreach program for responsible maintenance of individual wastewater disposal systems and options available for onsite sewage disposal upgrades;
- (3) Appropriates funds to the University of Hawaii Water Resources Research Center, in collaboration with the Department of Health, to conduct research on the most cost-effective way to upgrade cesspools; and
- (4) Appropriates funds for the Cesspool Conversion Working Group to compile an updated database of onsite sewage disposal systems statewide and report to the Department of Health and Legislature.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawaii, Hawaii Reef and Ocean Coalition, Surfrider Oahu, Americans for Democratic Action, Wastewater Alternatives & Innovations, and two individuals. Your Committee received comments on this measure from the Department of Health and Office of the Mayor of the County of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2196, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 728-20 Finance on H.B. No. 2227

The purpose of this measure is to:

- (1) Authorize the Chief Energy Officer of the Hawaii State Energy Office to adopt rules to enforce minimum efficiency standards for certain products and establish or amend appliance efficiency standards in certain situations; and
- (2) Establish appliance efficiency standards for air purifiers and portable electric spas.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Energy; 350Hawaii.org; We Are One, Inc.; Pele Lani Farm LLC; and nine individuals. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers and Retail Merchants of Hawaii. Your Committee received comments on this measure from Blue Planet Foundation, Pono Hawaii Initiative, Plumbing Manufacturers International, and Consumer Technology Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2227, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 729-20 Finance on H.B. No. 2413

The purpose of this measure is to require the Hawaii State Energy Office, in consultation with the Department of Health, to conduct a comprehensive study to determine the best practices for disposal and recycling of discarded clean energy products in the State.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Energy Office, Kahaluu Neighborhood Board, and one individual. Your Committee received comments on this measure from the Hawaii Solar Energy Association, Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2413, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 730-20 Finance on H.B. No. 2462

The purpose of this measure is to incentivize the transition to clean energy in ground transportation by establishing a refundable income tax credit of up to \$2,500 per new electric vehicle with a cost of up to \$50,000 for eligible taxpayers.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii State Energy Office; Hawaii Climate Change Mitigation and Adaptation Commission; Hawaiian Electric Company, Inc.; Climate Protectors Coalition; IMUAlliance; 350Hawaii; Pele Lani Farm, LLC; WeAreOne, Inc.; and numerous individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Accounting and General Services, Land Use Research Foundation of Hawaii, Tax Foundation of Hawaii, Blue Planet Foundation, Hawaii Electric Vehicle Association, Ulupono Initiative, Tesla, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2462, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 731-20 Finance on H.B. No. 2498

The purpose of this measure is to:

- (1) Amend the amount of budget appropriations for energy expenditures that agencies performing energy efficiency or renewable energy system retrofitting are entitled to receive;
- (2) Require agencies that perform energy efficiency or renewable energy system retrofitting to account for any costs for contracts or debt service for the implementation and management of energy efficiency measures; and
- (3) Repeal the required setting aside of a portion of monies saved through the retrofitting, and instead allow the Legislature to determine the appropriate energy expenditures budget appropriation amounts.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Energy Office. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, and Ulupono Initiative.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2498, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 732-20 Finance on H.B. No. 2635

The purpose of this measure is to improve the quality of life in the State by:

- (1) Incorporating objectives, policies, and priority guidelines in the Hawaii State Planning Act to achieve the use of green infrastructure in facility systems, infrastructure, and transit projects; and
- (2) Requiring the Office of Planning, in partnership with the Greenhouse Gas Sequestration Task Force, to prepare recommendations to implement green infrastructure objectives, policies, and priority guidelines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Healthy Climate Communities, The Outdoor Circle, Climate Protectors Coalition, Trees for Honolulu's Future, 350Hawaii.org, and five individuals. Your Committee received comments on this measure from the Office of Planning.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2635, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 733-20 Finance on H.B. No. 2699

The purpose of this measure is to establish clean ground transportation goals for the State, with the ultimate goal of all light-duty state-owned motor vehicles running on clean energy by December 31, 2035, and all light-duty motor vehicles in the State running on clean energy by December 31, 2045.

Your Committee received testimony in support of this measure from the Department of Transportation; Hawaii Climate Change Mitigation and Adaptation Commission; Ulupono Initiative; IMUAlliance; Hawaiian Electric Company, Inc.; Sierra Club of Hawaii; 350Hawaii.org; Climate Protectors Coalition; Blue Planet Foundation; and sixteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Automobile

Dealers' Association. Your Committee received comments on this measure from the State Procurement Office, Hawaii State Energy Office, Elemental Excelsior, Alliance for Automotive Innovation, and Tesla.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2699, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 734-20 Finance on H.B. No. 2718

The purpose of this measure is to establish and appropriate funds for a Climate Change and Human Health Adaptation Coordinator within the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Department of Agriculture, County of Hawaii Planning Department, and Honolulu Board of Water Supply. Your Committee received comments on this measure from the Hawaii Climate Change Mitigation and Adaptation Commission and Office of Planning.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2718, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 735-20 Finance on H.B. No. 1679

The purpose of this measure is to authorize the Hawaii Public Housing Authority to give preference to persons residing in the zip code in which a low-income or elder housing project is constructed, with respect to the housing project's initial tenants or residents.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1679, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 736-20 Finance on H.B. No. 1929

The purpose of this measure is to:

- (1) Extend the deadline for the Hawaii Housing Finance and Development Corporation to exercise its power of eminent domain to acquire the Front Street Apartments affordable housing project on Maui, unless the ground lease is renegotiated or a new ground lease is issued; and
- (2) Extend the deadline to obtain land use approval for the Lealii affordable housing project on Maui.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Maui Chamber of Commerce.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1929, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 737-20 Finance on H.B. No. 2066

The purpose of this measure is to create a Downpayment Guarantee Program within the Hawaii Housing Finance and Development Corporation that authorizes the Hawaii Housing Finance and Development Corporation to guarantee the repayment of a downpayment loan made by a financial institution to an eligible borrower.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2066, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 738-20 Finance on H.B. No. 2297

The purpose of this measure is to:

- (1) Exempt lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation for the primary purpose of developing affordable housing from classification as public land subject to Department of Land and Natural Resources management and require legislative approval prior to the sale or gifting of these lands; and
- (2) Provide that lands set aside to the Hawaii Housing Finance and Development Corporation and no longer needed for housing, finance, and development purposes be returned to the public trust administered by the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; Land Use Research Foundation of Hawaii; Chamber of Commerce Hawaii; and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from Ka Lahui Hawaii Political Action Committee.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2297, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 739-20 Finance on H.B. No. 2411

The purpose of this measure is to:

- (1) Add to the amount of funding previously appropriated for monthly housing subsidies under the State Rent Supplement Program and specify that any funds appropriated shall be added to the base budget of the Hawaii Public Housing Authority; and
- (2) Establish and appropriate funds for additional staff positions for the State Rent Supplement Program.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Partners In Care, Hawaii Kai Homeless Task Force, Catholic Charities Hawaii, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2411, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 740-20 Finance on H.B. No. 2447

The purpose of this measure is to temporarily exempt affordable housing projects from specific state fees related to discretionary approval or ministerial permitting, except application fees; provided that the units in the fee-exempted affordable housing projects are affordable to households with incomes at or below one hundred percent of the area median family income.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce, NAIOP Hawaii, Land Use Research Foundation of Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation and Chamber of Commerce Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2447, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 741-20 Finance on H.B. No. 2448

The purpose of this measure is to clarify that the exemption from the general excise tax for qualifying housing projects commences once the qualifying taxpayer has filed or recorded a regulatory agreement in Land Court or the Bureau of Conveyances, or both, whichever is appropriate, which is aligned with the Hawaii Housing Finance and Development Corporation's rules.

Your Committee received testimony in support of this measure from NAIOP Hawaii and three individuals. Your Committee received comments on this measure from the Department of Taxation and Hawaii Housing Finance and Development Corporation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2448, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 742-20 Finance on H.B. No. 2449

The purpose of this measure is to authorize cash payments by developers made in lieu of providing the required reserved housing units in the development of residential projects for the Hawaii Community Development Authority to be deposited into the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Community Development Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2449, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 743-20 Finance on H.B. No. 2470

The purpose of this measure is to:

- (1) Direct the Hawaii Housing Finance and Development Corporation to take title to a specified 15.418-acre parcel in Honokaa, Hawaii County, if the Corporation finds, upon completion of its due diligence, that the parcel is suitable for residential development; and
- (2) Require the Hawaii Housing Finance and Development Corporation to conduct a feasibility study to determine whether the 15.418-acre parcel is suitable for an affordable rental housing project.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Office of the Mayor of the County of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2470, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 744-20 Finance on H.B. No. 2527

The purpose of this measure is to:

- (1) Specify that certain provisions of the Internal Revenue Code related to at-risk rules and deductions and passive activity loss do not apply to the State Low-Income Housing Tax Credit allocations after December 31, 2020;
- (2) Extend the time period in which to claim the Low-Income Housing Tax Credit; and
- (3) Enable state partnerships to claim the tax credit even if the partnerships are not considered partners for federal tax purposes.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Chamber of Commerce Hawaii, Building Industry Association of Hawaii, and Land Use Research Foundation of Hawaii. Your Committee received comments on this measure from the Department of Taxation; Tax Foundation of Hawaii; Hunt Companies-Hawaii; Hunt Capital Partners, LLC; and Sugar Creek Capital.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2527, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 745-20 Finance on H.B. No. 2547

The purpose of this measure is to:

- (1) Consolidate the administration of low- and moderate-income housing into a single program by authorizing the Hawaii Housing Finance and Development Corporation (HHFDC) to administer new reserved housing and workforce housing units in community development districts; and
- (2) Authorize the HHFDC to adopt rules to allow owners of units transferred to HHFDC to obtain home equity lines of credit, refinance their units, or pay their shared equity.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2547, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 746-20 Finance on H.B. No. 2687

The purpose of this measure is to provide downpayment loan assistance to first-time homebuyers by establishing a Downpayment Loan Loss Reserve Program to address downpayment loan defaults.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2687, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 747-20 Finance on H.B. No. 1634

The purpose of this measure is to:

- (1) Amend the deadline for candidate committees and noncandidate committees to file organizational reports; and
- (2) Impose upon candidate and noncandidate committees consistent content, filing, and deadline requirements for organizational and preliminary reports.

Your Committee received testimony in support of this measure from Common Cause Hawaii. Your Committee received comments on this measure from the Campaign Spending Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1634, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 748-20 Finance on H.B. No. 1947

The purpose of this measure is to appropriate funds for programs, ceremonies, and activities commemorating the seventy-fifth anniversary of the end of World War II, which will be observed on September 2, 2020.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority, Pearl Harbor Aviation Museum, Chamber of Commerce Hawaii, USS Missouri Memorial Association, Hawaii Lodging and Tourism Association, and one individual. Your Committee received testimony in opposition to this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1947, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 749-20 Finance on H.B. No. 1972

The purpose of this measure is to establish a medical release program within the Department of Public Safety for certain ill, disabled, or impaired inmates who pose a low risk to public safety.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Health & Harm Reduction Center, Drug Policy Forum of Hawaii, Hawaii Disability Rights Center, Hawaii Friends of Restorative Justice, American Civil Liberties Union of Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority. Your Committee received comments on this measure from the Department of Public Safety and Community Alliance on Prisons.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1972, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 750-20 Finance on H.B. No. 2362

The purpose of this measure is to appropriate funds for the purchase of the Honolulu Federal Detention Center.

Your Committee received testimony in support of this measure from the Department of Public Safety, Alii Pauahi Hawaiian Civic Club, and one individual. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Community Alliance on Prisons, and three individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2362, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 751-20 Finance on H.B. No. 2737

The purpose of this measure is to:

- (1) Increase the fireworks display permit fee from \$110 to \$150 and the fine for certain fireworks violations from \$2,000 per violation to \$5,000 per violation;
- (2) Clarify that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation; and
- (3) Increase the penalty for removing or extracting pyrotechnic contents from fireworks or articles pyrotechnic and using the contents for certain purposes.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Hawaii Fire Department, Maui Fire Department, and two individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2737, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 752-20 Finance on H.B. No. 1606

The purpose of this measure is to amend the process for temporary licensure for military spouses in the State by:

- (1) Specifying the types of verifying documentation required for a military spouse to receive license by endorsement or license by reciprocity;
- (2) Requiring the applicant to submit verifying documentation within an unspecified number of days of the application for licensure by endorsement, license by reciprocity, or temporary license;
- (3) Removing supervision requirements for military spouses as they relate to performance of services by military spouses under a temporary license;
- (4) Removing the requirement that the applicant hold a license that is substantially equivalent to or exceeds the licensing requirements of the State;
- (5) Requiring the issuance of a license by endorsement, license by reciprocity, or temporary license to a military spouse within an unspecified number of days of receipt of the application and supporting verifying documents, and providing that review or issuance of a license commences only upon receipt by the licensing authority of all of the verifying documentation; and
- (6) Requiring each licensing board to adopt and publish rules on their respective websites by August 1, 2020, to administer the law relating to licensure by endorsement or licensure by reciprocity for military spouses.

Your Committee received testimony in support of this measure from the United States Department of Defense, Office of the Deputy Assistant Secretary of Defense, Defense-State Liaison Office; Chamber of Commerce Hawaii; and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, Hawaii National Guard, Hawaii Regional Council of Carpenters, and Pacific Resource Partnership.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1606, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 753-20 Finance on H.B. No. 1698

The purpose of this measure is to establish separate bargaining units for:

- (1) State law enforcement officers, who will remain in Bargaining Unit (14); and
- (2) State and county ocean safety and water safety officers, who will be in a newly created Bargaining Unit (15).

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Honolulu Ocean Safety & Lifeguard Services; Hawaiian Lifeguard Association; and numerous individuals. Your Committee received comments on this measure from the Department of Human Resources of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1698, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 754-20 Finance on H.B. No. 1700

The purpose of this measure is to:

- (1) Require each Hawaii Employer-Union Health Benefits Trust Fund (EUTF) trustee, in addition to the EUTF Board, to administer health and other benefit plans for the sole and exclusive benefit of EUTF beneficiaries; and
- (2) Repeal provisions requiring health and other benefit plans to be provided at an affordable cost to public employers and public employees.

Your Committee received testimony in support of this measure from the University of Hawaii Professional Assembly and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1700, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Hashimoto, B. Kobayashi). Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 755-20 Finance on H.B. No. 1701

The purpose of this measure is to promote pay equity by:

- (1) Conforming statutory prohibitions against wage discrimination with other prohibitions on employment discrimination;
- (2) Clarifying the factors that can be used by employers to justify differences in compensation based on seniority, merit, or other nondiscriminatory factors;
- (3) Requiring employers to disclose wage ranges to employees and prospective employees; and
- (4) Updating the term "equal work", as used in state nondiscrimination statutes, to "substantially similar work".

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, Hawaii Women's Coalition, ILWU Local 142, American Civil Liberties Union of Hawaii, Hawaii Appleseed Center for Law & Economic Justice, Americans for Democratic Action, Planned Parenthood Votes Northwest and Hawaii, Hawaii Democratic Party Women's Caucus, Breastfeeding Hawaii, American Association of University Women of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Pride at Work – Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Credit Union League; Island Plastic Bags Inc.; Retail Merchants of Hawaii; Hawaii Bankers Association; Maui Chamber of Commerce; and Calypso Charters. Your Committee received comments on this measure from Common Cause Hawaii, Chamber of Commerce Hawaii, Pono Hawaii Initiative, Queen's Health Systems, Hawaii Food Industry Association, and Hawaii Pacific Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1701, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 756-20 Finance on H.B. No. 1799

The purpose of this measure is to prohibit the performance of incidental and supplemental work by a specialty contractor on any new work in the C-48 structural steel classification.

Your Committee received testimony in support of this measure from the Ironworkers Stabilization Fund. Your Committee received testimony in opposition to this measure from the Contractors License Board and Department of Design and Construction of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1799, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 757-20 Finance on H.B. No. 1959

The purpose of this measure is to strengthen employer compliance with the Child Labor Law as it relates to theatrical employment for minors by requiring studio teachers to accompany, supervise, and advocate on behalf of a minor whenever the minor is on set and a variance from the work hour restrictions to allowable theatrical employment is granted.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO, CLC, Mixed Local 665; and eleven individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Screen Actors Guild – American Federation of Television and Radio Artists Hawaii Local.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1959, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 758-20 Finance on H.B. No. 1960

The purpose of this measure is to establish within the Department of Accounting and General Services a Public Employees' Compensation Appeals Board to hear appeals on the repricing of classes.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development and Hawaii Health Systems Corporation. Your Committee received comments on this measure from the Department of Human Resources of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1960, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12; Ayes with Reservations (Hashimoto, B. Kobayashi). Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 759-20 Finance on H.B. No. 1980

The purpose of this measure is to require all employers to notify their employees in writing of the availability of the federal and state earned income tax credits.

Your Committee received testimony in support of this measure from the Department of Taxation; International Longshore and Warehouse Union Local 142; Pono Hawaii Initiative; and United Public Workers, AFSCME, Local 646, AFL-CIO. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1980, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 760-20 Finance on H.B. No. 1998

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

Your Committee received testimony in support of this measure from Common Cause Hawaii, Indivisible Hawaii, and two individuals. Your Committee received comments on this measure from the Board of Trustees of the Employees' Retirement System and Hawaii State Ethics Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1998, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 761-20 Finance on H.B. No. 2020

The purpose of this measure is to require:

- (1) The State Procurement Office to implement a past performance database;
- (2) The past performance of contractors' positive, negative, or lack of previous experience to be considered in bid selection of a contractor; and
- (3) An assessment of previous performance on relevant and recent state contracts when making contract awards.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu and Department of Design and Construction of the City and County of Honolulu. Your Committee received comments on this measure from the State Procurement Office.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2020, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 762-20 Finance on H.B. No. 2708

The purpose of this measure is to require the Department of Taxation to authorize an individual taxpayer claiming the earned income tax credit to elect to reduce their withholding by an amount equal to the prospective amount of the earned income tax credit that the taxpayer would otherwise be entitled to claim on an annual basis.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME, Local 646, AFL-CIO. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2708, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Nakamura). Noes, none. Excused, none.

SCRep. 763-20 Finance on H.B. No. 2753

The purpose of this measure is to further improve workforce development in Hawaii by establishing a state YouthBuild program under the Department of Labor and Industrial Relations to assist interested non-profit or public entities in applying and qualifying for a grant under the federal YouthBuild program.

Your Committee received testimony in support of this measure from the Hawaii Alliance for Community-Based Economic Development. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2753, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 764-20 Finance on H.B. No. 2656

The purpose of this measure is to establish the Hawaii Justice League Program to provide partial loan repayments on behalf of eligible attorneys who pursue public interest work in rural areas of the State.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and William S. Richardson School of Law.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2656, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 765-20 Finance on H.B. No. 2697

The purpose of this measure is to establish and appropriate funds for a No Time to Lose Commission to examine how Hawaii's public schools can be internationally competitive.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, State Public Charter School Commission, Hawaii State Teachers Association, and HawaiiKidsCAN. Your Committee received comments on this measure from the Department of Education, Office of Information Practices, Early Learning Board, Kamehameha Schools, and Hui for Excellence in Education Coalition.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2697, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 766-20 Finance on H.B. No. 2703

The purpose of this measure is to help prevent targeted school violence in Hawaii by:

- (1) Establishing a pilot program to establish a start-to-finish response to threats of targeted school violence; and
- (2) Appropriating funds to the Department of Defense for resources to prevent targeted school violence.

Your Committee received testimony in support of this measure from the Department of Human Services and State Public Charter School Commission. Your Committee received comments on this measure from the Department of Education; Students, Teachers, and Officers Preventing School Violence Program; and Hawaii Youth Services Network.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2703, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 767-20 Finance on H.B. No. 2149

The purpose of this measure is to require certain home-schooled, high school-age students the opportunity to participate as unattached competitors in individual sports available to the public school that the student would otherwise be required to attend.

Your Committee received testimony in support of this measure from the Hawaii Health and Harm Reduction Center and twelve individuals. Your Committee received comments on this measure from the Department of Education, Department of Health, Hawaii Immunization Coalition, and five individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2149, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 768-20 Finance on H.B. No. 2150

The purpose of this measure is to require and appropriate funds to the Department of Education to employ at least one full-time equivalent teacher for each grade level that has five or more students in grades kindergarten through six in state public schools with one hundred fifty students or less, excluding charter schools.

Your Committee received testimony in support of this measure from ten individuals. Your Committee received comments on this measure from the Department of Education and Kahaluu Neighborhood Board No. 29.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2150, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 769-20 Finance on H.B. No. 2250

The purpose of this measure is to establish and appropriate funds for the University of Hawaii Promise Program Plus to provide scholarships for the unmet direct cost needs of qualified students enrolled in bachelor's degree programs in teaching, health care, social work, or engineering at the University of Hawaii and who commit to work for at least three years in the State following graduation.

Your Committee received testimony in support of this measure from Kamehameha Schools, Americans for Democratic Action, Healthcare Association of Hawaii, and four individuals. Your Committee received comments on this measure from the University of Hawaii System, Executive Office on Early Learning, Department of Education, Associated Students of the University of Hawaii, and Chamber of Commerce Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2250, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 770-20 Finance on H.B. No. 2257

The purpose of this measure is to:

- (1) Transfer the authority to expend monies from the University of Hawaii at Hilo Conference Center Revolving Fund (Revolving Fund) from the Dean of the College of Continuing Education and Community Service to the Chancellor of the University of Hawaii at Hilo, or the Chancellor's designee, and expand the scope of the Revolving Fund to all programs conducted by the University of Hawaii at Hilo; and
- (2) Require the Chancellor of the University of Hawaii at Hilo to report annually to the Legislature accounting for all income and expenditures of the Revolving Fund.

Your Committee received testimony in support of this measure from the University of Hawaii System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2257, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 771-20 Finance on H.B. No. 2426

The purpose of this measure is to:

- (1) Require the Department of Education and athletic leagues and associations to allow charter school students to participate in a sport with a Department school for which there is no program at the charter school; and
- (2) Specify that charter school students shall be represented by the Department school for athletic league or association business.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Education and Kawaikini New Century Public Charter School.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2426, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 772-20 Finance on H.B. No. 2483

The purpose of this measure is to require all entities that provide educational or recreational activities to youth to establish, maintain, and enforce written policies and procedures on bullying and related behaviors, and provide staff with appropriate annual training.

Your Committee received testimony in support of this measure from the Department of Human Services, LGBT Caucus of the Democratic Party of Hawaii, Rainbow Family 808, and two individuals. Your Committee received comments on this measure from the Department of Education and Hawaii Youth Services Network.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2483, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 773-20 Finance on H.B. No. 2509

The purpose of this measure is to appropriate funds to the Department of Education for the installation of air conditioning in Hawaii public school classrooms that have not yet received air conditioning units; provided that the school principal designates the installation of air conditioning as the school's top priority.

Your Committee received testimony in support of this measure from the Department of Education, Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, and two individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2509, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 774-20 Finance on H.B. No. 2511

The purpose of this measure is to:

- (1) Provide funding for the rental or lease of facilities through legislative appropriations and bond authorizations to the State Public Charter School Commission (Commission); and
- (2) Appropriate funds to the Commission for infrastructure costs, lease or rent assistance, and the repair and maintenance of network infrastructure for charter schools.

Your Committee received testimony in support of this measure from the Board of Education, State Public Charter School Commission, Office of Hawaiian Affairs, Hawaii State Teachers Association, Democratic Party of Hawaii Education Caucus, and ten individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2511, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 775-20 Finance on H.B. No. 2530

The purpose of this measure is to support the University of Hawaii by removing the cap on the amount the University can expend from the University of Hawaii Tuition and Fees Special Fund for deposit into the University of Hawaii Foundation to support alumni relations and generate private donations for the University.

Your Committee received testimony in support of this measure from the University of Hawaii Alumni Association. Your Committee received comments on this measure from the University of Hawaii System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2530, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 776-20 Finance on H.B. No. 2603

The purpose of this measure is to establish initiatives at the Department of Education and University of Hawaii to expand opportunities for career development of prospective teachers as a model that can be replicated for other high-demand career fields in the future, by:

- (1) Requiring the Department of Education to establish a pilot program that provides grants for certain high school students to enroll in college courses through the Running Start Program or other similar programs that allow high school students to earn college credits during the 2020-2021 academic year, and appropriating funds to establish the pilot program; and
- (2) Expanding the eligibility criteria for the Hawaii Educator Loan Program to include persons who have successfully completed a program in teacher education at a career academy and agree to teach as a full-time teacher for at least three years at a public school in the State after completing the state-approved teacher education program, and appropriating funds for the Hawaii Educator Loan Program.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Education, Executive Office on Early Learning, and Early Learning Board.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2603, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 777-20 Finance on H.B. No. 1956

The purpose of this measure is to protect the health of Hawaii's youth by:

- (1) Specifying that the prohibition against the use of tobacco in public schools includes the smoking of tobacco and use of chewing tobacco; and

- (2) Requiring that any person under the age of twenty-one who uses tobacco at a public school or public school function is required to attend a tobacco education course.

Your Committee received testimony in support of this measure from the Hawaii Public Health Institute, Hawaii Primary Care Association, Friends of Kamalani and Lydgate Park, and eight individuals. Your Committee received testimony in opposition to this measure from fifteen individuals. Your Committee received comments on this measure from the Department of Education and Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1956, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 778-20 Finance on H.B. No. 1974

The purpose of this measure is to:

- (1) Amend the minimum qualifications for nominees to the State Public Charter School Commission (Commission); and
- (2) Provide that Commission members may be reimbursed for necessary and reasonable travel expenses incurred in the conduct of official commission business.

Your Committee did not receive any testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1974, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 779-20 Finance on H.B. No. 1988

The purpose of this measure is to require the Board of Education to release from school attendance students observing religious practices.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1988, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 780-20 Finance on H.B. No. 1990

The purpose of this measure is to support the educational and transportation needs of Hawaii by:

- (1) Establishing a state improvement surcharge on general excise and use tax revenue;
- (2) Establishing an Educational Infrastructure Special Fund for the Department of Education or any other entity responsible for school facilities to augment the capacity and infrastructure of its facilities and programs;
- (3) Distributing monies from the state improvement surcharge to the Department of Transportation to protect the state highway system from the threat of inundation and damage caused by climate change as well as to augment the capacity and infrastructure of the State's highways; and
- (4) Directing certain percentages of the state improvement surcharge revenues to the compound interest bond reserve fund, hurricane reserve trust fund, and other post-employment benefits trust fund.

Your Committee received testimony in support of this measure from the Department of Education, Department of Transportation, and Education Caucus of the Democratic Party of Hawaii. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance and NAIOP Hawaii. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Hawaii State Teachers Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1990, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Matayoshi, Todd). Noes, 3 (Eli, Hashimoto, Kitagawa). Excused, 2 (Wildberger, McDermott).

SCRep. 781-20 Finance on H.B. No. 1994

The purpose of this measure is to:

- (1) Establish and appropriate funds for a Network Improvement Community Task Force to develop a K-12 science, technology, engineering, and mathematics teacher education degree for the University of Hawaii; and
- (2) Appropriate funds for the University of Hawaii Maui College's Office of International and Regional Partnerships for study abroad programs.

Your Committee received testimony in support of this measure from the Office of the Mayor of Maui County and one individual. Your Committee received comments on this measure from the Department of Education and University of Hawaii Community Colleges.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1994, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 782-20 Finance on H.B. No. 1996

The purpose of this measure is to require the Board of Education to include evaluation of the Department of Education's most current strategic plan indicators as a component of the Superintendent of Education's annual performance evaluation and require improvement in at least one-half of the strategic plan indicators for any salary increase for the Superintendent.

Your Committee received testimony in opposition to this measure from the Board of Education, Hawaii State Teachers Association, and one individual. Your Committee received comments on this measure from the Democratic Party of Hawaii Education Caucus.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1996, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Wildberger). Noes, none. Excused, 1 (McDermott).

SCRep. 783-20 Finance on H.B. No. 2088

The purpose of this measure is to establish a working group to create a state plan to make the Free Application for Federal Student Aid (FAFSA) a statewide graduation requirement, but include an opt-out waiver for FAFSA completion, by the 2022-2023 school year.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, HawaiiKidsCAN, Hawaii Community Foundation, and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Education, Office of Information Practices, State Public Charter School Commission, Maui Chamber of Commerce, GEMAS Consulting, Hawaii State Teachers Association, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2088, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 784-20 Finance on H.B. No. 2090

The purpose of this measure is to make permanent the University of Hawaii's Innovation and Commercialization Initiative Program.

Your Committee received testimony in support of this measure from the University of Hawaii, Hawaii Technology Development Corporation, Chamber of Commerce Hawaii, and Elemental Excelsior.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2090, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 785-20 Finance on H.B. No. 2091

The purpose of this measure is to authorize the University of Hawaii to conduct criminal history record checks on current or prospective employees, and contractors and their employees, whose duties include ensuring the security of campus facilities and persons.

Your Committee received testimony in support of this measure from the University of Hawaii System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2091, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 786-20 Finance on H.B. No. 2094

The purpose of this measure is to fill the need for qualified educators across the early learning system in programs delivered in either of Hawaii's two official languages by establishing and appropriating funds for an Early Childhood Educator Stipend Program that encourages individuals, especially those already working in the early childhood field, to pursue a certificate, degree, or license in early childhood education.

Your Committee received testimony in support of this measure from the Early Learning Board; Executive Office on Early Learning; State Public Charter School Commission; Kamehameha Schools; Early Childhood Action Strategy; Democratic Party of Hawaii Education Caucus; Americans for Democratic Action; Hawaii Children's Action Network Speaks!; Parents and Children Together; Aha Punana Leo; and numerous individuals. Your Committee received comments on this measure from the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2094, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 787-20 Finance on H.B. No. 2725

The purpose of this measure is to appropriate supplemental funds for the capital costs of the Executive Branch for fiscal year (FY) 2019-2020 and FY 2020-2021

Testimony received on this measure can be found at the Legislature's website at <https://www.capitol.hawaii.gov/>

The Administration submitted a capital budget that totaled:

	<u>FY2020</u>	<u>FY2021</u>
General Obligation Bonds	\$1,018,811,000	\$972,450,000
General Obligation Reimbursable Bonds		
All Means of Financing	\$2,325,781,000	\$2,624,759,000

Your committee on Finance has amended this budget to appropriate:

	<u>FY2020</u>	<u>FY2021</u>
General Obligation Bonds	\$1,018,811,000	\$805,652,000
General Obligation Reimbursable Bonds		
All Means of Financing	\$2,325,781,000	\$2,583,292,000

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2725, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2725, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 788-20 Consumer Protection & Commerce on H.B. No. 1602

The purpose of this measure is to:

- (1) Authorize the use of alkaline hydrolysis and natural organic reduction as means of disposing unclaimed dead human bodies and bodies retained for medical education and research purposes; and
- (2) Clarify the procedures associated with the disposition of a decedent's remains to include facilities that provide alkaline hydrolysis and natural organic reduction.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine of the University of Hawaii at Manoa and two individuals. Your Committee received testimony in opposition to this measure from Borthwick Mortuary, Borthwick Kauai Mortuary, Ballard Family Moanalua Mortuary, Ballard Family Mortuary Hilo, Normans Mortuary, and Hawaiian Memorial Park Cemetery and Funeral Services.

Your Committee finds that there are alternative methods for arranging for the final disposition of dead human bodies than burial or cremation. These new alternatives are promoted as environmentally friendly methods intended to decompose dead human bodies without the use of chemicals or pollutive effects related to traditional burials or cremation.

Your Committee has amended this measure by:

- (1) Deleting alkaline hydrolysis as a means of disposing unclaimed dead human bodies and bodies retained for medical education and research purposes;
- (2) Deleting the inclusion of hydrolysis facilities from the provisions clarifying procedures associated with the disposition of a decedent's remains;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1602, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1602, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Matsumoto).

SCRep. 789-20 Consumer Protection & Commerce on H.B. No. 1805

The purpose of this measure is to require prescription drug manufacturers to notify prescription drug benefit plans and pharmacy benefit managers if a proposed increase in the wholesale acquisition cost of certain drugs would result in a sixteen percent or more increase over a two-year period.

Your Committee has received testimony in support of this measure from the Hawaii Medical Service Association, Hawaii Association of Health Plans, Kaiser Permanente Hawaii, and one individual. Your Committee has received testimony in opposition to this measure from Pharmaceutical Research and Manufacturers of America. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that the affordability of health care coverage is partially dependent on the pharmaceutical industry's pricing of new and existing medications. Your Committee further finds that there should be, at minimum, a notification informing prescription drug benefit plans and pharmacy benefit managers of significant drug price increases, as required by this measure, and some reasoning as to the necessity of these drug price increases.

Your Committee has amended this measure by:

- (1) Changing the threshold percentage for the required notification from sixteen percent to ten percent more than the percentage change in the Consumer Price Index over any two-year period;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1805, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Matsumoto).

SCRep. 790-20 Judiciary on H.B. No. 1748

The purpose of this measure is to provide that all firearms, animal parts, products, or items containing animal parts or products involved in the commission of wildlife tracking or certain hunting offenses shall be considered contraband and subject to forfeiture and disposal by the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of the Prosecuting Attorney of the City and County of Honolulu, Animal Rights Hawaii, Hawaiian Humane Society, Pono Advocacy, For Forgotten Felines, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition and two individuals.

Your Committee finds that requiring the forfeiture and disposal of contraband involved in the commission of certain wildlife offenses will further deter future criminal activity and prevent wildlife trafficking.

Your Committee has amended this measure by:

- (1) Removing firearms from the list of items that are to be considered contraband and be forfeited and disposed of by the State for a first conviction of certain wildlife trafficking or hunting offenses; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1748, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1748, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 791-20 Judiciary on H.B. No. 1744

The purpose of this measure is to amend Act 281, Session Laws of Hawaii 2019 (Act 281), to provide clarification and flexibility in eyewitness identification procedures.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, and Stolen Stuff Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Innocence Project and Community Alliance on Prisons. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that Act 281 codified investigation procedures for law enforcement to conduct eyewitness identifications. Your Committee further finds that Act 281 does not take effect until June 1, 2020. Your Committee believes that further amendments are needed to make Act 281 more practical for real life application.

Your Committee has amended this measure by:

- (1) Reinstating language that requires:
 - (A) Law enforcement to record in writing as complete a description as possible of the possible perpetrator provided by the eyewitness in the eyewitness' own words before conducting a photo lineup or live lineup;
 - (B) An investigator to state in writing the reason why it is impracticable for a blind administrator to conduct a showup; and
 - (C) A video record or, if it is impracticable, an audio record of the identification procedure, and documentation of the reason why a video record of the procedure is impracticable;
- (2) Clarifying that if an eyewitness makes an identification, the administrator must seek and document a clear statement from the eyewitness of the eyewitness' confidence in the identification;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1744, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1744, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Lowen, Say).

SCRep. 792-20 Judiciary on H.B. No. 1874

The purpose of this measure is to address crimes that impact the State's seniors by:

- (1) Lowering the age at which enhanced penalties apply for crimes against seniors from sixty-two to sixty; and
- (2) Making a perpetrator strictly liable for certain criminal offenses against seniors.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of the Prosecuting Attorney of the County of Maui, Maui County Office on Aging, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that there have been a number of violent crimes targeting seniors in the State. Existing law needs to be amended to provide stronger deterrents and stricter consequences for crimes against seniors. More severe consequences, regardless of the perpetrator's knowledge of the senior's age, will increase protection for Hawaii's kupuna.

Your Committee has amended this measure by:

- (1) Changing the age at which enhanced penalties apply for crimes against seniors from sixty years of age to an unspecified age;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1874, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (San Buenaventura, McKelvey, Perruso). Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 793-20 Judiciary on H.B. No. 1614

The purpose of this measure is to authorize psychologists to claim an exemption from jury service.

Your Committee received testimony in support of this measure from the Hawaii Psychological Association, Pacific Behavioral Health, and numerous individuals. Your Committee received testimony in opposition to this measure from the Judiciary.

In an effort to tighten the amount of jury service exemptions in the State, your Committee finds that a study on jury service exemptions in other states, specifically jury service exemptions for medical professionals with active patients, is necessary.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its substantive contents;
- (2) Requiring the Judiciary to study and report to the Legislature on the jury service exemptions in Hawaii and other states, including jury service exemptions for medical professionals, such as psychologists, with active patients, rather than allow psychologists an exemption from jury service;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1614, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1614, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Nakashima).

SCRep. 794-20 Judiciary on H.B. No. 1706

The purpose of this measure is to require any candidate, candidate committee, or noncandidate committee to return excess contributions by nonresident contributors within thirty days and escheat excess contributions that were not returned within thirty days to the Hawaii Election Campaign Fund.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and five individuals.

Your Committee finds that Hawaii law currently limits the amount of time a candidate leaving office may contribute toward scholarships or other charitable causes, which can cut off financial support for some students at four-year programs, among other consequences.

Your Committee also finds that current law allows candidates to use campaign funds to purchase vehicles for personal use, which may be excessive for Hawaii elections.

Your Committee has amended this measure by:

- (1) Inserting a purpose section;
- (2) Amending the allowable uses of campaign funds to:
 - (A) Include the lease of vehicles for the duration of a campaign, instead of allowing for the purchase of vehicles; and
 - (B) Increase the total amount of donations to certain organizations, public schools, or public libraries and scholarship awards to four times the maximum amount that one person may contribute to the candidate;
- (3) Allowing, until November 5, 2024, a candidate who is elected to office to use campaign funds for certain purposes or return funds to contributors until two years following the end of the candidate's term for which the campaign funds were received, instead of two years from the date of the election for which the campaign funds were received;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1706, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Nakashima, Say).

SCRep. 795-20 Judiciary/Consumer Protection & Commerce on H.B. No. 2572

The purpose of this measure is to:

- (1) Modernize "personal information" for the purposes of security breaches of personal information law;
- (2) Establish new provisions on consumer rights to personal information and data brokers;

- (3) Prohibit the sale of geolocation information and internet browser information without consent;
- (4) Amend provisions relating to the electronic eavesdropping law; and
- (5) Prohibit certain manipulated images of individuals.

Your Committees received testimony in support of this measure from the Office of Enterprise Technology Services and seven individuals. Your Committees received testimony in opposition to this measure from the American Council of Life Insurers; Internet Association; Association of National Advertisers; Network Advertising Initiative; American Association of Advertising Agencies; Interactive Advertising Bureau; American Advertising Federation; State Privacy and Security Coalition; American Property Casualty Insurance Association; RELX Group; Computing Technology Industry Association; Hawaiian Electric Company, Inc.; Hawaii Bankers Association; Hawaii Financial Services Association; Consumer Data Industry Association; Hawaii Credit Union League; Retail Merchants of Hawaii; and two individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs; Screen Actors Guild-American Federation of Television and Radio Artists Hawaii Local; Hawaii Professional Chapter of the Society of Professional Journalists; Electronic Transactions Association; State Farm Mutual Automobile Insurance Company; Hawaii Insurers Council; Charter Communications, Inc.; Hawaii Medical Service Association; Iron Workers Stabilization Fund; and one individual.

Your Committees find that technology, society, and the ways in which information is used are constantly evolving in the twenty-first century, thus creating new privacy concerns with each passing year. Public use of the Internet and related technologies have significantly expanded, and without adequate regulations, personal privacy has often been compromised. In response, the Legislature adopted House Concurrent Resolution No. 225, S.D. 1 (2019), to establish the Twenty-First Century Privacy Law Task Force, consisting of individuals in the public and private sectors with an interest or expertise in privacy law in the digital era, to examine and make recommendations regarding existing privacy laws and regulations to protect the privacy interests of the people of Hawaii. This measure seeks to implement recommendations of the Twenty-First Century Privacy Law Task Force.

Your Committees further find that Hawaii law and culture has a high bar for privacy when compared to other states, including an explicit right to privacy enshrined in the Hawaii State Constitution, which must be upheld in the digital era.

Your Committees additionally find that the bulk of testimony in opposition to this measure raised concerns regarding part III, relating to data brokers.

Accordingly, your Committees have amended this measure by:

- (1) Deleting part III;
- (2) Amending the definition of "personal information" to clarify that "personal information" means an identifier in combination with one or more specified data elements in which the data element is not encrypted;
- (3) Clarifying that the business associates of any health plan or healthcare provider that is subject to and in compliance with the Health Insurance Portability and Accountability Act of 1996 are also deemed to be in compliance with Hawaii's notice of security breach of personal information law;
- (4) Specifying that the prohibition on the sale of geolocation data does not include the releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a user's geolocation information for the purpose of responding to an emergency;
- (5) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2572, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2572, H.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 9; Ayes with Reservations (Say). Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

Consumer Protection & Commerce: Ayes, 6; Ayes with Reservations (Cachola, Har, Kong). Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Mizuno, Matsumoto).

SCRep. 796-20 Transportation/Tourism & International Affairs on H.R. No. 18

The purpose of this measure is to request *The Wall Street Journal* to include Hawaiian Airlines in the newspaper's future rankings of the best and worst airlines in the United States.

Your Committees received testimony in support of this measure from two individuals.

Your Committees find that Hawaiian Airlines is celebrating its sixteenth consecutive year as the nation's top carrier for on-time performance and consistently ranks highly in customer-service rankings. As such, it should be included in *The Wall Street Journal's* airline rankings.

As affirmed by the records of votes of the members of your Committees on Transportation and Tourism & International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 18 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 7. Noes, none. Excused, 1 (Hashem).

Tourism & International Affairs: Ayes, 7. Noes, none. Excused, 1 (Creagan).

SCRep. 797-20 Transportation/Tourism & International Affairs on H.C.R. No. 34

The purpose of this measure is to request *The Wall Street Journal* to include Hawaiian Airlines in the newspaper's future rankings of the best and worst airlines in the United States.

Your Committees received testimony in support of this measure from Hawaiian Airlines and four individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that Hawaiian Airlines is celebrating its sixteenth consecutive year as the nation's top carrier for on-time performance and consistently ranks highly in customer-service rankings. As such, it should be included in *The Wall Street Journal's* airline rankings.

As affirmed by the records of votes of the members of your Committees on Transportation and Tourism & International Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 34 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 7. Noes, none. Excused, 1 (Hashem).

Tourism & International Affairs: Ayes, 7. Noes, none. Excused, 1 (Creagan).

SCRep. 798-20 Finance on H.B. No. 2316

The purpose of this measure is to increase the monetary amount an injured homeowner may recover from the Contractors Recovery Fund and the maximum amount of liability that may be recovered from the fund per licensed contractor.

Your Committee received testimony in support of this measure from the Subcontractors Association of Hawaii. Your Committee received comments on this measure from the Contractors License Board.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2316, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 799-20 Finance on H.B. No. 2323

The purpose of this measure is to expand the pool of persons eligible to receive restitution from the Mortgage Loan Recovery Fund to include those persons the Director of Commerce and Consumer Affairs finds entitled to restitution.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2323, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 800-20 Finance on H.B. No. 2594

The purpose of this measure is to establish the Blockchain Working Group to determine a definition for blockchain technology and make recommendations for individuals, businesses, and state agencies to use blockchain technology.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Office of Enterprise Technology Services, Hawaii Technology Development Corporation, Punchbowl and King LLC, and two individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2594, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 801-20 Finance on H.B. No. 2213

The purpose of this measure is to require the Office of Planning to review and propose updates to the Hawaii State Planning Act and appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Office of Planning. Your Committee received comments on this measure from the Land Use Research Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2213, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 802-20 Finance on H.B. No. 2601

The purpose of this measure is to require the Legislative Reference Bureau to compile a report of the months and days of the year that have been designated by both chambers of the Legislature as a holiday or a period of recognition or observance within the State.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Legislative Reference Bureau.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2601, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 803-20 Finance on H.B. No. 2054

The purpose of this measure is to prohibit employers from:

- (1) Requiring employees to enter into, as a condition of employment, a nondisclosure agreement preventing the employee from disclosing or discussing sexual harassment or sexual assault in the workplace, at work-related events, between employees, or between an employer and an employee; and
- (2) Retaliating against employees for disclosing or discussing sexual harassment or sexual assault.

Your Committee received testimony in support of this measure from the Department of Human Services; Hawaii Civil Rights Commission; Hawaii Women's Coalition; SAG-AFTRA Hawaii Local; Planned Parenthood Votes Northwest and Hawaii; Breastfeeding Hawaii; American Association of University Women of Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Pride@Work-Hawaii; United Public Workers, AFSCME, Local 646, AFL-CIO; and ten individuals. Your Committee received comments on this measure from the Hawaii State Commission on the Status of Women, Hawaii Iron Workers Stabilization Fund, and The Queen's Health Systems.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2054, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 804-20 Finance on H.B. No. 2148

The purpose of this measure is to:

- (1) Add a definition for "sibling" to assist in the interpretation of family leave laws in chapter 398, Hawaii Revised Statutes; and
- (2) Extend family leave in the State to include care for an employee's grandchild.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Department of Human Services; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; International Longshore and Warehouse Union Local 142; United Public Workers, AFSCME, Local 646, AFL-CIO; American Association of University Women of Hawaii; Hawaii State Commission on the Status of Women; and one individual. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, Maui Chamber of Commerce, and Calypso Charters. Your Committee received comments on this measure from the Chamber of Commerce Hawaii and Hawaii Food Industry Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2148, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 805-20 Finance on H.B. No. 2217

The purpose of this measure is to broaden the representation of the nine-member Stadium Authority by adding two members to the Stadium Authority to consist of one resident each for the areas broadly encompassing:

- (1) Aiea and Halawa; and
- (2) Foster Village, Crosspointe, and Alii Plantation.

Your Committee received testimony in support of this measure from the Stadium Authority and Aliamanu-Salt Lake-Foster Village Neighborhood Board No. 18.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2217, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 806-20 Finance on H.B. No. 2285

The purpose of this measure is to make an emergency appropriation to provide funds for the Stadium Authority for payroll, various repair and maintenance costs, contracts for services, and operating equipment.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Hawaii Community Development Authority, and Stadium Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2285, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 807-20 Finance on H.B. No. 2302

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (2) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and University of Hawaii System. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2302, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 808-20 Finance on H.B. No. 2303

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (3) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and University of Hawaii System. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2303, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 809-20 Finance on H.B. No. 2304

The purpose of this measure is to appropriate funds for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (4) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and University of Hawaii System. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2304, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 810-20 Finance on H.B. No. 2305

The purpose of this measure is to appropriate funds for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (7) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawaii Professional Assembly, and University of Hawaii System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2305, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 811-20 Finance on H.B. No. 2306

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (8) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and University of Hawaii System. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2306, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 812-20 Finance on H.B. No. 2307

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (9) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and University of Hawaii System. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2307, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 813-20 Finance on H.B. No. 2308

The purpose of this measure is to make emergency appropriations for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (13) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2308, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 814-20 Finance on H.B. No. 2309

The purpose of this measure is to appropriate funds for fiscal biennium 2019-2021 for collective bargaining cost items, salary increases, and other cost adjustments for collective bargaining unit (14) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 815-20 Finance on H.B. No. 2350

The purpose of this measure is to improve compliance with Hawaii's labor laws by increasing the various assessments and penalties under the Department of Labor and Industrial Relations' jurisdiction to account for inflation.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and United Public Workers, AFSCME, Local 646, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2350, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 816-20 Finance on H.B. No. 2399

The purpose of this measure is to amend provisions relating to the short-term investment of state monies, including the types of financial instruments in which state monies may be invested.

Your Committee received comments on this measure from the Department of Budget and Finance and the Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2399, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Wildberger). Noes, none. Excused, none.

SCRep. 817-20 Finance on H.B. No. 2485

The purpose of this measure is to require the Board of Trustees of the Employees' Retirement System to conduct a study and recommend state retirement benefits for Hawaii National Guard members who are activated under state active duty orders.

Your Committee received testimony in support of this measure from the Veterans Caucus of the Democratic Party of Hawaii, Pride @ Work – Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from the Board of Trustees of the Employees' Retirement System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2485, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 818-20 Finance on H.B. No. 2533

The purpose of this measure is to address current and future facilities needs of the Hawaii State Archives by authorizing the issuance of general obligation bonds and appropriating funds for plans for a Hawaii State Archives Master Plan.

Your Committee received testimony in support of this measure from The Queen's Health Systems, Council for Native Hawaiian Advancement, Native Hawaiian Chamber of Commerce, Kamehameha Schools, Bishop Museum, Aha Punana Leo, Papa Ola Lokahi, Malama Aina Foundation, Partners in Development Foundation, and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2533, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 819-20 Finance on H.B. No. 2604

The purpose of this measure is to provide state and county governments more flexibility and discretion to address substantial hardship situations that impact concession contracts.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation, UNITE HERE Local 5, and Airlines Committee of Hawaii. Your Committee received comments on this measure from the Airport Concessionaires Committee.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2604, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 2 (Eli, Wildberger). Excused, none.

SCRep. 820-20 Finance on H.B. No. 2678

The purpose of this measure is to require the forfeiture of all compensation paid, vacation and sick leave accrued, and pension and retirement service attributed to any State or county officer or employee for a felony offense, from the date the offense was committed through the end of the officer's or employee's employment with the State or counties.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Indivisible Hawaii, and three individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2678, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 821-20 Finance on H.B. No. 2679

The purpose of this measure is to require the Judiciary to conduct a study to determine how to implement a system of income-based fines as a pilot project and examine how other jurisdictions have treated habitual offenders in income-based systems.

Your Committee received testimony in support of this measure from the Judiciary, Community Alliance on Prisons, and Hawaii Health and Harm Reduction Center. Your Committee received comments on this measure from the Office of the Public Defender and American Civil Liberties Union of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2679, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 822-20 Finance on H.B. No. 2682

The purpose of this measure is to establish the Agricultural Technology Transfer and Workforce Development Program and provide for a coordinator position to provide support for secondary agricultural education and Future Farmers of America programs.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii Farm Bureau, Hawaii Association FFA, Hawaii Pacific Health, and eleven individuals. Your Committee received comments on this measure from the Department of Education and Department of Labor and Industrial Relations.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2682, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 823-20 Finance on H.B. No. 1872

The purpose of this measure is to support the needs of Hawaii's elderly by establishing and funding an unspecified number of long-term care ombudsmen specialist positions within the Office of the Long-Term Care Ombudsman.

Your Committee received testimony in support of this measure from the State Long-Term Care Ombudsman, AARP Hawaii, International Longshore and Warehouse Union Local 142, and five individuals. Your Committee received comments on this measure from the Executive Office on Aging and Office of the Mayor of the County of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1872, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 824-20 Finance on H.B. No. 1958

The purpose of this measure is to amend the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the taxpayer's applicable percentage of employment-related expenses that constitutes the tax credit and cap amount.

Your Committee received testimony in support of this measure from Early Childhood Action Strategy, Hawaii Appleseed Center for Law & Economic Justice, Hawaii Children's Action Network Speaks!, and American Association of University Women of Hawaii. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1958, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 825-20 Finance on H.B. No. 2062

The purpose of this measure is to:

- (1) Require the Department of Human Services to develop a program to prevent the commercial sexual exploitation of children and assist child victims of commercial sexual exploitation;
- (2) Require the Director of Human Services to appoint a statewide coordinator on commercial sexual exploitation of children;

- (3) Establish the Commercial Sexual Exploitation of Children Steering Committee and require the Steering Committee to submit preliminary and final reports to the Legislature;
- (4) Establish a commercial sexual exploitation of children multidisciplinary team in every county to immediately respond to cases of the sex trafficking of children; and
- (5) Appropriate funds for the program and statewide coordinator.

Your Committee received testimony in support of this measure from the Judiciary, Department of the Attorney General, Department of Education, Honolulu Police Department, Hawaii Psychological Association, IMUAlliance, American Association of University Women of Hawaii, and four individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Health, and Hawaii State Commission on the Status of Women.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2062, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 826-20 Finance on H.B. No. 2067

The purpose of this measure is to establish a three-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:

- (1) Amending the offense of abuse of family or household members to provide for a lesser included petty misdemeanor offense and clarifying penalties for violations;
- (2) Allowing a deferred acceptance of guilty plea in cases involving misdemeanor and petty misdemeanor abuse offenses, if certain conditions are met; and
- (3) Requiring the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household members cases.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Kauai, Domestic Violence Action Center, American Association of University Women of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your Committee received comments on this measure from the Judiciary, Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, and Hawaii State Coalition Against Domestic Violence.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2067, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 827-20 Finance on H.B. No. 2098

The purpose of this measure is to require the Department of Human Services, upon approval from the federal Centers for Medicare and Medicaid Services, to establish and implement a program for providing home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Hawaii Psychological Association, K.E.L.I.I. Foundation, Hawaii FASD Action Group, and nine individuals. Your Committee received comments on this measure from the Department of Human Services and Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2098, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 828-20 Finance on H.B. No. 2421

The purpose of this measure is to establish an independent governance structure for the Hawaii School for the Deaf and the Blind by creating a board of trustees for the school.

Your Committee received testimony in support of this measure from the Aloha State Association of the Deaf and fifteen individuals. Your Committee received comments on this measure from the Department of Education.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2421, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Gates).

SCRep. 829-20 Finance on H.B. No. 2466

The purpose of this measure is to establish and appropriate funds for the Child Care at Capital District Buildings Pilot Project, for the State to provide lease space for the establishment of child care facilities at any Capital District building, except Honolulu Hale, with enrollment priority given for children of state employees who work in the building at which a child care facility is located.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 830-20 Finance on H.B. No. 2522

The purpose of this measure is to improve the overall continuum of care through the Hawaii Coordinated Access Resource Entry System (CARES), by:

- (1) Requiring the Department of Health to establish a continuum of stabilization beds statewide by:
 - (A) Repurposing unused state facilities for short-term residential use by non-forensic patients experiencing substance use or mental health conditions; and
 - (B) Assessing and triaging these patients to a clinically appropriate level of care through CARES; and
- (2) Appropriating funds for this purpose.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Disability Rights Center, Community Alliance on Prisons, Hawaii Kai Homeless Task Force, Democratic Party of Hawaii, Catholic Charities Hawaii, Hawaii Psychological Association, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Health, and Hawaii Substance Abuse Coalition.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2522, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 831-20 Finance on H.B. No. 2707

The purpose of this measure is to establish and appropriate funds for the Behavioral Health Social Worker Scholarship Program (Program) at the University of Hawaii, which requires recipients of a scholarship from the Program to commit to five years of service with the Department of Human Services, Department of Health, Department of Public Safety, Judiciary, or contracted service providers.

Your Committee received testimony in support of this measure from the Institute for Human Services, Hawaii Substance Abuse Coalition, Catholic Charities Hawaii, and five individuals. Your Committee received comments on this measure from the Judiciary, University of Hawaii System, Department of Human Services, Department of Health, Department of Public Safety, and Governor's Coordinator on Homelessness.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2707, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 832-20 Finance on H.B. No. 35

The purpose of this measure is to authorize the Department of Health to use monies in the Mental Health and Substance Abuse Special Fund for capital improvements related to crisis stabilization beds.

Your Committee received testimony in support of this measure from a council member of the Hawaii County Council; Hawaii Disability Rights Center; Hawaii Substance Abuse Coalition; Hawaii Island HIV/AIDS Foundation; Hawaii Psychological Association; Catholic Charities Hawaii; Habitat for Humanity Hawaii Island, Inc.; The Salvation Army Addiction Treatment Services and Family Treatment Services; St. Michael the Archangel Catholic Church; Neighborhood Place of Puna; Aloha House, Inc.; Kona-Kohala Chamber of Commerce; Ulu Development; Hawaii Island Economic Development Board; Hawaii Leeward Planning Conference; Cyanotech Corporation; and nineteen individuals. Your Committee received comments on this measure from the Department of Health; HOPE Services Hawaii, Inc.; and two individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 35, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 833-20 Finance on H.B. No. 933

The purpose of this measure is to establish a crisis intervention and diversion program within the Department of Health to divert individuals in crisis from the criminal justice system and into the health care system.

Your Committee received testimony in support of this measure from the Judiciary; Honolulu Police Department; Honolulu Emergency Services Department of the City and County of Honolulu; Hawaii Disability Rights Center; Hawaii Substance Abuse Coalition; Aloha House, Inc.; The Salvation Army Addiction Treatment Services and Family Treatment Services; and seven individuals. Your Committee received comments on this measure from the Department of Health and The Queen's Health Systems.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 933, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 834-20 Finance on H.B. No. 1633

The purpose of this measure is to help lower the high cost of purchasing auditory devices, including hearing aids, by:

- (1) Amending the definition of "prosthetic device" to include hearing aids and devices worn on the body; and
- (2) Exempting gross receipts from the sale of auditory devices, such as hearing aids, from the general excise tax; and
- (3) Exempting gross receipts from the repair of and replacement parts for prosthetic devices from the general excise tax.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and one individual. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1633, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Gates).

SCRep. 835-20 Finance on H.B. No. 1662

The purpose of this measure is to ensure that timely diagnostic audiologic evaluation reports related to follow-up treatment and support of newborns who did not pass newborn hearing screening are provided to the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Early Learning, and one individual. Your Committee received comments on this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1662, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 836-20 Finance on H.B. No. 1975

The purpose of this measure is to require:

- (1) Any county of the State with a population greater than 500,000 to provide emergency medical services in a transparent and fiscally responsible manner; and
- (2) Any affected county to conduct an evaluation regarding the finances and operations of the county's emergency medical services system and submit a report to the Legislature and Department of Health.

Your Committee received comments on this measure from the Department of Health and Honolulu Emergency Services Department of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1975, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 837-20 Finance on H.B. No. 2047

The purpose of this measure is to:

- (1) Establish a task force within the Department of Health to identify therapies and home- and community-based care services that may benefit persons having fetal alcohol spectrum disorders, including therapies and treatments that may benefit these individuals as adults; and
- (2) Require the task force to conduct a study and submit a report to the Legislature.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; Hawaii Disability Rights Center; Hawaii Psychological Association; Hawaii Substance Abuse Coalition; The Salvation Army; Aloha House, Inc.; Hawaii FASD Action Group; Hawaii Public Health Association; and eleven individuals. Your Committee received comments on this measure from the Department of Health, Department of Human Services, Hawaii State Ethics Commission, and City and County of Honolulu Liquor Commission.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2047, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 838-20 Finance on H.B. No. 2099

The purpose of this measure is to adjust the appropriation amount and amend the description in Act 127, Session Laws of Hawaii 2019, for the appropriation for the Alzheimer's disease and related dementia services coordinator within the Executive Office on Aging.

Your Committee received testimony in support of this measure from the Executive Office on Aging; Hawaii County Advisory Committee on Aging; Alzheimer's Association, Aloha Chapter; Nimitz Business Center; Manoa Cottage; and eight individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2099, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 839-20 Finance on H.B. No. 2110

The purpose of this measure is to:

- (1) Clarify the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility; and
- (2) Repeal the provision that a landlord, under specified conditions, shall not be deemed to be providing home care services or operating a care facility that requires a license.

Your Committee received testimony in support of this measure from the Department of Health, ARCA, and six individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2110, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 840-20 Finance on H.B. No. 2254

The purpose of this measure is to appropriate funds for fiscal year 2020-2021 to the Department of Health to fund the Health Care Provider Loan Repayment Program administered through the John A. Burns School of Medicine, to provide loan repayment for physicians, physician assistants, psychologists, nurse practitioners, social workers, marriage and family therapists, and nurses who agree to work in a federally-designated health professional shortage area or in a geographic area of Hawaii found to be underserved.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawaii System, Office of the Mayor of the County of Hawaii, Hawaii State Center for Nursing, Healthcare Association of Hawaii, Hawaii Pacific Health, Lanai Community Health Center, The Queen's Health Systems, Hawaii-American Nurses Association, Hawaii Primary Care Association, Hawaii Area Health Education Center, Hawaii State Rural Health Association, Hawaii Psychological Association, Hawaii Public Health Association, and fifteen individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Kaiser Permanente Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2254, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 841-20 Finance on H.B. No. 2499

The purpose of this measure is to change the number of Maui members on the Board of Directors of the Hawaii Health Systems Corporation to an unspecified number.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Hawaii Health Systems Corporation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2499, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 842-20 Finance on H.B. No. 2502

The purpose of this measure is to require the State Health Planning and Development Agency to consider the relationship to the existing health care system of an area, including the availability of workforce, as part of its certificate of need review.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Liberty Dialysis-Hawaii, and Hawaii Pacific University College of Health and Society. Your Committee received comments on this measure from The Queen's Health Systems.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2502, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 843-20 Finance on H.B. No. 2506

The purpose of this measure is to require the Department of Health to issue a certificate of stillbirth, upon the request of the parent or parents named on a fetal death certificate issued in the case of a stillbirth.

Your Committee received testimony in support of this measure from the Aha Moku Advisory Committee of the Department of Land and Natural Resources, Association of Hawaiian Civic Clubs, Oahu Council of the Association of Hawaiian Civic Clubs, Hawaii Council of the Association of Hawaiian Civic Clubs, Kauai Council of the Association of Hawaiian Civic Clubs, Prince Kuhio Hawaiian Civic Club, Pearl Harbor Hawaiian Civic Club, Save Medicaid Hawaii, and seventeen individuals. Your Committee received comments on this measure from the Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2506, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 844-20 Finance on H.B. No. 2633

The purpose of this measure is to amend the State's medical cannabis dispensary system law to:

- (1) Authorize dispensaries to distribute medical cannabis propagules and cuttings to those individuals authorized to cultivate cannabis plants for medical use; and

- (2) Impose quantity limits and quality requirements on the distributed propagules and cuttings.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Maui Grown Therapies, Kush Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the Department of Health and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2633, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Hashimoto, Matayoshi). Noes, 1 (B. Kobayashi). Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 845-20 Finance on H.B. No. 1651

The purpose of this measure is to statutorily establish certain certification, renewal, and violation processes for vehicle inspectors who conduct vehicle safety inspections under the Department of Transportation.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1651, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 846-20 Finance on H.B. No. 1676

The purpose of this measure is to improve traffic enforcement by:

- (1) Establishing a three-year pilot program in major arterial zones on state or county highways within a specified area to provide for the implementation of photo red light imaging detector systems;
- (2) Establishing a Photo Red Light Imaging Detector Systems Pilot Program Account within the general fund, into which revenues and fines will be deposited for the establishment, operation, management, and maintenance of a photo red light imaging detector system;
- (3) Authorizing any affected county to implement the Photo Red Light Imaging Detector Systems Pilot Program; and
- (4) Appropriating funds for the establishment of a Photo Red Light Imaging Detector Systems Pilot Program.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Honolulu Police Department, Maui Police Department, Blue Zones Project, Mothers Against Drunk Driving Hawaii, and ten individuals. Your Committee received comments on this measure from the Judiciary, Department of Transportation, Department of Budget and Finance, County of Hawaii Office of the Mayor, City and County of Honolulu Department of the Prosecuting Attorney, Obesity Prevention Task Force of the Hawaii Public Health Institute, AAA Hawaii, Hawaii Bicycling League, Peoples Advocacy for Trails Hawaii, Kauai Path, and three individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1676, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 847-20 Finance on H.B. No. 1833

The purpose of this measure is to regulate peer-to-peer car sharing in Hawaii by requiring certain insurance, notice, recordkeeping, and disclosure requirements.

Your Committee received testimony in support of this measure from the Department of Transportation and Enterprise Holdings. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Taxation, Department of Commerce and Consumer Affairs, Tax Foundation of Hawaii, Avail, Turo, and TechNet.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1833, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 848-20 Finance on H.B. No. 1930

The purpose of this measure is to amend the rental motor vehicle surcharge tax from \$5 per day to an unspecified amount.

Your Committee received testimony in support of this measure from the Maui Metropolitan Planning Organization Policy Board, Maui Bicycle League, and two individuals. Your Committee received testimony in opposition to this measure from Avis Budget Group. Your Committee received comments on this measure from the Department of Taxation, Department of Transportation, State Procurement Office, Office of the Mayor of the County of Maui, Department of Transportation of the County of Maui, Tax Foundation of Hawaii, and Enterprise Holdings.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1930, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 849-20 Finance on H.B. No. 2002

The purpose of this measure is to provide for the statewide regulation of transportation network companies and transportation network company drivers through operational consistency across the State, including the establishment of a permitting process within the Department of Transportation for transportation network companies operating in the State, and to make permanent certain insurance requirements regarding transportation network companies.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Customer Services of the City and County of Honolulu, and two individuals. Your Committee received testimony in opposition to this measure from Roberts Hawaii, Inc. Your Committee received comments on this measure from the Hawaii Passenger and Property Carriers Association; Uber Technologies, Inc.; Lyft; and Hawaii Transportation Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2002, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 850-20 Finance on H.B. No. 2065

The purpose of this measure is to help alleviate traffic gridlock by establishing a task force to study and develop a plan to reduce the number of public employees who commute during peak hours of traffic congestion.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Transportation, Department of Accounting and General Services, and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2065, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 851-20 Finance on H.B. No. 2174

The purpose of this measure is to:

- (1) Define "highly intoxicated driver";
- (2) Provide the evidentiary standard for establishing that a person was a "highly intoxicated driver";
- (3) Require that ignition interlock devices be installed and maintained on one or more vehicles registered to and all vehicles operated by anyone convicted of operating a vehicle under the influence of an intoxicant, during the applicable period of license revocation;
- (4) Increase the license revocation period ordered by the Administrative Driver's License Revocation Office and extend the applicable lookback periods from five to ten years;
- (5) Establish higher penalties for a highly intoxicated driver operating a vehicle; and
- (6) Amend the penalties for offenses of operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, City and County of Honolulu Department of the Prosecuting Attorney, Smart Start LLC, and Mothers Against Drunk Driving Hawaii. Your Committee received comments on this measure from the Judiciary's Administrative Driver's License Revocation Office.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2174, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 852-20 Finance on H.B. No. 2207

The purpose of this measure is to require and appropriate funds for the Office of Planning to conduct a land use study for Hauula, Oahu, that assesses the viability and cost of maintaining the transit corridor, including mid- and long-term adaptation strategies associated with accommodating, protecting, and if necessary, relocating, the corridor for the best interest of the State.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Office of Planning.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2207, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15; Ayes with Reservations (Nakamura). Noes, none. Excused, none.

SCRep. 853-20 Finance on H.B. No. 2475

The purpose of this measure is to authorize the Department of Transportation to expend funds from the Harbor Special Fund to provide subsidies to cargo carriers to offset costs incurred by the cargo carriers as a result of providing cargo carrier services to ports serving counties within Hawaii having a population of less than 500,000 and comprising three or more populated islands.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the ILWU Local 142 and Animal Rights Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2475, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (B. Kobayashi, Matayoshi, Nakamura, Todd). Noes, 1 (Wildberger). Excused, none.

SCRep. 854-20 Finance on H.B. No. 2556

The purpose of this measure is to:

- (1) Authorize the county directors of finance to withhold the issuance or renewal of a certificate of registration until the county is reimbursed for all costs relating to the disposition of an abandoned vehicle;
- (2) Make it a misdemeanor, with a \$250 to \$500 fine, if a person abandons any vehicle on any public or private roadway or any property without the consent of the owner or lessee;
- (3) Require the court to report the misdemeanor conviction to the county director of finance, who may proceed to prohibit the person from operating a vehicle; and
- (4) Authorize the county to assess and collect fees, fines, and penalties for actions relating to the disposition of abandoned and derelict vehicles.

Your Committee received testimony in support of this measure from the Department of Finance of the County of Kauai and three individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Transportation, Hawaii State Association of Counties, and Enterprise Holdings.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2556, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 855-20 Finance on H.B. No. 2590

The purpose of this measure is to establish and appropriate funds for a two-year autonomous vehicle testing pilot program within the Department of Transportation.

Your Committee received testimony in support of this measure from the Department of Transportation, State Council on Developmental Disabilities, Hawaii Climate Change Mitigation and Adaptation Commission, City and County of Honolulu Department of Transportation Services, Ulupono Initiative, Hawaii Automobile Dealers' Association, Pele Lani Farm LLC, and one individual. Your Committee received comments on this measure from the Alliance for Automotive Innovation; 350Hawaii.org; We Are One, Inc.; and five individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2590, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 856-20 Finance on H.B. No. 2598

The purpose of this measure is to establish within the Department of Transportation an Abandoned and Derelict Vehicles Task Force to make recommendations to ensure the proper identification and disposal of abandoned and derelict vehicles left on the State's highways and to appropriate funds for the administration and operation of the Abandoned and Derelict Vehicles Task Force.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Customer Services of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2598, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 857-20 Finance on H.B. No. 2010

The purpose of this measure is to appropriate funds to provide scholarships to students pursuing a Hawaiian language certification or degree within the University of Hawaii System.

Your Committee received testimony in support of this measure from the University of Hawaii System, Kamehameha Schools, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one member of the Hawaii County Council.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2010, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 858-20 Finance on H.B. No. 2439

The purpose of this measure is to appropriate funds to the University of Hawaii Water Resources Research Center for the research and development of specialized equipment for effectively and efficiently removing plastic marine debris from shores and beaches.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition and three individuals. Your Committee received comments on this measure from one member of the Hawaii County Council.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2439, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 859-20 Finance on H.B. No. 2312

The purpose of this measure is to clarify specific benefit- and processing-related details to facilitate implementation and provide transparency to Employees' Retirement System members, retirants, beneficiaries, and alternate payees regarding Hawaii domestic relations orders.

Your Committee received testimony in support of this measure from the Employees' Retirement System Board of Trustees.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2312, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 860-20 Finance on H.B. No. 2314

The purpose of this measure is to clarify the definitions and requirements to qualify for Employees' Retirement System service-connected disability and accidental death benefits.

Your Committee received testimony in support of this measure from the Employees' Retirement System Board of Trustees and Department of Budget and Finance.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2314, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 861-20 Finance on H.B. No. 1820

The purpose of this measure is to amend the nominating authority for the representatives of the Heeiea Community Development District, Kalaheo Community Development District, and Kakaako Community Development District that serve on the Hawaii Community Development Authority.

Your Committee received testimony in opposition to this measure from one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1820, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 862-20 Finance on H.B. No. 1878

The purpose of this measure is to require that the mandatory seller disclosures in residential real property transactions identify property within the sea level rise exposure area as officially designated by the Hawaii Climate Change Mitigation and Adaptation Commission or its successor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Climate Change Mitigation and Adaptation Commission; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; County of Maui Office of Economic Development; Sierra Club of Hawaii; IMUAlliance; and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association of Realtors. Your Committee received comments on this measure from Pono Hawaii Initiative.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1878, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 863-20 Finance on H.B. No. 1880

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the operations of the Kahoolawe Island Reserve Commission and for two full-time equivalent positions to support the Commission.

Your Committee received testimony in support of this measure from the Kahoolawe Island Reserve Commission, Ocean Tourism Coalition, Pacific American Foundation, Protect Kahoolawe Ohana, and numerous individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1880, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 864-20 Finance on H.B. No. 1940

The purpose of this measure is to appropriate funds to the Department of Agriculture for the planning and design of a professional training facility for guide dogs and other professionally trained service dogs on a designated portion of the State's animal quarantine facility site.

Your Committee received testimony in support of this measure from the Department of Agriculture and one individual. Your Committee received comments on this measure from the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1940, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 865-20 Finance on H.B. No. 2015

The purpose of this measure is to establish, and appropriate funds for, a pilot program within the Aina Mauna Legacy Program of the Department of Hawaiian Home Lands to remove and harvest gorse from Mauna Kea and develop it as a marketable product to expand economic opportunities for Native Hawaiians.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and County of Hawaii Office of the Mayor.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2015, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 866-20 Finance on H.B. No. 2033

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources' Division of Forestry and Wildlife to purchase firefighting equipment.

Your Committee received testimony in support of this measure from the Kauai Fire Department, Hawaii Fire Department, and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2033, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 867-20 Finance on H.B. No. 2036

The purpose of this measure is to establish, and appropriate funds for, the Ocean Coral Restoration Pilot Program in the Department of Land and Natural Resources to plan and design an expansion of the Hawaii Coral Restoration Nursery, including improvements to the sea urchin hatchery.

Your Committee received testimony in support of this measure from the Hawaii Institute of Marine Biology, University of Hawaii System; Hawaii Reef and Ocean Coalition; Friends of Hanauma Bay; and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2036, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 868-20 Finance on H.B. No. 2208

The purpose of this measure is to appropriate funds to the Department of Hawaiian Home Lands for the acquisition of land in East Oahu to be developed by the Department for affordable housing units to be available by July 1, 2027.

Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and Keaukaha Community Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2208 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 869-20 Finance on H.B. No. 2209

The purpose of this measure is to ensure the preservation of Iolani Palace now and for future generations by appropriating funds to the Department of Land and Natural Resources for:

- (1) The repair, restoration, and maintenance of Iolani Palace; and
- (2) A structural and electrical survey of Iolani Palace.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority, Friends of Iolani Palace, Native Hawaiian Chamber of Commerce, Bishop Museum, Council for Native Hawaiian Advancement, The Queen's Health Systems, Native Hawaiian Education Council, Aha Punana

Leo, Malama Aina Foundation, Association of Hawaiian Civic Clubs, Partners in Development Foundation, Kamehameha Schools, Papa Ola Lokahi, and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2209, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 870-20 Finance on H.B. No. 2211

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to issue commercial marine licenses for the taking of marine life for commercial purposes;
- (2) Specify that a single commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel; and
- (3) Require any person providing fishing charter services to obtain a commercial marine license.

Your Committee received testimony in support of this measure from the Waialua Boat Club; Hawaii Fishermen's Alliance for Conservation and Tradition, Inc.; Fresh Island Fish Co.; Tropic Fish Hawaii LLC; Hawaii Longline Association; and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Protecting Coral Reef Wildlife Fishes, Moana Ohana, Friends of Hanauma Bay, Center for Biological Diversity, and Sierra Club of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2211, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 871-20 Finance on H.B. No. 2277

The purpose of this measure is to extend, through the 2030 tax year, the time during which the Department of Agriculture may certify important agricultural land qualified agricultural cost tax credits.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of Taxation, Office of Planning, Land Use Research Foundation of Hawaii, Kamehameha Schools, Hawaii Farm Bureau, Ulupono Initiative, and two individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2277, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 872-20 Finance on H.B. No. 2422

The purpose of this measure is to require the State Auditor to conduct a comprehensive performance and management audit of the Department of Land and Natural Resources' Division of Boating and Ocean Recreation.

Your Committee received testimony in support of this measure from four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of the Auditor.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2422, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 873-20 Finance on H.B. No. 2446

The purpose of this measure is to require the Department of Land and Natural Resources, through its State Historic Preservation Division (SHPD), to contract with third party consultants for the review of proposed state projects, projects on privately owned historic property, and projects affecting historic properties, if the projects involve developments where at least eighty percent of the units are intended as affordable housing and SHPD is unable to complete its review within sixty days.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce, Kohala Coast Resort Association, and NAIOP Hawaii. Your Committee received testimony in opposition to this measure from Minatoishi Architects. Your Committee received comments on this measure from the Department of Land and Natural Resources, State Procurement Office, Building Industry Association of Hawaii, Chamber of Commerce Hawaii, and Society for Hawaiian Archaeology.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2446, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 874-20 Finance on H.B. No. 2484

The purpose of this measure is to appropriate funds to purchase necessary equipment for state ocean safety officers to perform their ocean safety and rescue work at state parks.

Your Committee received testimony in support of this measure from the City and County of Honolulu's Ocean Safety and Lifeguard Services Division, Kohala Coast Resort Association, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2484, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 875-20 Finance on H.B. No. 2578

The purpose of this measure is to authorize the designation of areas or regions of public lands classified as commercial and industrial use; hotel, apartment, and motel use; or resort use and the establishment and implementation of guidelines for the redevelopment of the areas or regions that will:

- (1) Modernize policies for the management of public lands in the designated area;
- (2) Establish a plan for the designated area, including district-wide improvements, that is coordinated with state and county land use and planning policies; and
- (3) Implement asset and property management concepts that can optimize income from the properties and evolve in response to changing principles of property administration.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Taxation, Department of Budget and Finance, Office of Hawaiian Affairs, Office of the Mayor of the County of Hawaii, and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2578, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 876-20 Finance on H.B. No. 2591

The purpose of this measure is to appropriate funds for the Department of Land and Natural Resources to undertake the comprehensive stakeholder engagement process and adaptive management strategies associated with the Marine 30x30 Initiative.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2591, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 877-20 Finance on H.B. No. 2716

The purpose of this measure is to establish an ocean sciences research income tax credit to foster research and development in ocean sciences to expand and diversify Hawaii's economy.

Your Committee received comments on this measure from the Department of the Attorney General; Department of Taxation; Tax Foundation of Hawaii; Natural Energy Laboratory of Hawaii Authority; and Makai Ocean Engineering, Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2716, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14; Ayes with Reservations (Matayoshi). Noes, none. Excused, 1 (McDermott).

SCRep. 878-20 Finance on H.B. No. 1882

The purpose of this measure is to establish a different regulatory framework for nondepository trust companies by:

- (1) Clarifying the powers and duties of nondepository trust companies;
- (2) Beginning July 1, 2021, changing the yearly assessments on nondepository trust companies by basing the calculation on total assets under management; and
- (3) Establishing a paid-in capital and surplus requirement in order to charter nondepository trust companies in the State.

Your Committee received testimony in support of this measure from CSI Trust Company. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1882, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 879-20 Finance on H.B. No. 2333

The purpose of this measure is to establish:

- (1) The Hawaii State Fusion Center (Center) as a program under the State Office of Homeland Security; and
- (2) The state-funded position of the Hawaii State Fusion Center Director, who shall be responsible to the Director of Homeland Security and manage the operations of the Center.

Your Committee received testimony in support of this measure from Department of Defense; Department of Human Services; Department of Transportation; Department of Education; Office of Homeland Security; Hawaii State Energy Office; Board of Water Supply of the City and County of Honolulu; Hawaiian Electric Company, Inc.; Retail Merchants of Hawaii; and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2333, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 880-20 Finance on H.B. No. 2726

The purpose of this measure is to:

- (1) Amend the definition of "cooler beverage" to include spirits-based beverages, to encourage local distilleries to produce ready-to-drink cocktails; and
- (2) Create a more equitable taxation scheme by establishing a separate tax rate on beer for small craft producer pubs.

Your Committee received testimony in support of this measure from BeerLab Hawaii, Three Peaks Island Craft Beer and Gifts, and Olomana Brewing Company. Your Committee received comments on this measure from the Department of the Attorney General; Department of Taxation; Tax Foundation of Hawaii; Waikiki Brewing Company; Big Island Brewhaus; Maui Brewing Co.; Kauai Beer Company; Kauai Island Brewing Company, LLC; Hawaiian Craft Brewers Guild; and Honolulu Beerworks.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2726, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 881-20 Finance on H.B. No. 2322

The purpose of this measure is to institute certain consumer protections with regard to massage therapy by:

- (1) Requiring the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repealing the penalty for unlicensed practice of massage therapy in favor of existing law that treats unlicensed activity as a misdemeanor; and
- (3) Increasing the fines for violations of the laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association – Hawaii Chapter, and IMUAlliance.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2322, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 882-20 Finance on H.B. No. 2336

The purpose of this measure is to bring state law into compliance with recent amendments to the federal Victims of Child Abuse Act Reauthorization Act of 2018 by adding immunity from civil and criminal liability for individuals who provide information or assistance in child abuse or neglect investigations.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Hawaii Association for Justice.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2336, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 883-20 Finance on H.B. No. 2155

The purpose of this measure is to:

- (1) Require that residential and commercial solid waste be separated by source to be processed at appropriate facilities;
- (2) Require counties to update their integrated solid waste management plans by January 1, 2021;
- (3) Establish a new waste stream reduction goal for 2030; and
- (4) Appropriate funds to each county to help subsidize their solid waste management programs.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Health and Department of Environmental Services of the City and County of Honolulu.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2155, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 884-20 Finance on H.B. No. 2492

The purpose of this measure is to:

- (1) Preserve federal regulations on the use of hydrofluorocarbons in state law;
- (2) Establish a preference for products that do not contain hydrofluorocarbons in the State Procurement Code;
- (3) Require the State Building Code Council, when adopting, amending, or updating building codes and standards, to establish codes and standards that permit the use of substitutes and do not require the use of prohibited substitutes; and
- (4) Direct the Hawaii State Energy Office and the Environmental Management Division of the Department of Health to study how to increase the use of refrigerants with low global warming potential and recommend how to establish a state program that supports the elimination of legacy uses of hydrofluorocarbons.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Climate Protectors Coalition; 350Hawaii.org; Project Drawdown, Honolulu; Pele Lani Farm LLC; We Are One, Inc.; and eighteen individuals. Your Committee received comments on this measure from the Department of Health, State Procurement Office, and American Chemistry Council.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2492, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 885-20 Finance on H.B. No. 2624

The purpose of this measure is to require the Office of Environmental Quality Control to establish, implement, and maintain an interactive website that is accessible by the public at no cost and provides notification of and opportunity for participation in actions taken pursuant to the State's environmental review process.

Your Committee received testimony in support of this measure from three individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2624, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 886-20 Finance on H.B. No. 2701

The purpose of this measure is to:

- (1) Require that agency actions undertaken with funds from the Environmental Response Revolving Fund, Energy Security Special Fund, Energy Systems Development Special Fund, and Agricultural Development and Food Security Special Fund be undertaken with careful consideration of how those actions can also assist the State in achieving the State's zero emissions clean economy target and support the State's climate change resilience, environmental response, energy, and food systems; and
- (2) Require that annual reports for these funds also explain to the Legislature how expenditures support the State's clean energy economy and climate change resilience.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Natural Energy Institute; Climate Protectors Coalition; We Are One, Inc.; and seven individuals. Your Committee received comments on this measure from the Department of Agriculture, 350Hawaii.org, Pele Lani Farm LLC, and three individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2701, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 887-20 Finance on H.B. No. 1877

The purpose of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances on land deregistered by the Land Court, other than fee simple time share interests.

Your Committee received testimony in support of this measure from five individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1877, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 888-20 Finance on H.B. No. 1928

The purpose of this measure is to:

- (1) Establish the Pulehunui Community Development District on the island of Maui as a community development district within the authority of the Hawaii Community Development Authority; and

- (2) Authorize the Hawaii Community Development Authority to obtain various forms of financial aid from the federal government for projects of the Authority.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and County of Maui Office of the Mayor. Your Committee received comments on this measure from the Department of Land and Natural Resources and Hawaii Community Development Authority.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1928, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 889-20 Finance on H.B. No. 2358

The purpose of this measure is to:

- (1) Permit the Board of Land and Natural Resources to amend and extend pasture leases to further public purposes;
- (2) Permit the Board of Land and Natural Resources to issue pasture leases by direct negotiation; and
- (3) Require the Department of Land and Natural Resources and Department of Agriculture to identify potentially transferable lands whose land use classification is at dispute and petition the Land Use Commission for a determination.

Your Committee received testimony in support of this measure from the Conservation Council for Hawaii and two individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; Ponoholo Ranch Limited; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Ulupalakua Ranch; Kapapala Ranch; Kealia Ranch; Hawaii Farm Bureau; McCandless Ranch; and nine individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Agriculture, Land Use Commission, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2358, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 890-20 Finance on H.B. No. 2588

The purpose of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian Home Lands tract from obtaining a subsequent lease for the same class of land, with certain exceptions.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2588, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 891-20 Finance on H.B. No. 1650

The purpose of this measure is to extend the deadline for each county police department to adopt and utilize an electronic tracking system for sexual assault evidence collection kits to January 1, 2021.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, The Sex Abuse Treatment Center, and LGBT Caucus of the Democratic Party of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1650, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 892-20 Finance on H.B. No. 1689

The purpose of this measure is to prohibit the manufacture and sale of certain animal fur products in Hawaii.

Your Committee received testimony in support of this measure from The Humane Society of the United States; Humane Society Veterinary Medical Association; Animal Legal Defense Fund; Pono Advocacy, Animal Welfare Institute; In Defense of Animals; Fur Free Society, Inc.; InStyle; For Forgotten Felines; Four Paws USA; People for the Ethical Treatment of Animals; Born Free USA; International Anti Fur Coalition; Stella McCartney Ltd.; and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1689, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 893-20 Finance on H.B. No. 1793

The purpose of this measure is to clarify that the salary recommendations of the:

- (1) Commission on Salaries convening in 2024 shall be effective through June 30, 2033; and

- (2) Commission on Salaries convening in 2030 and Commissions thereafter shall be effective on July 1 of the first fiscal year of the fiscal biennium after the immediately following fiscal biennium in which the recommendations were made.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1793, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, none.

SCRep. 894-20 Finance on H.B. No. 2177

The purpose of this measure is to:

- (1) Amend the statutory limitations on the time period in which a survivor of childhood sexual abuse may file a civil action, to within fifty years of the eighteenth birthday of the minor;
- (2) Allow punitive damages up to two times the amount of compensatory damages for civil actions; and
- (3) Permit the court, at its discretion, to order restorative justice measures.

Your Committee received testimony in support of this measure from Parents And Children Together, American Association of University Women of Hawaii, Save Medicaid Hawaii, and three individuals. Your Committee received comments on this measure from the Department of the Attorney General, Hawaii State Commission on the Status of Women, IMUAlliance, LGBT Caucus of the Democratic Party of Hawaii, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2177, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 895-20 Finance on H.B. No. 2270

The purpose of this measure is to authorize courts to prohibit sex offenders or offenders against minors, who are convicted after June 30, 2020, from residing, permanently or temporarily, within five hundred feet of any public or private school, child care facility, playground, or park where children may gather.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2270, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 896-20 Finance on H.B. No. 2380

The purpose of this measure is to appropriate funds to the Judiciary to contract with nonprofit organizations to provide legal assistance and legal counsel to immigrants in determining legal status and citizenship, provide diversion to existing services, and otherwise provide counsel for existing rights.

Your Committee received testimony in support of this measure from the Filipina Advocacy Network, Americans for Democratic Action, The Legal Clinic, League of Women Voters Hawaii, Filipinos for Affirmative Action, and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and Office of Community Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2380, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (McDermott). Noes, none. Excused, none.

SCRep. 897-20 Finance on H.B. No. 2474

The purpose of this measure is to include telecommunications dispatchers within the definition of "emergency worker" in the Hawaii Penal Code, which will provide heightened penalties for any person who commits the offense of assault against a telecommunications dispatcher during an emergency period.

Your Committee received testimony in support of this measure from the Honolulu Police Department; Maui Police Department; Hawaii Fire Department of the County of Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Office of Homeland Security.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2474, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 898-20 Finance on H.B. No. 2534

The purpose of this measure is to appropriate funds for the operation of the Career Criminal Prosecution Unit of the Office of the Prosecuting Attorney of the County of Hawaii.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Office of the Mayor of the County of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2534, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 899-20 Finance on H.B. No. 2550

The purpose of this measure is to encourage a reduction in the number of remands to the Family Court by:

- (1) Making appeals from Family Court orders appealable directly to the Hawaii Supreme Court instead of the Intermediate Court of Appeals; and
- (2) Requiring the Hawaii Supreme Court to render a final decision on appeals from Family Court orders within one hundred eighty days of its receipt of the appeal.

Your Committee received testimony in opposition to this measure from the Judiciary and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2550, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 900-20 Finance on H.B. No. 2571

The purpose of this measure is to strengthen public safety by:

- (1) Including within the offense of theft in the second degree, theft of property commonly used to store items of personal or monetary value, including any purse, handbag, or wallet; and
- (2) Establishing the offense of theft of a bicycle as a misdemeanor for the first offense and a class C felony for a second or subsequent offense.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Hawaii Bicycling League. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2571, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15; Ayes with Reservations (Matayoshi, Nakamura). Noes, none. Excused, none.

SCRep. 901-20 Finance on H.B. No. 2607

The purpose of this measure is to establish the offense of urinating or defecating in a public place within business districts.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Young Progressives Demanding Action, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2607, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14; Ayes with Reservations (Nakamura). Noes, 1 (Wildberger). Excused, none.

SCRep. 902-20 Finance on H.B. No. 2675

The purpose of this measure is to require an appellate court to conduct a hearing when a conflict of interest pertaining to a judge or justice is alleged by motion of a party to any suit, action, or proceeding of the appellate court.

Your Committee received comments on this measure from the Judiciary.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2675, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 903-20 Finance on H.B. No. 2722

The purpose of this measure is to:

- (1) Authorize each county to adopt ordinances to enforce laws requiring electric vehicle parking stalls and charging systems in certain places of public accommodation, including:
 - (A) Making reasonable efforts to maintain electric vehicle charging stations in working order; and
 - (B) Establishment of penalties for failure to comply with the law; and
- (2) Clarify that certain enforcement officers may enter private property to enforce electric vehicle parking space violations.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office and Ulupono Initiative. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2722, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 904-20 Finance on H.B. No. 2738

The purpose of this measure is to protect the State's democratic self-governance by:

- (1) Prohibiting foreign nationals and foreign corporations from making independent expenditures;
- (2) Requiring every corporation that contributes or expends funds in a State election to file a statement of certification regarding its limited foreign influence; and
- (3) Requiring noncandidate committees making only independent expenditures to obtain a statement of certification from each top contributor required to be listed in an advertisement.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Pono Hawaii Initiative, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Campaign Spending Commission and League of Women Voters of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2738, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 905-20 Finance on H.B. No. 2751

The purpose of this measure is to:

- (1) Expand the conditions for authorizing a restricted driver's license or instruction permit, other than a commercial driver's license;
- (2) Provide judges with greater discretion to adjust the amount owed by a person who violates certain traffic offenses based on the person's inability to pay;
- (3) Increase the amount of credit given to a contumacious person committed for nonpayment;
- (4) Permit persons to pay for their motor vehicle registration and associated taxes and fees on a biannual basis;
- (5) Restrict the amount of any delinquent tax due to the current tax due plus one year; and
- (6) Remove language allowing storage costs and costs incident to seizure of a vehicle from inclusion in the amount the owner of a vehicle must pay in order to redeem the vehicle after seizure.

Your Committee received testimony in opposition to this measure from the Department of Customer Services of the City and County of Honolulu. Your Committee received comments on this measure from the Judiciary, Department of Transportation, and Office of the Public Defender.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2751, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 906-20 Finance on H.B. No. 2467

The purpose of this measure is to require the Hawaii Tourism Authority to collaborate with the Department of Accounting and General Services to identify an appropriate location for and open a tourism information booth or center in the State Capital District to promote tourism and tourist destinations in the Capital District.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2467, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 907-20 Finance on H.B. No. 2366

The purpose of this measure is to simplify and streamline administration of the transient accommodations tax (TAT) by:

- (1) Broadening the definition of "operator" to include any person operating a transient accommodation or engaging or continuing in any service business that results in the collection of receipts defined as gross rental proceeds under the TAT law;
- (2) Replacing the term "operator or plan manager" with "person" or "taxpayer" to ensure that there are no technical defenses or loopholes to any TAT provisions since the imposition of the TAT on transient accommodations brokers, travel agents, and tour packagers enacted by Act 211, Session Laws of Hawaii 2018;
- (3) Repealing the misdemeanor for failing to obtain a TAT registration identification number and replacing the misdemeanor with a monetary fine to be consistent with similar violations under the general excise tax law;
- (4) Applying personal liability for certain controlling officers under section 237-41.5, Hawaii Revised Statutes, to the TAT; and

- (5) Removing outdated provisions requiring taxpayers to file and pay at specific taxation districts.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2366 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 908-20 Finance on H.B. No. 1622

The purpose of this measure is to amend the allocation of the transient accommodations tax for the operation of a Hawaiian center and museum of Hawaiian music and dance to also include development of the center and museum.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority. Your Committee received comments on this measure from the Tax Foundation of Hawaii and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1622, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 909-20 Finance on H.B. No. 1944

The purpose of this measure is to:

- (1) Beginning on July 1, 2021, require the Department of Land and Natural Resources to submit an annual list to the Hawaii Tourism Authority of proposed projects for the Hawaii Tourism Authority Strategic Plan;
- (2) Beginning with the Regular Session of 2022, require the Hawaii Tourism Authority to submit an annual report of certain projects undertaken in accordance with the Hawaii Tourism Authority Strategic Plan; and
- (3) Allocate funds from transient accommodations tax revenues directly to the Hawaii Tourism Authority, rather than through the Special Land and Development Fund, to improve certain state resources and services in accordance with the Hawaii Tourism Authority Strategic Plan.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority and Kohala Coast Resort Association. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1944, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 910-20 Finance on H.B. No. 1945

The purpose of this measure is to allocate transient accommodation tax revenues into the Tourism Special Fund and appropriate funds from the Tourism Special Fund for the Hawaii Tourism Authority and Hawaii Lodging and Tourism Association to address homelessness in tourist and resort areas, subject to private matching funds.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority, Hawaii Lodging & Tourism Association, The Institute for Human Services, Catholic Charities Hawaii, Hawaii Youth Services Network, Partners in Development Foundation, Aloha Medical Mission, Hawaii Arts Alliance, Kohala Coast Resort Association, Kauai Independent Food Bank, Adult Friends for Youth, Keiki Cupboard, Corvette Center Ministries, Hale Kipa, Residential Youth Services & Empowerment, Aloha Harvest, Keiki Education Living Independent Institute, Friends of the Children's Justice Center of East Hawaii, Hawaii Health & Harm Reduction Center, and four individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii, Ohana Christian Fellowship, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1945, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 911-20 Finance on H.B. No. 1946

The purpose of this measure is to amend the amount of transient accommodations tax (TAT) revenues allocated to the counties from a specified sum to a specific ceiling amount that is to be provided to each individual county upon claims for reimbursement.

Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Office of the Mayor of the County of Hawaii, Department of Finance of the County of Kauai, Maui Chamber of Commerce, Hawaii State Association of Counties, one member of the Kauai County Council, and two individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1946, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 2 (Hashimoto, Wildberger). Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 912-20 Finance on H.B. No. 1637

The purpose of this measure is to:

- (1) Eliminate the spending ceiling for using monies in the Civil Monetary Penalty Special Fund by the Department of Health for compliance activities approved by the federal Centers for Medicare and Medicaid Services;
- (2) Specifically include supplemental health care benefits, such as in-home care, adult day care, and other non-medical, in-home items and services as acceptable expenditures by the Department of Health out of the Civil Monetary Penalty Special Fund; and
- (3) Appropriate funds for one full-time equivalent (1.0 FTE) permanent Medicare administrator position within the Department of Health for outreach and support for those transitioning to Medicare coverage.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Executive Office on Aging, and Healthcare Association of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1637, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 913-20 Finance on H.B. No. 2457

The purpose of this measure is to:

- (1) Ban the sale of flavored tobacco products, prohibit the mislabeling of e-liquid products containing nicotine, and establish fines and penalties for violations, beginning on January 1, 2021;
- (2) Require the Department of Education to establish a safe harbor program by which persons under twenty-one years of age may dispose of electronic smoking devices in their possession;
- (3) Require public school teachers and educators to confiscate electronic smoking devices;
- (4) Amend the fines for the purchase or possession of tobacco products and electronic smoking devices by persons under twenty-one years of age; and
- (5) Authorize a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of purchase or possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine.

Your Committee received testimony in support of this measure from the County of Hawaii Office of the Prosecuting Attorney; Honolulu Police Department; Hawaii Public Health Institute; Flavors Hook Kids Hawaii Campaign; Kapiolani Smokefree Families, Kapiolani Medical Center for Women and Children; Blue Zones Project-Hawaii; Kahoomiki; Hawaii Public Health Association; Hawaii Primary Care Association; Hawaii Dental Hygienists' Association; Hawaii Substance Abuse Coalition; Filipina Advocacy Network; Filipino Women's Civic Club Foundation of Hawaii; Hui No Ke Ola Pono; Filipino Business Women's Association; Hawaii Community Foundation; Kamehameha Schools; Windward Nazarene Academy; Maui Preparatory Academy; St. Andrew's Schools; Doris Todd Christian Academy; Maui Christian Academy; Maui Adventist School; Malamalama Waldorf School; Holy Nativity School; Mid-Pacific; Damien Memorial School; Kona Visayan Club; Hawaii Pacific Health; The Man Cave; Shaka Tea; Pioneering Healthier Communities Initiative; Hawaii Kai Lions Club; Hawaii Youth Services Network; Pediatric Therapies Hawaii; Pono Hawaii Initiative; West Hawaii Community Health Center; The Friends of Kamalani and Lydgate Park; We Are One, Inc.; Emma Whitney Photography; Hawaii Association of Independent Schools; and over one hundred individuals. Your Committee received testimony in opposition to this measure from Volcano E-Cigs; Hawaii Petroleum Marketers Association; Cigar Association of America, Inc.; Hawaii Smokers Alliance; BLVK Unicorn; 808 Smokes; Vape Kings LLC; TVA Vapor; and over one hundred individuals. Your Committee received comments on this measure from the Department of the Attorney General; Department of Education; Department of Health; Hawaii State Teachers Association; American Heart Association; Hawaii Food Industry Association; American Lung Association; American Academy of Pediatrics; Hawaii Chapter; American Cancer Society Cancer Action Network; and ten individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2457, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 914-20 Finance on H.B. No. 2630

The purpose of this measure is to establish a timeframe for the transition of the health care facilities of the Oahu Region of the Hawaii Health Systems Corporation to the Department of Health and establish a working group to develop, evaluate, and implement the steps necessary for the transition.

Your Committee received testimony in support of this measure from the Department of Health and Oahu Regional Health Care System Board of Directors. Your Committee received comments on this measure from the State Procurement Office; United Public Workers, AFSCME, Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2630, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 915-20 Finance on H.B. No. 2692

The purpose of this measure is to increase the maximum number of hours a primary caregiver may be absent from a community care foster family home to fifty hours per week and twenty-three hours per day; provided that a substitute caregiver is present in the home.

Your Committee received testimony in support of this measure from the Community Homecare Association of Hawaii, Adult Foster Homecare Association of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2692, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 916-20 Finance on H.B. No. 1950

The purpose of this measure is to improve transportation on Oahu by requiring the Department of Transportation to conduct a study on the feasibility of a private-public partnership to design, build, and operate an underwater tunnel for vehicular traffic between Ewa and Downtown Honolulu and appropriating funds for the study.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1950, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Gates, B. Kobayashi). Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 917-20 Judiciary on H.B. No. 2253

The purpose of this measure is to improve public safety and efficiency by authorizing:

- (1) The Chairperson of the Board of Land and Natural Resources to designate state employees or contractors; and
- (2) The county police chiefs to designate other county employees or contractors,

to issue citations for certain traffic violations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, Hawaii Tourism Authority, Disability and Communication Access Board, County of Kauai Office of the Mayor, Kauai Police Department, National Tropical Botanical Garden, and two individuals.

Your Committee finds that because of the shortage of police officers in every county, enforcement of special no stopping, standing, or parking zones throughout the State is very limited. Unlike the Airport and Harbor Divisions of the Department of Transportation, the Highway Division does not have an enforcement branch and relies on the county police departments to enforce traffic and safety violations. This measure will allow the Department of Land and Natural Resources and the county police chiefs the flexibility to assign other state and county employees and contractors to assist in issuing citations for certain traffic violations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2253, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 918-20 Judiciary on H.B. No. 1978

The purpose of this measure is to provide the Family Court with jurisdiction, as required under the federal Immigration and Nationality Act (Act), to hear a motion for factual findings that an immigrant child under the age of twenty-one has been abused, neglected, or abandoned before the age of eighteen, for purposes of granting the child Special Immigrant Juvenile Status and awarding custody or guardianship of the child under the Act.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, The Legal Clinic, Filipina Advocacy Network, Japanese American Citizens League Honolulu Chapter, Pono Hawaii Initiative, and nine individuals.

Your Committee finds that Special Immigrant Juvenile Status is a designation under federal law that protects immigrant children who have been abused, neglected, or abandoned. For an immigrant child to gain the Special Immigrant Juvenile Status, a juvenile court must make findings of fact, including: that it is not in the best interests of the immigrant child to be returned to the immigrant child's previous country of nationality; that reunification with a parent is not viable due to abuse, neglect, or abandonment; and that the immigrant child is a dependent. Once a juvenile court has completed these findings, the immigrant juvenile may apply for permanent legal residence in the United States. This measure clarifies that the Family Courts of the State have jurisdiction to make such critical determinations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1978, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 919-20 Judiciary on H.B. No. 2674

The purpose of this measure is to provide that any authorization by a county director of finance to accept supplemental motor vehicle registration documents in electronic form shall extend to all types of motor vehicles.

Your Committee received testimony in support of this measure from Servo Pacific Inc.; Hawaii Transportation Association; and B and C Trucking Co., Ltd.

Your Committee finds that registering motor vehicles, especially multiple motor vehicles, can be cumbersome for individuals or businesses. This measure allows the counties to take advantage of modern technology by authorizing the use of an electronic method for motor vehicle registration of all types of motor vehicles.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2674, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Say). Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 920-20 Judiciary on H.B. No. 1901

The purpose of this measure is to clarify that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Community Alliance on Prisons, and five individuals.

Your Committee finds that last legislative session, the Legislature passed Act 179, Session Laws of Hawaii 2019 (Act 179), which codified recommendations of the Criminal Pretrial Task Force. When Act 179 was enacted, it inadvertently referred to the comprehensive offender reentry system providing a pathway to the timely release of inmates on parole when their maximum term had been served. This measure will correct that reference to a minimum term, as originally intended by the Legislature.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1901 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 921-20 Judiciary on H.B. No. 1756

The purpose of this measure is to require that the State Fire Code be adopted pursuant to meetings under the Sunshine Law instead of public hearings pursuant to the Hawaii Administrative Procedure Act.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Maui Fire Department, and Kauai Fire Department. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii.

Your Committee finds that the State Fire Code is one of several codes considered and adopted by the State Building Code Council. While other codes considered by the State Building Code Council need only be adopted pursuant to the State's Sunshine Law, the State Fire Code must go through the public hearing procedures in the Hawaii Administrative Procedure Act. This measure would remove that inconsistency while still requiring changes to the State Fire Code to be subject to public open meeting requirements.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1756, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (Thielen). Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 922-20 Judiciary on H.B. No. 2124

The purpose of this measure is to:

- (1) Prohibit certain state officials and employees from representing certain private interests before the State for twelve months after termination from their respective state positions; and
- (2) Specify that the prohibition against disclosing any information not available to the public or using the information for personal gain or benefit applies even to those who were employed by the State for less than one hundred eighty-one days.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, Pono Hawaii Initiative, and seven individuals.

Your Committee finds that it is in the public interest to keep a distinct wall of separation between lobbyists and the State's elected officials and certain other government employees.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2124, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 923-20 Judiciary on H.B. No. 2340

The purpose of this measure is to clarify prohibited actions related to anatomical gifts and disposition of bodies.

Your Committee received testimony in support of this measure from the Department of Health and University of Hawaii System.

Your Committee finds that this measure will protect vulnerable donors and their loved ones from making anatomical gifts to anyone other than established recipients who are capable of handling bodies with care and respect for legitimate medical or research purposes. Your Committee also finds that this measure will also deter body donations to those persons who may not take the necessary steps to create a death certificate and obtain a disposition permit for the body.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 924-20 Judiciary on H.B. No. 1921

The purpose of this measure is to:

- (1) Require any hunting guide or hunter to obtain and submit to the Department of Land and Natural Resources (DLNR) written permission from any private landowner upon whose land the hunting guide or hunter is engaged in guide or hunting activities; and
- (2) Require the Division of Forestry and Wildlife of DLNR to create and make available to the public a written permission form to be completed and filled by any hunting guide or hunter engaged in guide or hunting activities on private land.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Hawaii Cattlemen's Council, and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that some armed individuals have circumvented trespassing and larceny laws by simply claiming to be hunters and stating they had verbal permission from the property owner to be on the property. Currently, the burden is on the landowner or their agent to prove that the landowner or their agent did not give permission to a trespasser carrying a firearm to access the landowner's property. Requiring a hunting guide or hunter to obtain written permission from the landowner will reduce the confusion concerning the issue of trespassers while also reducing the risk of landowners mistakenly believing their homes and families are threatened by these individuals.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1921, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 925-20 Judiciary on H.B. No. 2292

The purpose of this measure is to adjust the laws on electric guns by:

- (1) Regulating the sale and use of electric guns, including:
 - (A) Restricting ownership, use, storage, and disposal of electric guns;
 - (B) Regulating the sale, distribution, and transfer of electric guns; and
 - (C) Prohibiting certain possession, use, and carrying of electric guns; and
- (2) Repealing the ban on the possession, sale, or delivery of electric guns.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Honolulu Police Department, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition and numerous individuals.

Your Committee finds that the Supreme Court of the United States held that the reasons proffered by the Supreme Judicial Court of Massachusetts for excluding stun guns from the purview of the Second Amendment of the United States Constitution were inconsistent with legal precedent. *Caetano v. Massachusetts*, 136 S.Ct. 1027, 1028 (2016). Your Committee further finds that the *Caetano* decision calls into question the constitutionality of the State's ban on electric guns. In the event it is determined that the State's ban on electric guns is unconstitutional, this measure would provide a framework to regulate electric guns.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2292, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 926-20 Judiciary on H.B. No. 2173

The purpose of this measure is to reduce incidents of driving under the influence of an intoxicant by:

- (1) Specifying that if a person convicted of the offenses of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant is sentenced to a term of imprisonment, the term of imprisonment must be served consecutively;
- (2) Specifying that a person who has an ignition interlock permit must also carry government-issued identification with the person;
- (3) Extending the lookback period for provisions relating to ignition interlock requirements from five to ten years;
- (4) Making it a crime for a person who is restricted to driving a vehicle equipped with an ignition interlock device to knowingly obscure a camera lens associated with an ignition interlock device; and
- (5) Granting courts greater flexibility by providing that if, within ten years, a person has two or more prior convictions for the offenses of:
 - (A) Operating a vehicle after the person's license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant;
 - (B) Circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; or
 - (C) Certain older offenses,
 one of the penalties to which the offender must be sentenced is between six months to one year of imprisonment.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Smart Start LLC. Your Committee received comments on this measure from the Department of Transportation, Office of the Public Defender, and Mothers Against Drunk Driving Hawaii.

Your Committee finds that one way to stop an intoxicated driver from continuing to drive while intoxicated is to strengthen the laws relating to ignition interlock devices. This measure seeks to close loopholes in existing laws identified by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group.

Your Committee notes that concerns were raised in testimony about the severity of the mandatory minimum sentencing provisions in the existing law prohibiting operation of a vehicle by an individual whose license has been suspended or revoked due to operating a vehicle under the influence of an intoxicant.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2173, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Perruso). Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 927-20 Judiciary on H.B. No. 2004

The purpose of this measure is to:

- (1) Raise the maximum age of a child passenger required to be restrained to ten years old from eight years old;
- (2) Amend the child passenger restraint requirements for children at various age ranges;
- (3) Repeal the exemption from child passenger restraint requirements for vehicles with fewer seat belt assemblies than the number of passengers; and
- (4) Increase the fines for violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Keiki Injury Prevention Coalition, and one individual.

Your Committee finds that traffic accidents continue to be a leading cause of death for Hawaii's children and youth. According to the American Academy of Pediatrics guidelines, infants and toddlers should ride in rear-facing car safety seats as long as possible, until they reach the highest weight or height allowed by their seats. Your Committee further finds that rear-facing child safety seats spread crash forces over the whole area of a child's back, head, and neck, protecting the spinal cord from snapping, which can lead to death or permanent severe injury. This measure will help protect Hawaii's keiki from injury should they be in a car accident.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2004, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 928-20 Judiciary on H.B. No. 1782

The purpose of this measure is to limit the convictions that may be used in employment decisions for hiring, termination, or other employment conditions, by allowing the employer to inquire and consider a prospective employee's conviction record for felony convictions and misdemeanor convictions that occurred within an unspecified time period, instead of convictions that occurred within the most recent ten years.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Prosecuting Attorney of the County of Kauai, American Civil Liberties Union of Hawaii, Common Cause Hawaii, Hawaii Health and Harm Reduction Center, and nine individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Human Resources Development, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, Community Alliance on Prisons, Chamber of Commerce Hawaii, and one individual.

Your Committee finds that meaningful opportunities for gainful and legitimate employment are necessary for people with criminal records to achieve economic stability. Your Committee believes that this measure will help certain individuals with a conviction in their past better achieve economic self-sufficiency in their future.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1782, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 929-20 Judiciary on H.B. No. 1847

The purpose of this measure is to require the Department of Land and Natural Resources to adopt rules to protect herbivorous fish in all fresh, brackish, or salt waters of the State, as these fish are necessary for the health of coral reefs throughout the State.

Your Committee received testimony in support of this measure from Wastewater Alternatives and Innovations, Surfrider Foundation Hawaii, Hawaii Reef and Ocean Coalition, The Uhu Conservancy, For the Fishes, and fifteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that after a coral bleaching event, macroalgae can overtake a reef and prevent the return of the symbiotic algae that coral depend on for reef recovery. The absence of a sufficient amount of herbivorous fish to graze on the macroalgae to prevent overgrowth, and high nutrient levels in polluted waters, make these algal blooms more likely to occur. Ensuring that there are healthy populations of herbivorous fish in all of Hawaii's waters is essential to protect coral reefs from extinction.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1847, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 930-20 Judiciary on H.B. No. 2273

The purpose of this measure is to increase the penalty for violations of the wages and hours laws by making violations a class C felony.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that state labor laws should protect workers from employers who fail to pay their employees. Your Committee further finds that other states have recently enacted legislation providing for criminal penalties for employers who willfully commit wage theft. This measure will increase protections for Hawaii's workers by increasing the penalty for violations of the wages and hours law.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2273, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Thielen). Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 931-20 Judiciary on H.B. No. 2454

The purpose of this measure is to protect the public and electric utility employees, ensure reliable electrical service in the State, and decrease damage to critical electrical infrastructure due to trespassing by establishing the offense of criminal trespass on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Honolulu Police Department and Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure are fundamental to the health, safety, and welfare of the State's residents, visitors, and employees and to the national defense of the country. Your Committee further finds that this measure provides a proportionate level of protection for this key resource by making criminal trespass on critical electrical infrastructure a felony offense.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2454, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 932-20 Consumer Protection & Commerce on H.B. No. 1604

The purpose of this measure is to require retailers of household appliances to conspicuously display on household appliances available energy efficiency rebates and Hawaii-specific energy costs for operation.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Public Utilities Commission; Blue Planet Foundation; 350Hawaii; Climate Protectors Coalition; We Are One, Inc.; and eleven individuals. Your Committee received testimony in opposition to this measure from the Association of Home Appliance Manufacturers and Retail Merchants of Hawaii.

Your Committee finds that supplying information about available rebates and energy costs in the State will present a more accurate picture of how much an appliance will cost to operate by a household in Hawaii, which will enable consumers to make more informed choices by choosing products that yield long-term savings as opposed to choosing primarily on lowest initial cost.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1604, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har, Kong). Noes, 1 (Onishi). Excused, 3 (Belatti, Cabanilla Arakawa, Matsumoto).

SCRep. 933-20 Finance on H.B. No. 1899

The purpose of this measure is to require the Hawaii Employer-Union Health Benefits Trust Fund (EUTF) Board of Trustees to:

- (1) Notify EUTF employee-beneficiaries and their spouses who have not requested a reimbursement that they may be eligible for reimbursement of income-related monthly adjustment amount Medicare Part B premium payments; and
- (2) Reimburse EUTF employee-beneficiaries and their spouses for income-related monthly adjustment amount Medicare Part B premiums for which they were eligible on or after January 1, 2015, without any time limitation for claiming the reimbursement.

Your Committee did not receive any testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1899, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Wildberger).

SCRep. 934-20 Finance on H.B. No. 1844

The purpose of this measure is to strengthen the Hawaii Green Infrastructure Authority's ability to support investment in clean energy technology and infrastructure by:

- (1) Establishing the Clean Energy and Energy Efficiency Revolving Loan Fund (CEEERLF) to finance a broad range of clean energy technologies;
- (2) Repealing the Building Energy Efficiency Revolving Loan Fund;
- (3) Allocating a portion of the barrel tax to the CEEERLF; and
- (4) Making an appropriation out of the CEEERLF for clean energy investment loans or other approved uses.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority; City and County of Honolulu Office of Climate Change, Sustainability, and Resilience; County of Kauai Office of Economic Development; County of Hawaii Department of Research and Development; Climate Protectors Coalition; 350Hawaii.org; and one individual. Your Committee received comments on this measure from the Department

of Commerce and Consumer Affairs Division of Consumer Advocacy; Department of Budget and Finance, Hawaii State Energy Office, and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1844, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 935-20 Finance on H.B. No. 2407

The purpose of this measure is to:

- (1) Require the Department of Health to adopt or amend rules to establish a classification system for composting facilities or operations for purposes of regulation; and
- (2) Allow composting and co-composting in the agricultural district, including on lands with class A or B soils.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association; Changing Tides Foundation; Kokua Hawaii Foundation; Zero Waste Oahu; Zero Waste Big Island; Community Compost Movement, North Shore; Kupaa Farms; Hawaii Youth Climate Coalition; Kanu Hawaii; Sustainable Coastlines Hawaii; and numerous individuals. Your Committee received comments on this measure from the Department of Health and City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2407, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 936-20 Finance on H.B. No. 2138

The purpose of this measure is to amend the aggregate cap amount of the tax credit for research activities to an unspecified amount, to apply to taxable years beginning after December 31, 2020.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce; Oceanit; Sustainable Bioresources, LLC; Makai Ocean Engineering, Inc.; Hyperspective Studios, Inc.; Hoana Medical Inc.; Chamber of Commerce Hawaii; and two individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii Technology Development Corporation, and Tax Foundation of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2138, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13; Ayes with Reservations (B. Kobayashi, Matayoshi). Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 937-20 Finance on H.B. No. 2001

The purpose of this measure is to authorize manslaughter prosecutions for willful and wanton disregard of the need to exercise reasonable care that results in the death of another person.

Your Committee did not receive any testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2001, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Wildberger).

SCRep. 938-20 Finance on H.B. No. 2237

The purpose of this measure is to:

- (1) Establish the Drug Disposal Program, to be administered by the Department of the Attorney General, to dispose of prescription and over-the-counter drugs in a safe, secure, and environmentally friendly manner; and
- (2) Establish the Drug Disposal Special Fund and appropriate funds into and out of the special fund to award grants for the purchase, operation, or maintenance of a drug disposal repository or for the purchase or distribution of home drug disposal receptacles.

Your Committee did not receive any testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2237, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 939-20 Finance on H.B. No. 2272

The purpose of this measure is to protect minors from sexual exploitation by:

- (1) Establishing the offense of promoting the prostitution of a minor;
- (2) Establishing the offense of solicitation of another for prostitution of a minor;
- (3) Amending the offense of solicitation of a minor for prostitution by:

- (A) Specifying that the act of offering or agreeing to provide any type of consideration, rather than payment of a fee, constitutes solicitation of a minor; and
- (B) Clarifying that the offender's state of mind requirement does not apply when the person solicited is a law enforcement officer who holds that person's self out as a minor; and
- (4) Amending the offenses of electronic enticement of a child in the first degree and electronic enticement of a child in the second degree to include:
 - (A) Intentionally or knowingly communicating with another person who represents that person to have control or custody of a minor, including a parent or guardian; or
 - (B) With the intent to promote or facilitate the commission of an applicable felony, agreeing to meet with another person who represents that person to have control or custody of a minor.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Youth Services Network, and Parents and Children Together. Your Committee received comments on this measure from the Department of the Attorney General and IMUAlliance.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2272, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 940-20 Finance on H.B. No. 2294

The purpose of this measure is to modernize the laws regarding notaries public to bring them into conformity with national standards and current practices. Specifically, this measure:

- (1) Outlines the instances in which notaries public may refuse to perform notarial acts;
- (2) Authorizes notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may perform such notarial acts, including through the use of authorized technologies and electronic stamping;
- (3) Clarifies the validity of notarial acts and the circumstances when notarial acts may not be performed;
- (4) Clarifies the retention of records; and
- (5) Makes various clarifying amendments to conform to national standards and practices.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Commission to Promote Uniform Legislation, First American Title Insurance Company, Hawaii Land Title Association, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Mortgage Bankers Association of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2294, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 941-20 Finance on H.B. No. 2549

The purpose of this measure is to:

- (1) Require the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct;
- (2) Allow the presiding officers of the Legislature to request a written opinion from the Supreme Court stating whether a proposed constitutional amendment and ratification question are simple, concise, and direct;
- (3) Require the Supreme Court to provide a written opinion within forty-eight hours of receipt of the request;
- (4) Require, for any written opinion by the Supreme Court that invalidates a constitutional ratification question, a detailed and specific explanation of the reasons for the invalidation; and
- (5) Prohibit any appeal of a written opinion.

Your Committee received comments on this measure from the Judiciary and Common Cause Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2549 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 942-20 Finance on H.B. No. 2061

The purpose of this measure is to require the Department of the Attorney General to convene a study group to examine the impacts of allowing child support monies collected by the Department of Human Services for the public assistance of children to pass through to the family receiving public assistance.

Your Committee received testimony in support of this measure from the Hawaii Children's Action Network Speaks!. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, Hawaii Appleseed Center for Law & Economic Justice, Zonta Club of Hilo, and American Association of University Women.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 943-20 Finance on H.B. No. 2417

The purpose of this measure is to address the need for services for blind and visually impaired individuals residing on the neighbor islands by:

- (1) Requiring the Department of Human Services to establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program; contract with a qualified nonprofit organization to manage the day-to-day operations of the pilot program; and submit a report to the Legislature regarding the pilot program; and
- (2) Appropriating funds for the pilot program.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawaii, Disability and Communication Access Board, and four individuals. Your Committee received comments on this measure from the Department of Human Services and National Federation of the Blind of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2417, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 944-20 Finance on H.B. No. 2455

The purpose of this measure is to require the employers of first responders to develop and provide dementia training to first responders.

Your Committee received comments on this measure from the Department of Human Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2455, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 945-20 Finance on H.B. No. 2615

The purpose of this measure is to increase the monthly personal needs allowance for individuals living in adult residential care homes, developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, and other long-term care facilities.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities. Your Committee received comments on this measure from the Department of Human Services and Executive Office on Aging.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2615, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 946-20 Finance on H.B. No. 2037

The purpose of this measure is to improve the State's relationship with members of the lesbian, gay, bisexual, transgender, queer, plus community by establishing the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission in order to effectively research, plan, and advocate for the equality of the LGBTQ+ community in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission; Common Cause Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Pride at Work–Hawaii; IATSE Mixed Local 665; Maui Equality Coalition; Planned Parenthood Votes Northwest and Hawaii; Democratic Party of Hawaii; Hawaiian Affairs Caucus; Screen Actors Guild-American Federation of Television and Radio Artists; The Trevor Project; Iron Workers Stabilization Fund; and seventeen individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Health, Office of Hawaiian Affairs, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2037, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, 1 (McDermott). Excused, 2 (Eli, Nishimoto).

SCRep. 947-20 Finance on H.B. No. 2043

The purpose of this measure is to improve minors' access to mental health care by:

- (1) Allowing an unlicensed mental health professional, working under the supervision of a licensed mental health professional, to provide mental health treatment or counseling services to minors without parental or legal guardian consent, knowledge, or participation;
- (2) Requiring a mental health professional to assist a minor receiving minor-initiated mental health treatment or counseling services with completing a nondisclosure notification form to send to covered entities, when appropriate; and
- (3) Requiring a covered entity, upon receiving a completed notification form, to maintain confidentiality of minor-initiated mental health treatment or counseling services.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Youth Services Network, Hawaii Substance Abuse Coalition, and Pride @ Work - Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2043, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Matayoshi). Noes, 1 (Eli). Excused, none.

SCRep. 948-20 Finance on H.B. No. 2097

The purpose of this measure is to amend the medical cannabis dispensary system law by:

- (1) Allowing for a process to remediate and retest any batch of cannabis or manufactured cannabis products that fails laboratory testing standards so long as any final product passes the laboratory standards;
- (2) Authorizing licensed dispensaries to manufacture and distribute edible cannabis products under certain conditions; and
- (3) Authorizing licensed dispensaries to circulate, sponsor, and promote educational and scientific information and events related to cannabis that shall not be considered advertising, under certain conditions.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Hawaii Cannabis Industry Association, Maui Grown Therapies, KUSH Bottles Hawaii, and three individuals. Your Committee received testimony in opposition of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual. Your Committee received comments on this measure from the Department of Health.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2097, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 949-20 Finance on H.B. No. 2565

The purpose of this measure is to:

- (1) Establish the Pesticide Disposal Amnesty Program (Program) within the Department of Agriculture to provide a one-time, affordable, and environmentally accessible means for the disposal of restricted and nonrestricted use pesticides from a bona fide agricultural entity;
- (2) Convene a Pesticide Disposal Amnesty Program Steering Committee to guide and monitor the Program;
- (3) Appropriate funds for the purposes of the Program;
- (4) Require, rather than authorize, the issuance of a written warning notice for first-time pesticide use violations; and
- (5) Increase fines for pesticide use violations.

Your Committee received comments on this measure from the Hawaii Pest Control Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2565, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 950-20 Finance on H.B. No. 2203

The purpose of this measure is to:

- (1) Require the Board of Education and Legislature to review exclusionary discipline data;
- (2) Require the Board of Education to publish data on the use of all exclusionary discipline, aggregated by student subgroup; and
- (3) Require the Superintendent of Education to review the exclusionary discipline data collected, determine whether the discipline imposed has a disproportionate impact on certain students, and, if so, require appropriate responses to address the disparities.

Your Committee received testimony in support of this measure from the Department of Education and American Association of University Women of Hawaii. Your Committee received comments on this measure from the Board of Education; Office of Hawaiian Affairs; Hawaii Disability Rights Center; American Civil Liberties Union of Hawaii; Hawaii Children's Action Network Speaks!; and Hawaii Women's Coalition.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2203, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (McDermott). Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 951-20 Finance on H.B. No. 2215

The purpose of this measure is to establish and appropriate funds for the workforce development coordinator position within the Department of Education to oversee ongoing communication and collaboration of the P-20 Agriculture Education Working Group and lead the implementation plan for a coordinated framework of support for P-20 agriculture education in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Public Health Institute, Blue Zones Project, and one individual.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2215, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 952-20 Finance on H.B. No. 2176

The purpose of this measure is to require and appropriate funds for the Department of Land and Natural Resources to conduct shoreline remediation at the Sand Island State Recreation Area.

Your Committee did not receive any testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2176, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 953-20 Finance on H.B. No. 2191

The purpose of this measure is to authorize the Board of Land and Natural Resources to extend commercial, industrial, resort, or governmental leases, other than those to which the University of Hawaii is a party, that have not been sold or assigned within the last ten years, for lessees who commit to making substantial improvements to existing improvements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Prince Kuhio Plaza. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2191, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 3 (Eli, Kitagawa, Wildberger). Excused, none.

SCRep. 954-20 Finance on H.B. No. 2035

The purpose of this measure is to:

- (1) Set a deadline for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture; and
- (2) Clarify that the care and production of pasture land constitutes "agricultural activities" for purposes of non-agricultural park lands.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau; Land Use Research Foundation of Hawaii; Meadow Gold Dairies; Ulupono Initiative; Local Food Coalition; Hawaii Coffee Association; McCandless Ranch; Kapapala Ranch; Ponoholo Ranch Limited; Larry Jefts Farms, LLC; Circle5Ranch; Maui County Farm Bureau; Hawaii Cattlemen's Council; Hawaii Meats LLC; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Sierra Club of Hawaii, League of Women Voters of Hawaii, The Wildlife Society – Hawaii Chapter, and three individuals. Your Committee received comments on this measure from the Department of Agriculture.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2035, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (B. Kobayashi, Matayoshi). Noes, 2 (Eli, Kitagawa). Excused, 2 (Wildberger, McDermott).

SCRep. 955-20 Finance on H.B. No. 2628

The purpose of this measure is to require the Department of Commerce and Consumer Affairs, in conjunction with other state departments, to conduct a comprehensive review of relevant state laws to develop legislation to establish a state-operated bank of the State of Hawaii.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawaii. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Hawaii Bankers Association, and Hawaii Credit Union League. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2628, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 956-20 Finance on H.B. No. 1632

The purpose of this measure is to reclassify or abolish certain non-general funds of the Department of the Attorney General, pursuant to the recommendations in the Auditor's Report No. 19-16, and transfer the remaining unencumbered balances to the general fund.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Antitrust Trust Fund designation as a trust fund comports with the definition of a trust fund in statute and assists the Department of the Attorney General in antitrust law enforcement and the efficient distribution of proceeds pursuant to settlements and judgments.

Your Committee has amended this measure by:

- (1) Removing the reclassification of the Antitrust Trust Fund as a special fund;
- (2) Abolishing the University of Hawaii at Manoa Intercollegiate Athletics Special Fund and University of Hawaii at Hilo Intercollegiate Athletics Special Fund pursuant to the recommendations in the Auditor's Report No. 20-03, and transferring the remaining unencumbered balance to the general fund; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1632, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1632, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 957-20 Finance on H.B. No. 1776

The purpose of this measure is to extend the period in which a county may adopt a surcharge on state general excise and use taxes, under certain conditions, from March 31, 2019, to June 30, 2021.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Moving back the start date that a county may levy a surcharge on state tax by six months to no earlier than July 1, 2021;
- (2) Adjusting the period in which the county has to adopt an ordinance to levy a surcharge on state tax from on or after March 31, 2019, to prior to December 31, 2020;
- (3) Expanding the allowable uses of the county surcharge on state tax established by an ordinance adopted prior to January 1, 2020, to include certain affordable housing infrastructure; and
- (4) Limiting the allowable use of the county surcharge on state tax established by an ordinance adopted after December 31, 2019, to only certain affordable housing infrastructure.

Your Committee received testimony in support of the proposed H.D. 1 from the Maui County Council, two Maui County Council members, County of Maui Department of Transportation, and Maui Metropolitan Planning Organization Policy Board. Your Committee received comments on the proposed H.D. 1 from the Department of Taxation, Office of the Mayor of the County of Maui, County of Hawaii Office of the Mayor, Tax Foundation of Hawaii, and Maui Chamber of Commerce.

Your Committee finds that the proposed H.D. 1 provides another opportunity for a county that meets the requirements of the measure to adopt an ordinance to establish a county surcharge on state tax.

Your Committee further finds that the proposed H.D. 1 also gives counties that have already adopted a county surcharge on state tax ordinance the flexibility to use the surcharge revenues for affordable housing infrastructure to provide housing for households having incomes of no more than one hundred forty percent of the area median income, as determined by the United States Department of Housing and Urban Development.

Your Committee has amended this measure by adopting the proposed H.D. 1.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1776, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1776, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 958-20 Finance on H.B. No. 2385

The purpose of this measure is to adjust the income tax rates for taxable years beginning after December 31, 2020.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, League of Women Voters of Hawaii, Americans for Democratic Action Hawaii, and Pono Hawaii Initiative.

Your Committee finds that this measure adds new income tax brackets and amends existing rates for high income earners in the State.

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2385, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 959-20 Finance on H.B. No. 2661

The purpose of this measure is to appropriate funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, Ombudsman, and Ethics Commission.

Your Committee received testimony in support of this measure from the Office of the Auditor and one individual.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 1, which amends this measure by inserting various appropriation amounts for the expenses of the various offices of the legislative branch.

Your Committee received testimony in support of the proposed H.D. 1 from the Legislative Reference Bureau, Office of the Ombudsman, and Hawaii State Ethics Commission.

Your Committee finds that this measure appropriates sufficient funds to defray the necessary expenses of the Senate and House of Representatives up to June 30, 2021, including session and nonsession expenses, the legislative information system cost items, the cost of the legislative broadcasting program, and certain employee vacation payments. Your Committee further finds that this measure also appropriates sufficient funds to defray the necessary expenses of the Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, and Hawaii State Ethics Commission for fiscal year 2020-2021.

Your Committee has amended this measure by adopting the proposed H.D. 1.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2661, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2661, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 960-20 Labor & Public Employment/Finance on H.B. No. 2541

The purpose of this measure is to help working families in Hawaii by:

- (1) Making the State earned income tax credit refundable and permanent for taxable years beginning after December 31, 2019;
- (2) Amending the refundable food/excise tax credit to \$150 multiplied by the number of qualified exemptions to which the taxpayer is entitled, by basing the amount of the tax credit on a taxpayer's Hawaii earned income of less than \$30,000; and
- (3) Increasing the minimum wage rate to:
 - (A) \$11.00 per hour beginning on January 1, 2021;
 - (B) \$12.00 per hour beginning on January 1, 2022;
 - (C) \$12.50 per hour beginning on January 1, 2023; and
 - (D) \$13.00 per hour beginning on January 1, 2024.

Your Committees received testimony in support of this measure from the Department of Taxation; Department of Labor and Industrial Relations; Hawaii State Commission on the Status of Women; United Public Workers, AFSCME, Local 646, AFL-CIO; International Longshore and Warehouse Union Local 142; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Children's Action Network Speaks!; Bank of Hawaii; Aloha United Way; Chamber of Commerce Hawaii; Hawaii Appleseed Center for Law & Economic Justice; IMUAlliance; Hawaii State Teachers Association; Hawaii Alliance for Community-Based Economic Development; Pride at Work – Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Democratic Party of Hawaii Education Caucus; Progressive Democrats of Hawaii; Environmental Caucus of the Democratic Party of Hawaii; Democratic Party of Hawaii Labor Caucus; Hawaii Women's Coalition; Pono Hawaii Initiative; Americans for Democratic Action; Planned Parenthood Votes Northwest and Hawaii; Faith Action for Community Equity; Midwives Alliance of Hawaii; Maui United Way; Catholic Charities Hawaii; Hawaii Regional Council of Carpenters; Hawaiian Airlines; Hawaii Public Health Institute; Hawaii Alliance for Progressive Action; Kona Alano Club; Breastfeeding Hawaii; and numerous individuals. Your Committees received testimony in opposition to this measure from Molokai Chamber of Commerce; National Federation of Independent Business; Hawaiian Chip Company, LLC; Filipina Advocacy Network; Retail Merchants of Hawaii; and numerous individuals. Your Committees received comments on this measure from the Department of Human Services; Common Cause Hawaii; Hawaii Food Industry Association; Community Alliance on Prisons; Hawaii Restaurant Association; Kapaa Business Association; Tax Foundation of Hawaii; Hawaii Health & Harm Reduction Center; Young Progressives Demanding Action; Democratic Party of Hawaii; Living Wage Hawaii; We Are One, Inc.; League of Women Voters; Sol Art Studios; American Association of University Women of Hawaii; UNITED HERE Local 5; Alzheimer's Association, Aloha Chapter; Maui Chamber of Commerce; Landscape Industry Council of Hawaii; Colleen's Cleaning; Kauai Design; Pele Lani Farm LLC; Aloha Theatre Inn; Kokolulu Farm and Cancer Retreats in Hawaii; and numerous individuals.

Your Committees recognize that effectively addressing Hawaii's high cost of living requires a multi-faceted approach to address all of the contributing factors of the high cost of living, including taxes, wages, healthcare expenses, housing costs, and childcare costs — the latter two factors being the largest contributors to Hawaii's high cost of living. No one solution can effectively address all of the causes of Hawaii's high cost of living. Consequently, your Committees believe that multiple solutions must be pursued in parallel to address this difficult issue. The joint legislative package between the House of Representatives and Senate introduced during the 2020 Regular Session and supported by the Governor addresses these multiple drivers of the current high cost of living in the State. Your Committees note that this measure is one part of a four part joint legislative package between the House of Representatives and Senate to address the high cost of living in our State.

Your Committees have worked to balance the need to increase Hawaii's minimum wage with the need to preserve Hawaii's existing and essential benefits that are afforded to employees. This measure specifically provides over \$70,000,000 in needed tax relief to working individuals and working families in addition to raising the minimum wage incrementally. Your Committees recognize that while many people make more than minimum wage, they still find themselves unable to cope with Hawaii's high cost of living. The tax relief in this measure is aimed at helping these individuals and families.

Your Committees also recognize the unique and generous benefits structure of Hawaii's employment landscape. Hawaii is the only state that mandates all private sector employers to pay for nearly all of employees' health insurance premiums, depending on the number of hours worked, through Hawaii's Prepaid Health Care Act. This unique law, the first in the nation to set minimum standards of health care coverage for workers, has led to one of the highest rates of insurance coverage in the United States and must be fundamentally preserved and supported.

Your Committees note that the Hawaii Prepaid Health Care Act is dependent on employees working twenty or more hours each week to qualify for health care coverage. Consequently, your Committees are sensitive that any proposed legislative increases to the minimum wage do not inadvertently reduce the number of hours employees presently work and thereby jeopardize the provision of health care coverage of employees and the current subsidizing of insurance premiums by employers. Your Committees believe that raising the minimum wage above what employers can afford could result in the loss of employer-paid healthcare, resulting in a higher cost of living for Hawaii's working families and individuals. This adverse outcome is what your Committees want to prevent.

Your Committees note that health insurance premiums for private employees are largely borne by their employers. According to the Department of Business, Economic Development, and Tourism, based on a weighted average in 2018, private employers paid \$5,720 per year, or \$476.67 per month, for single health insurance coverage, and \$7,303 per year, or \$608.58 per month, for family health insurance coverage, for their employees.

Given the hours worked qualification for this benefit, your Committees are particularly sensitive to ensure that any increase to the minimum wage does not compromise or adversely affect health insurance coverage for employees or continued subsidizing of this significant cost by employers.

In addition to Hawaii's private sector health care mandates, employers in Hawaii are also mandated to cover employees' Temporary Disability Insurance, which affords partial wage replacement for injured and disabled workers. The cost for this benefit is also largely borne by employers. Hawaii is one of only five states to mandate this important worker benefit.

Your Committees also note that of fourteen states with a higher minimum wage than Hawaii, five of the states (California, Maryland, New Jersey, New York, and Oregon) provide exceptions to their minimum wage laws, including exceptions for small businesses, different geographical regions, and nonurban areas. Existing law in Hawaii does not accommodate any of these circumstances.

Your Committees recognize that the combination of boosting the State earned income tax credit, food/excise tax credit, and minimum wage rate will provide much-needed assistance to Hawaii's working families and individuals and support communities across the State.

Upon careful consideration, your Committees have amended this measure by:

- (1) Providing that for nonrefundable State earned income tax credits claimed for either of the two consecutive taxable years beginning after December 31, 2017, and exceed the taxpayer's income tax liability for the original claim year, the excess of the tax credits over liability may be used as a credit against the taxpayer's net income tax liability in subsequent years until exhausted, and providing that no credit carried forward shall be used as a credit for a taxable year beginning after December 31, 2022;
- (2) Making the refundable food/excise tax credit applicable to:
 - (A) Individual taxpayers with Hawaii earned income of at least \$1 but less than \$30,000 and a federal adjusted gross income of less than \$30,000; and
 - (B) Taxpayers filing as head of household, married filing separate, or married filing jointly with Hawaii earned income of at least \$1 but less than \$50,000 and federal adjusted gross income of less than \$50,000;
- (3) Clarifying the definition of "Hawaii earned income" to mean:
 - (A) Wages, salaries, tips and other employee compensation; and
 - (B) The amount of a taxpayer's net earnings from self-employment,
 that are subject to the taxes imposed by the State Income Tax Law, rather than to wages, salaries, tips, other employee compensation, and earnings earned in the State; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Finance that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2541, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2541, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Labor & Public Employment: Ayes, 5; Ayes with Reservations (Matsumoto). Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

Finance: Ayes, 14. Noes, none. Excused, 1 (Gates).

SCRep. 961-20 Lower & Higher Education/Finance on H.B. No. 2543

The purpose and intent of this measure is to build the foundation to provide access to learning by the year 2030 to all children three to four years of age and children who will be eligible for kindergarten within two years.

Specifically, this measure:

- (1) Establishes benchmarks for certain percentages of children three to four years of age and children who will be eligible for kindergarten within two years to have access to learning, with an ultimate goal of providing all of the children in that age group with access to learning by the year 2030;
- (2) Establishes the Learning to Grow Agency to coordinate and develop a state-wide early learning system;
- (3) Establishes a grant program for publicly or privately operated center-based programs to increase early learning opportunities;
- (4) Establishes a prekindergarten program to be administered by the Learning to Grow Agency;
- (5) Transfers the functions of the Executive Office on Early Learning to the Learning to Grow Agency;
- (6) Eliminates the Executive Office on Early Learning; and
- (7) Appropriates funds to the Learning to Grow Agency.

For purposes of a public hearing, your Committees circulated a proposed H.D. 1 (proposed H.D. 1) of the measure and notified the public that your Committees would be accepting testimony on the proposed H.D. 1, which amends the measure by:

- (1) Deleting the provisions related to the Learning to Grow Agency;
- (2) Retaining the Executive Office on Early Learning;
- (3) Establishing the position of the Early Learning Coordinator to coordinate and oversee the establishment of preschool programs by the Department of Education and the Department of Human Services;
- (4) Requiring the Early Learning Coordinator to ensure that all children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, are enrolled in a preschool program by December 31, 2030;
- (5) Requiring the Department of Education to assess all students entering kindergarten, gather information about each student's prior early learning program attendance, and share that information with the Department of Human Services and the Early Learning Coordinator to help identify areas with children who are unserved or underserved with regard to early learning;
- (6) Requiring the Department of Human Services to collect and analyze the data gathered regarding prior early learning program attendance and appropriating moneys for that database and related information technology;
- (7) Adding the Early Learning Coordinator to the Early Learning Board as an ex officio, nonvoting member;
- (8) Establishing a Preschool Open Doors Program to award grants to private entities to establish new preschools and expand existing preschools;
- (9) Appropriating funds to assist the Imiloa Astronomy Center to build two or more classrooms for Hawaiian language immersion pre-kindergarten programs for the purpose of establishing a pathway for the development of other Hawaiian language immersion classes; and
- (10) Authorizing the State Librarian to establish early learning classrooms and to contract for early learning services at state libraries and appropriating funds for that purpose.

Your Committees received testimony in support of the proposed H.D. 1 from the Hawaii Teacher Standards Board; University of Hawaii Hilo; Ke Kula O Nawahiokalaniopu Iki Laboratory Public Charter School; Partners in Development Foundation; HE'E Coalition; Bank of Hawaii; Hawaii Executive Collaborative; Aha Punana Leo, Inc.; Hawaii Community Foundation; Hawaii Pacific Health; Kamehameha Schools; Council for Native Hawaiian Advancement; Native Hawaiian Chamber of Commerce; HawaiiKidsCAN; Papa Ola Lokahi; Bishop Museum; Iolani Palace; Native Hawaiian Education Council; INPEACE; The Queen's Health Systems; Parents and Children Together; Chamber of Commerce Hawaii; Hawaii Children's Action Networks Speaks!; Head Start Association of Hawaii; American Academy of Pediatrics, Hawaii Chapter; Pacific Resource Partnership; Le Jardin Academy; and numerous individuals.

Your Committees received testimony in opposition to the proposed H.D. 1 from Democratic Party of Hawaii, Democratic Party of Hawaii Education Caucus, Aha Kauleo, and two individuals.

Your Committees received comments on the proposed H.D. 1 from the Board of Education, State Public Charter School Commission, Department of Budget and Finance, Department of the Attorney General, Executive Office on Early Learning, Early Learning Board, Department of Education, Hawaii State Public Library System, University of Hawaii System, Department of Human Services, Hawaii Early Childhood Action Strategy, Hawaii State Teachers Association, Hawaii Association for the Education of Young Children, Hawaii Association of Independent Schools, Family Hui, and ten individuals.

Your Committees find that the cost of childcare is a significant contributor to the high cost of living in Hawaii. Many families with young children or those considering having children cannot afford, or must save significantly to afford, a typical monthly childcare expense. Your Committees further find that providing each child with access to early learning in the years before kindergarten is critical because most brain development occurs before a child reaches five years of age. Studies have also shown that investments in early childhood learning help to more fully prepare children for kindergarten, which then dramatically improves the child's academic success and ultimate career opportunities.

Your Committees have amended this measure by adopting the proposed H.D. 1 with the following further amendments:

- (1) Providing that the Department of Education shall assess each kindergarten student within thirty days of the start of a school year;
- (2) Requiring that the kindergarten student assessments be conducted in English or Hawaiian;
- (3) Requiring that the kindergarten assessment data be shared with the Executive Office on Early Learning;
- (4) Making the provisions relating to kindergarten assessments and the reporting of prior early learning program attendance applicable to charter school students;
- (5) Making the Early Learning Coordinator responsible for determining the early learning needs for each geographic region, and that the Department of Education and the Executive Office on Early Learning provide assistance;
- (6) Redesignating all trust funds throughout the measure as special funds;
- (7) Requiring that all Preschool Open Door Program service providers be accredited by certain nationally accredited early learning organizations or obtain accreditation within three years;
- (8) Exempting from Chapters 103D and 103F, Hawaii Revised Statutes, the expenditure of funds by the Department of Human Services for the Preschool Open Doors Program;
- (9) Exempting from Chapters 103D and 103F, Hawaii Revised Statutes, the expenditure of funds by the Department of Human Services to establish or upgrade a database to capture prior early learning program information;
- (10) Clarifying that the sharing of data among applicable agencies and departments shall be as allowed by law and within the constructs of existing administrative rules;
- (11) Providing the Early Learning Coordinator with access to data collected pursuant to the various requirements of the measure and with the responsibility to facilitate the sharing of that data as allowed by law and administrative rule;
- (12) Removing the term limits of the Early Learning Coordinator, providing that the appointment of that position shall not be subject to the advice and consent of the Senate, and providing that only the Governor shall have the authority to remove a person from that position;
- (13) Clarifying the relationship between Imiloa Astronomy Center, Ka Haka Ula O Keelikolani College of Hawaiian Language, and Aha Punana Leo;
- (14) Clarifying that the Hawaii State Public Library System may establish early learning classrooms on library grounds in consultation with the Department of Human Services or the Executive Office on Early Learning, and that the expending agency for the appropriation of funds to build those classrooms shall be the Department of Accounting and General Services;
- (15) Removing the public charter school prekindergarten program from the administrative authority of the Executive Office on Early Learning;
- (16) Changing the effective date to July 1, 2021, for the provisions that require the departments or agencies to implement programs or requirements; and
- (17) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

It is the intent of your Committees that this measure shall not be construed to transfer the responsibility of capital improvement projects for early learning centers and preschools to the Department of Human Services.

It is the further intent of your Committees to provide the Department of Human Services with flexibility regarding administration of the Preschool Open Doors program, including the authority to adopt rules as authorized by section 346-155, Hawaii Revised Statutes, to ensure, through appropriate penalties, that recipients of moneys from the preschool open doors special fund maintain a child care program for a specified amount of time.

It is also the intent of your Committees to provide the various departments and agencies with flexibility to determine the children who may be considered underserved. It is the understanding of your Committees that qualifications for programs and benefits require different levels of income in relation to federal poverty levels. Your Committees request that the various departments and agencies do not change their income requirements in response to this measure due to the potential that doing so may create coverage gaps that may impact the overall goal of providing all children with access to learning.

Finally, your Committees note that this measure establishes some overlapping duties of the Executive Office on Early Learning and the Early Learning Coordinator. Your Committees acknowledge the likelihood that the two entities may implement different strategies and take different approaches to their duties. Your Committees believe that this diversity in approaches will ultimately be beneficial to achieving the overall goal of this measure.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Finance that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2543, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2543, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 9; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (Ohno, Tarnas).

Finance: Ayes, 14; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Wildberger).

SCRep. 962-20 Finance on H.B. No. 1817

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for capital improvement projects consistent with the purposes of the Rental Housing Revolving Fund.

Your Committee received testimony in support of this measure from Hawaii Kai Homeless Task Force, Partners in Care, IMUAlliance, Faith Action, Catholic Charities Hawaii, Human Environmental Impacts Committee of the Environmental Caucus of the Democratic Party of Hawaii, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Hawaii Housing Finance and Development Corporation.

Your Committee has amended this measure by:

- (1) Changing the sum of general obligation bonds authorized to be issued and to be appropriated to an unspecified sum; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1817, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1817, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 963-20 Finance on H.B. No. 1957

The purpose of this measure is to adjust the amount of the income tax credit for low-income household renters based on adjusted gross income and taxpayer filing status and automatically adjust the tax credit based on the Consumer Price Index.

Your Committee received testimony in support of this measure from the Hawaii Alliance for Community-Based Economic Development, Hawaii Applesseed Center for Law & Economic Justice, IMUAlliance, League of Women Voters, Parents and Children Together, Americans for Democratic Action, Hawaii State Coalition Against Domestic Violence, Our Revolution Hawaii, and three individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Changing the credit per exemption amounts to unspecified amounts; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1957, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1957, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 964-20 Finance on H.B. No. 2022

The purpose of this measure is to:

- (1) Authorize expenditures from the Mental Health and Substance Abuse Special Fund (Special Fund) to be used for capital improvement projects for certain state facilities; and
- (2) Limit the expenditures for capital improvement projects to no more than fifteen percent of the yearly expenditures from the Special Fund and no more than fifteen percent of the total yearly surplus of the Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Catholic Charities Hawaii, Hawaii Psychological Association, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Health.

Your Committee has amended this measure by:

- (1) Changing the limit on expenditures from the Special Fund to unspecified percentage amounts; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2022, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2022, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 965-20 Finance on H.B. No. 2183

The purpose of this measure is to increase the Hula Mae Multifamily Program revenue bond authorization ceiling from \$1,500,000,000 to \$2,500,000,000.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Land Use Research Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Changing the revenue bond authorization ceiling to an unspecified amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2183, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2183, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 966-20 Finance on H.B. No. 2317

The purpose of this measure is to protect vulnerable adults from financial exploitation in relation to securities.

Your Committee received testimony in support of this measure from NAIFA Hawaii. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Office of Information Practices, and Securities Industry Association of Hawaii.

Your Committee has amended this measure by:

- (1) Distinguishing elders, defined as persons aged 62 or older, from vulnerable adults, with both groups afforded protections under this measure;
- (2) Authorizing broker-dealers and investment advisers to delay transactions in connection with an account of an elder or vulnerable adult, in addition to disbursements from the account, under certain conditions, and amending those conditions;
- (3) Specifying that records relevant to suspected or attempted financial exploitation of an elder or vulnerable adult and provided to the Commissioner of Securities are not considered a government record under the Uniform Information Practices Act; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 967-20 Finance on H.B. No. 2472

The purpose of this measure is to:

- (1) Establish the Self-Help Homeownership Housing Revolving Fund administered by the Hawaii Housing Finance and Development Corporation (HHFDC) to provide loans and related grants to support the development of affordable homeownership housing projects under a self-help housing program; and
- (2) Appropriate funds into and from the Self-Help Homeownership Housing Revolving Fund for loans and project-related technical assistance grants to nonprofit organizations operating a self-help housing program for the development of affordable for-sale housing projects.

Your Committee received testimony in support of this measure from the Hawaii Alliance for Community-Based Economic Development; Hope Services Hawaii; Hawaii Habitat for Humanity Association; Kauai Habitat for Humanity, Inc.; EAH Housing; Hawaii Island HIV/AIDS Foundation; St. Michael the Archangel Catholic Church; Habitat for Humanity Hawaii Island, Inc.; Honolulu Habitat for Humanity; Neighborhood Place of Puna; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation.

Your Committee has amended this measure by:

- (1) Specifying that HHFDC may establish, revise, charge, and collect interest on loans and reasonable fees in connection with loans and grants approved under a self-help housing program; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2472, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2472, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

SCRep. 968-20 Finance on H.B. No. 2525

The purpose of this measure is to:

- (1) Extend the Emergency Department Homelessness Assessment Pilot Program and Medical Respite Pilot Program to December 31, 2021; and
- (2) Appropriate funds to continue the Emergency Department Homelessness Assessment Pilot Program and Medical Respite Pilot Program, subject to certain conditions.

Your Committee received testimony in support of this measure from Hilo Medical Center, The Queen's Health Systems, Queen's Care Coalition, Environmental Caucus of The Democratic Party of Hawaii, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Human Services.

Your Committee has amended this measure by:

- (1) Changing the sums appropriated in this measure to unspecified sums; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2525, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2525, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 969-20 Finance on H.B. No. 2526

The purpose of this measure is to appropriate funds for fiscal year 2020-2021 for the operating budget of the Department of Human Services.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of Land and Natural Resources. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2526, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2526, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 970-20 Finance on H.B. No. 2249

The purpose of this measure is to address the lack of access to dental coverage and oral health care needs in the State by appropriating funds to restore diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees; provided that the Department of Human Services obtains maximum federal matching funds available for this expenditure.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine, University of Hawaii at Manoa; School of Nursing and Dental Hygiene, University of Hawaii at Manoa; Hawaii Disability Rights Center; American Association of Retired Persons Hawaii; Hawaii Dental Hygienists' Association; Hawaii Appleseed Center for Law and Economic Justice; The Queen's Health Systems; Hawaii Dental Service; Hana Health; Save Medicaid Hawaii; Hawaii Public Health Institute; Ohana Health Plan; Hawaii Children's Action Network Speaks!; Hawaii Oral Health Coalition; Kau Rural Health Community Association, Inc.; Patients Without Time; Hui No Ke Ola Pono; Hoola Lahui Hawaii; AlohaCare; Catholic Charities Hawaii; Hawaii State Rural Health; and eight individuals. Your Committee received comments on this measure from the Department of Human Services, State Council on Developmental Disabilities, Pono Hawaii Initiative, Hawaii Primary Care Association, and one individual.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2249, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2249, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 971-20 Finance on H.B. No. 1910

The purpose of this measure is to establish and appropriate funds for a Sustainable Aviation Fuel Program to provide grants to any business in the State that is developing products related to sustainable aviation fuel or aviation greenhouse gas reduction.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition and Hawaii Public Health Association. Your Committee received comments on this measure from the Hawaii State Energy Office, Office of Planning, Department of Transportation, Hawaii Technology Development Corporation, and Simonpietri Enterprises.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Specifying that the Sustainable Aviation Fuel Program is to provide matching grants to small businesses in Hawaii developing products related to sustainable aviation fuel or commercial aviation operations greenhouse gas reduction;
- (3) Specifying that the Sustainable Aviation Fuel Program shall be funded through environmental response, energy, and food security tax revenues;
- (4) Removing the requirement that the Hawaii Technology Development Corporation determine, when reviewing grant applications, that the use of items will reduce greenhouse gas emissions compared to current standards;
- (5) Specifying the product development activities eligible for matching grants under the program; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1910, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1910, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 972-20 Finance on H.B. No. 1629

The purpose of this measure is to clarify the term of office of the Legislative Analyst and certain benefits available to employees of the Office of the Legislative Analyst.

Your Committee did not receive any testimony on this measure.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting language that provides general fund appropriations to the Department of Health and Department of Defense to support activities to detect, contain, mitigate, and respond to the coronavirus, or COVID-19;
- (2) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1629, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1629, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 973-20 Finance on H.B. No. 1678

The purpose of this measure is to prevent deception in live music advertising by:

- (1) Prohibiting a person from advertising or conducting a live musical performance or production through the use of a false, deceptive, or misleading affiliation, connection, or association between a performing group and recording group, with certain exceptions; and
- (2) Allowing a court to grant restitution.

Your Committee did not receive testimony on this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1678, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1678, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Wildberger).

SCRep. 974-20 Finance on H.B. No. 1973

The purpose of this measure is to abolish, repeal, or reclassify certain non-general funds and accounts of the Department of Transportation.

Your Committee received testimony in support of this measure from the University of Hawaii System, Department of Transportation Services of the City and County of Honolulu, and one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation, Hawaii Pacific University, and Hawaii Bicycling League. Your Committee received comments on this measure from the County of Kauai Department of Planning, Tax Foundation of Hawaii, Hawaii Public Health Institute, and Peoples Advocacy for Trails Hawaii.

Your Committee has amended this measure by:

- (1) Removing the repeal of the Aloha Tower Fund;
- (2) Specifying that unencumbered balances remaining in the Transportation Improvement Special Fund shall be transferred to the State Highway Fund;
- (3) Specifying that the Legislature shall appropriate funds from the Safe Routes to School Program Special Fund, rather than the Director of Transportation distributing those funds, to the counties to be used for the implementation of county safe routes to school program projects; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1973, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1973, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Eli, Nishimoto).

SCRep. 975-20 Finance on H.B. No. 2739

The purpose of this measure is to protect and preserve the lands of the Ka Iwi coast in perpetuity by establishing the Ka Iwi Coast State Park for the benefit of local residents and future generations.

Your Committee received testimony in support of this measure from Livable Hawaii Kai Hui and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Amending the lands that are to encompass the Ka Iwi Coast State Park, as identified by appropriate tax map key numbers;
- (2) Replacing the Property Management position with a Park Caretaker III position in the Department of Land and Natural Resources; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2739, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2739, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 976-20 Finance on H.B. No. 2747

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to authorize the Legislature to enact laws to require the forfeiture or reduction of benefits of any member, former member, or retiree of the Employees' Retirement System if the member, former member, or retiree is convicted of a felony related to the employment with the State or counties.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Americans for Democratic Action, Indivisible Hawaii, and two individuals. Your Committee received comments on this measure from the Hawaii State Ethics Commission.

Your Committee has amended this measure by making it effective on July 1, 2030, and upon compliance with article XVII, section 3, of the Hawaii State Constitution, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2747, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2747, H.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 977-20 Finance on H.B. No. 2430

The purpose of this measure is to exempt feminine hygiene products from the general excise tax and provide funding to the Department of Education to make feminine hygiene products available to students for free on public secondary school campuses.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Hawaii State Commission on the Status of Women, Retail Merchants of Hawaii, Hawaii State Teachers Association, Pono Hawaii Initiative, Breastfeeding Hawaii, AAUW of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Public Health Institute, I Support The Girls Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Removing the general excise tax exemption;
- (2) Removing the general fund appropriation but requiring the Department of Education to provide feminine hygiene products to students for free on all secondary school campuses; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2430, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2430, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, none. Excused, 3 (Eli, Nakamura, Nishimoto).

SCRep. 978-20 Finance on H.B. No. 1794

The purpose of this measure is to extend the lapse date of the appropriations made by Act 12, Session Laws of Hawaii 2018, as amended, to June 30, 2021, for flooding disaster relief for Kauai and other areas of the State.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 2, which amends this measure by further extending the lapse date of the appropriations to June 30, 2023.

Your Committee received testimony in support of the proposed H.D. 2 from the Department of Land and Natural Resources, Hawaii Emergency Management Agency, and Waioli Valley Taro Hui.

Your Committee has amended this measure by adopting the proposed H.D. 2.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1794, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1794, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 979-20 Judiciary on H.B. No. 2057

The purpose of this measure is to:

- (1) Standardize the types of documents accepted as proof of domestic or sexual violence victim status; and

- (2) Specify that certified or exemplified restraining orders, rather than valid restraining orders and records or files of a court or government agency, are documents that will be accepted as proof of domestic or sexual violence victim status.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Hawaii Civil Rights Commission, Planned Parenthood Votes Northwest and Hawaii, Domestic Violence Action Center, Hawaii Women's Coalition, AAUW of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that victims of domestic or sexual violence may be discouraged from seeking assistance under Hawaii law due to the varying statutory requirements for documentation of victim status. Your Committee believes that establishing conformity regarding the documents accepted as proof of domestic or sexual violence victim status under Hawaii law will ease the paperwork burden and stress for victims of domestic or sexual violence seeking essential services and assistance.

Your Committee has amended this measure by:

- (1) Specifying that evidence of domestic or sexual violence for the purposes of good cause for separation from part-time employment under the Hawaii Employment Security Law includes documentation from certain individuals from whom an employee's minor child has sought assistance in relation to the domestic or sexual violence; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2057, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2057, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 980-20 Judiciary on H.B. No. 2420

The purpose of this measure is to clarify the jurisdiction of the Hawaii Civil Rights Commission. Specifically, this measure:

- (1) Clarifies the intent for a state law counterpart for disability discrimination in federally-funded programs and services; and
- (2) Excludes jurisdiction over programs or activities that are covered by the Individuals with Disabilities Education Act.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Disability and Communication Access Board, Hawaii Disability Rights Center, and one individual.

Your Committee finds that Hawaii has a long history of enacting state civil rights protections that complement and provide stronger protections than federal law. Your Committee further finds that Hawaii's civil rights laws, including those analogous to federal law, are critically important because the State's civil rights values and priorities may not match federal interpretations.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2420, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2420, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 981-20 Judiciary on H.B. No. 2680

The purpose of this measure is to more effectively protect mentally ill individuals and the public by:

- (1) Broadening the term of "imminently dangerous to self or others" to persons who will likely be dangerous within the next ninety days, rather than within the next forty-five days; and
- (2) Increasing the maximum period of emergency hospitalization from forty-eight hours to seventy-two hours.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Hawaii Psychiatric Medical Association, and six individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committee finds that the use of involuntary hospitalizations must strike an appropriate balance between protecting the community and providing treatment to individuals who pose a danger to themselves or others, while also protecting the constitutional rights of those individuals. Your Committee further finds that extending the time period for classifying a person as imminently dangerous to self and others and for emergency hospitalizations will help individuals receive necessary treatment, thereby ensuring a safer community.

Your Committee has amended this measure by:

- (1) Amending the definition of "dangerous to self" to mean the person:
 - (A) Recently has threatened or attempted suicide or serious bodily harm; or
 - (B) Is gravely disabled;
- (2) Defining the terms "gravely disabled" and "psychiatric deterioration"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2680, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2680, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 982-20 Judiciary on H.B. No. 2220

The purpose of this measure is to prevent and deter financial exploitation and abuse of elders by:

- (1) Creating the offense of financial exploitation of an elder and providing enhanced penalties for those convicted of the offense;
- (2) Requiring financial institutions to report instances of suspected financial abuse of an elder directly to the police and report suspected financial abuse to the Department of Human Services under certain circumstances; and
- (3) Requiring the Department of Human Services to share relevant information regarding cases of suspected financial abuse of an elder with the appropriate county police departments or offices of the prosecuting attorney.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Human Services and Department of Commerce and Consumer Affairs.

Your Committee finds that Hawaii's elderly population is growing in size and elderly persons are increasingly becoming targets of financial abuse. This measure protects the elderly population from financial exploitation and abuse by imposing serious penalties for those convicted of financial exploitation of an elder.

Your Committee has amended this measure by:

- (1) Changing the age of the elder individuals intended to be protected by this measure to an unspecified age; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2220, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2220, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 983-20 Judiciary on H.B. No. 2291

The purpose of this measure is to establish within the Department of the Attorney General a program responsible for issuing firearm qualification certifications to qualified law enforcement officers pursuant to the federal Law Enforcement Officers Safety Act of 2004 (Public Law 108-277), codified at title 18 United States Code section 926C.

Your Committee received testimony in support of this measure from the Department of the Attorney General and two individuals.

Your Committee finds that under the federal Law Enforcement Officers Safety Act certification program, retired officers may be certified only if they each pass standardized firearms qualification testing, medical exams every two years, and a mental health clearance every year. This measure will authorize the Department of the Attorney General to issue firearms qualification certifications to qualified retired law enforcement officers and to adopt rules, exempt from the public hearing and notice requirements of Chapter 91, Hawaii Revised Statutes, for that purpose.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2291, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2291, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Thielen). Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 984-20 Judiciary on H.B. No. 1955

The purpose of this measure is to establish a framework for the Department of Transportation and the counties to regulate electric foot scooters.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Transportation Services of the City and County of Honolulu, and Ulupono Initiative. Your Committee received testimony in opposition to this measure from Wheels Labs, Inc. Your Committee received comments on this measure from Skip.

Your Committee finds that the types of motorized vehicles that are being introduced in the market are very innovative and constantly being updated based on technology and ease of widespread adoption. In particular, electric foot scooters are experiencing an increase in popularity as an environmentally friendly alternative to driving. This measure establishes a framework for the regulation of the electric foot scooters that are being introduced to Hawaii.

Your Committee has amended this measure by:

- (1) Amending the definition of "electric foot scooter" to also include devices that have a seat or saddle for the use of the rider and stationary footrests; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1955, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1955, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 985-20 Judiciary on H.B. No. 2464

The purpose of this measure is to protect public safety by lowering the blood or breath alcohol concentration (BAC) from 0.08 to 0.05 for the offenses of operating a vehicle while under the influence of an intoxicant and habitually operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, City and County of Honolulu Police Department, Hawaii Chapter of Mothers Against Drunk Driving, and National Safety Council. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Wine Institute, and Hawaii Bar Owners Association. Your Committee received comments on this measure from the American Beverage Institute and one individual.

Your Committee notes that when it comes to alcohol use, impairment begins well before a person's BAC level reaches 0.08, which is the current limit in the United States except for Utah. In 2013, the National Transportation Safety Board issued a report recommending, among other measures, that states lower the illegal BAC limit for driving from 0.08 to 0.05, in a national effort to reduce alcohol-impaired driving. Your Committee notes that persons with a measurable amount of alcohol should be more strongly deterred from attempting to drive, regardless of whether they may be considered under the influence of an intoxicant.

Your Committee has amended this measure by:

- (1) Keeping the statutory level for BAC at 0.08, rather than lowering the BAC to 0.05;
- (2) Imposing a fine of up to \$1,000 on persons operating a vehicle with 0.05 or more but less than 0.08 grams of alcohol;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2464, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2464, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Say). Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 986-20 Judiciary on H.B. No. 2152

The purpose of this measure is to require additional circumstances under which every motor vehicle, including motorcycles, motor scooters, and motorized bicycles, moving on any public highway in Hawaii must display its lighted head lamps.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that various conditions can result in poor visibility for drivers, especially during daytime hours when streetlights are not always on. The use of a vehicle's headlights renders the vehicle more visible to others and increases the driver's ability to identify hazards around the vehicle. This measure is an effort to improve traffic safety and reduce the number of deaths and injuries on Hawaii's roadways by requiring the use of lighted head lamps on motor vehicles in situations where visibility is limited.

Your Committee has amended this measure by:

- (1) Removing the continuous use of windshield wipers as a circumstance under which a motor vehicle must display its lighted head lamps; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2152, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2152, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 987-20 Judiciary on H.B. No. 2750

The purpose of this measure is to prohibit the imposition of restrictions on a person's ability to obtain or renew a driver's license or register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations. This measure is not intended to affect driver's license suspensions related to excessive speeding, lack of motor vehicle insurance, or noncompliance with a child support order.

Your Committee received testimony in support of this measure from the Office of the Public Defender, American Civil Liberties Union of Hawaii, Parents and Children Together, and Hawaii Children's Action Network Speaks!. Your Committee received comments on this measure from the Judiciary, Office of Hawaiian Affairs, and Pono Hawaii Initiative.

Your Committee finds that the inability to obtain or renew a driver's license prevents people who have not committed a crime from getting to work, picking up their children, keeping medical appointments, and ultimately escaping debt. Your Committee believes that individuals should not be subjected to substantial and undue hardship due to their poverty.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
 - (A) Voided certain existing restrictions on driver's licenses and motor vehicle registrations or issuances or transfers of title; and
 - (B) Required the Judiciary to work with the counties to identify persons directly affected by those restrictions and take any necessary actions;
- (2) Allowing individuals prevented from obtaining or renewing a driver's license or motor vehicle registration solely due to failure to pay a monetary assessment for a traffic infraction to petition the court for a driver's license or motor vehicle clearance;
- (3) Requiring a court to grant such petitions for a driver's license or motor vehicle clearance; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2750, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2750, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 988-20 Judiciary on H.B. No. 1942

The purpose of this measure is to update Hawaii's mandatory child abuse and neglect mandated reporting law by:

- (1) Adding members of the clergy, commercial computer technicians, commercial film and photographic print or image processors, and certain administrators and employees of organizations who have direct contact with or supervision of children to the categories of persons who are required to report child abuse and neglect to the Department of Human Services or police; and
- (2) Providing a safe harbor through December 31, 2020, for reporting by clergy of previously unreported known or suspected child abuse that did not arise during a penitential communication.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network, IMUAlliance, Parents And Children Together, and one individual. Your Committee received testimony in opposition to this measure from the Department of Human Services. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that professionals who work with or come into regular contact with children have an essential role in the protection of children. Amending the State's child abuse and neglect mandated reporting law to include members of the clergy, commercial computer technicians, commercial film and photographic print or image processors, and certain other administrators and employees as mandated reporters of suspected child abuse and neglect will ensure the Department of Human Services and county police departments are able to quickly identify, investigate, and intervene in suspected cases of child abuse or neglect.

Your Committee has amended this measure by:

- (1) Clarifying that an attorney who has an attorney-client relationship is excluded from the child abuse and neglect mandated reporting requirements; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1942, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1942, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 989-20 Judiciary on H.B. No. 1620

The purpose of this measure is to amend:

- (1) The effect of finding a defendant charged with a misdemeanor or petty misdemeanor not involving violence or attempted violence unfit to proceed; and
- (2) The requirements for fitness determination hearings, court-appointed examiners, and examination reports.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Hawaii Substance Abuse Coalition, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, and Hawaii Psychological Association. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Disability Rights Center.

Your Committee finds that the issue of mental health has plagued Hawaii communities for years, resulting in the incarceration of numerous nonviolent defendants who have been charged with petty misdemeanors.

Your Committee also finds that defendants are often incarcerated without treatment and due process while awaiting mental health evaluations after the issue of mental health arises during a judicial proceeding. Due to the cost of incarcerating these defendants and the high rate of recidivism because of a lack of treatment, your Committee believes that these defendants should be allowed to opt out of judicial proceedings by entering into agreements at any stage of the process.

Your Committee has amended this measure by:

- (1) Deleting the effect of a court finding unfitness to proceed in cases where the defendant is charged with a misdemeanor offense;
- (2) Inserting the language from H.B. No. 1619, H.D. 1 (2020), which:
 - (A) Authorizes the courts to enter into agreements to divert into residential, rehabilitative, and other treatment defendants whose physical or mental disease, disorder, or defect is believed to have become or will become an issue in a judicial case;
 - (B) Amends the requirements for appointing qualified examiners to perform examinations for penal responsibility; and
 - (C) Requires an examination for penal responsibility to be conducted within fifteen days after a finding of fitness to proceed; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1620, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1620, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 990-20 Judiciary on H.B. No. 1661

The purpose of this measure is to amend the criteria for emergency examination and emergency hospitalization and release from emergency examination and emergency hospitalization for individuals experiencing a mental illness or substance use disorder crisis.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Department of the Attorney General, Hawaii Disability Rights Center, and Hawaii Psychological Association.

Your Committee finds that the Department of Health and a wide range of stakeholder partners, including the Legislature, have been actively evaluating and restructuring the mental health crisis response system through the task force and working group established by Acts 90 and 263, Session Laws of Hawaii 2019. Your Committee further finds that this measure supports the efforts of the mental health task force and working group to further define and guide the process that occurs when an individual has been transported to an emergency room or behavioral health crisis center under an MH-1 order for evaluation and the disposition of the individual once the evaluation has been completed.

Your Committee has amended this measure by:

- (1) Reinstating language that allows psychologists to perform emergency examinations;
- (2) Clarifying the circumstances for releasing patients from emergency examinations;
- (3) Reinstating the criteria for determining whether a patient must be hospitalized on an emergency basis or transferred to another psychiatric facility for emergency hospitalization, or both; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1661, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1661, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 991-20 Judiciary on H.B. No. 2068

The purpose of this measure is to limit to one hundred eighty days:

- (1) The period of conditional release granted to defendants charged with class C felonies that do not involve violence or attempted violence; and
- (2) The period of commitment to the Department of Health of defendants charged with class C felonies that do not involve violence or attempted violence.

Your Committee received comments in opposition to this measure from the Judiciary and Department of the Attorney General. Your Committee received comments on this measure from the Department of Health, Office of the Public Defender, and Hawaii Disability Rights Center.

Your Committee finds that the State's finite resources should be prioritized to provide the utmost care and supervision for defendants who have a propensity for violent behavior due to mental illness, rather than keeping non-violent defendants committed longer than necessary. Your Committee believes that this measure will concentrate the State's limited resources to helping persons that are in dire need of intervention.

Your Committee has amended this measure by:

- (1) Deleting provisions pertaining to the period of conditional release granted to defendants charged with class C felonies that do not involve violence or attempted violence;
- (2) Making an unspecified number of days the length of the period of commitment to the Department of Health of defendants charged with class C felonies that do not involve violence or attempted violence; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2068, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2068, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 1 (Thielen). Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 992-20 Judiciary on H.B. No. 2125

The purpose of this measure is to:

- (1) Make changes to the financial disclosure statute so that the statutory language tracks the capabilities of the Hawaii State Ethics Commission's (Ethics Commission) electronic filing system, including:
 - (A) Changing the Ethics Commission's reporting requirements to require filers to report any clients assisted before state agencies; and
 - (B) Deleting the requirement that disclosures be in long form and short form and instead allowing financial disclosure statements to be filed electronically;
- (2) Repeal the provision that exempts members of the Hawaii Correctional System Oversight Commission from the requirements of the financial disclosure statute; and
- (3) Allow the Ethics Commission, in its discretion, to make changes it deems necessary to its internal procedures or forms to aid in implementing this measure.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, and three individuals.

Your Committee finds that making the Hawaii Correctional System Oversight Commission members subject to the financial disclosure statute will hold these members to the same accountability standard and requirements as other public officials who have significant discretionary or fiscal powers.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2125, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2125, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 993-20 Judiciary on H.B. No. 1904

The purpose of this measure is to establish the Uniform Employee and Student Online Privacy Protection Act to protect the online accounts of employees, prospective employees, unpaid interns, applicants, students, prospective students, and independent contractors from mandatory or coercive access by their employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Civil Rights Commission, Hawaii Commission to Promote Uniform Legislation, and Pride At Work – Hawaii. Your Committee received comments on this measure from the Department of the Attorney General and American Civil Liberties Union of Hawaii.

Your Committee finds that growing reports of employers and educational institutions requiring or demanding access to the personal online accounts of employees, job applicants, and students raises significant privacy concerns. These concerns have resulted in legislative efforts in other jurisdictions to protect employees and students against unwarranted invasions of privacy and from workplace access to their social media accounts. This measure seeks to prevent employers and public and private educational institutions from demanding access to the online accounts of employees and students.

Your Committee has amended this measure by:

- (1) Inserting a preamble which provides that the protection of the online accounts of current and prospective employees and students from employers and educational institutions is a matter of statewide concern; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1904, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1904, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Perruso). Noes, none. Excused, 3 (Creagan, McKelvey, Yamane).

SCRep. 994-20 Judiciary on H.B. No. 1907

The purpose of this measure is to prohibit a person from operating a helicopter for commercial purposes without a valid instrument rating from the Federal Aviation Administration.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board Chair, Windward Coalition, Hawaii Island Coalition Malama Pono Board, and three individuals.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 2, which amends this measure by:

- (1) Requiring helicopter owners and operators to submit monthly reports about basic helicopter flight information to the Department of Transportation and advisory committee of the county the helicopter took off from or landed in;
- (2) Requiring the Department of Transportation to post the reports to its website within one week of receipt of the reports from a helicopter owner or operator; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee received testimony in support of the proposed H.D. 2 from four individuals. Your Committee received comments on the proposed H.D. 2 from the Department of the Attorney General and Department of Transportation.

Your Committee finds that helicopter related issues are a matter of public concern. Hawaii residents are concerned about the dangers associated with helicopter crashes as well as helicopter noise, frequency, and altitude. Your Committee believes that requiring helicopter owners and operators to report basic details about helicopter flights will help provide necessary information to stakeholders and community members as they try to find a meaningful resolution.

Your Committee has amended this measure by adopting the proposed H.D. 2 and further amending the measure by:

- (1) Deleting language that would prohibit a person from operating a helicopter for commercial purposes without a valid instrument rating from the Federal Aviation Administration;
- (2) Deleting the requirement that helicopter owners and operators submit monthly reports about basic helicopter flight information to the advisory committee of the county the helicopter took off from or landed in;
- (3) Requiring the Department of Transportation to post monthly reports to its website; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Nakashima, Yamane).

SCRep. 995-20 Consumer Protection & Commerce on H.B. No. 1659

The purpose of this measure is to authorize pharmacies to provide customized patient medication packages to any patient of an institutional facility or any member of the general public upon consent, with a valid prescription, and in compliance with labeling and dispensing requirements.

Your Committee received comments on this measure from the Department of Health.

Your Committee finds that ensuring patient safety is essential. With customized patient medication packages, pharmacies can provide enhanced safety, increased simplicity, and greater time savings for their patients. Each dose is conveniently packaged in a pouch and labeled with the name, strength, dosage, and date and time of administration of the medication. This enables patients to readily see when they should consume the contents of each pouch.

Your Committee has amended this measure by:

- (1) Clarifying that a pharmacy may provide a customized patient medication package to any person, rather than any patient of an institutional facility or member of the general public;
- (2) Clarifying that the consent necessary to provide a customized patient medication package may be communicated in writing, orally, or by electronic transmission and be identified in the records of the prescription;
- (3) Removing definitions for "pharmacy" and "pharmacist", as these terms are already defined under Chapter 328, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1659, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1659, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Matsumoto).

SCRep. 996-20 Consumer Protection & Commerce on H.B. No. 1242

The purpose of this measure is to:

- (1) Establish a renewable portfolio standard for gas utility companies that requires one hundred percent of a gas utility company's total sales to be derived from renewable energy by December 31, 2045; and
- (2) Require the Public Utilities Commission to contract with the Hawaii Natural Energy Institute of the University of Hawaii to conduct an independent renewable gas study regarding the availability, feasibility, and costs of the use of renewable gas in Hawaii by gas utility companies.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Natural Energy Institute of the University of Hawaii at Manoa; Healthy Climate Communities; Blue Planet Foundation; Hawaiian Electric Company, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Public Utilities Commission; Hawaii Bioeconomy Trade Organization; Chamber of Commerce Hawaii; Ulupono Initiative; Climate Protectors Coalition; 350Hawaii.org; Par Hawaii; We Are One, Inc.; Hawaii Gas; Pele Lani Farm LLC; and nineteen individuals.

Your Committee finds that the creation of a gas renewable portfolio standard is consistent with the State's goals to reduce dependence on fossil fuels and transition to energy sources that produce less greenhouse gases. To align the State's gas utilities with the transition toward renewable energy, goal setting and information regarding the availability, feasibility, and costs of the use of renewable gas in the State by gas utility companies are important. However, concerns were raised in testimony before your Committee as to whether the goal of one hundred percent renewable portfolio standard for gas utility companies would be achievable through economically feasible means. Thus, your Committee believes more information is necessary to avoid setting a standard that would be either unachievable or harmful to Hawaii consumers.

Your Committee has amended this measure by:

- (1) Deleting the provisions that would have established a renewable portfolio standard for gas utility companies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1242, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1242, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Belatti, Cabanilla Arakawa, Matsumoto).

SCRep. 997-20 Finance on H.B. No. 2315

The purpose of this measure is to allow the Contractors License Board and Real Estate Commission to adjust, reduce, suspend, or cease collection of recovery fund and education fund fees to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Contractors License Board, Hawaii Real Estate Commission, and one individual.

Your Committee has amended this measure by:

- (1) Requiring the Contractors License Board and Real Estate Commission to include historical expenditures in identifying reserve amounts;
- (2) Requiring the Contractors License Board and Real Estate Commission to set a maximum balance of certain funds to be determined biannually; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2315, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2315, H.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 998-20 Finance on H.B. No. 1680

The purpose of this measure is to establish a prepaid wireless E911 surcharge to provide parity across all consumers in funding the deployment and sustainment of enhanced 911 (E911) service and development of future E911 technologies.

Your Committee received comments on this measure from the Department of Accounting and General Services, Office of Enterprise Technology Services, and Tax Foundation of Hawaii. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee has amended this measure by changing the monthly enhanced 911 surcharge rate to 65 cents per month for each communications service connection and specifying that this amendment be effective on July 1, 2021.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1680, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1680, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Eli).

SCRep. 999-20 Finance on H.B. No. 1749

The purpose of this measure is to clarify applicable amounts of fees and costs to be paid to expert witnesses in criminal cases, covering their testimony, preparation, travel, and in-court appearances.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Office of the Prosecuting Attorney of the County of Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee has amended this measure by:

- (1) Changing the amounts to be paid for airfare and overnight stays to unspecified sums; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1749, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1749, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1000-20 Finance on H.B. No. 2069

The purpose of this measure is to:

- (1) Prohibit civil asset forfeiture except when the covered offense is chargeable as a felony and the owner of the asset has been convicted; and
- (2) Require the Attorney General to deposit the net proceeds of the forfeited property to the credit of the state general fund.

Your Committee received testimony in support of this measure from the Office of the Public Defender, American Civil Liberties Union of Hawaii, Community Alliance on Prisons, and six individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of Land and Natural Resources, Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, and Honolulu Police Department. Your Committee received comments on this measure from Grassroot Institute of Hawaii.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2069, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2069, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 15; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, none.

SCRep. 1001-20 Finance on H.B. No. 2128

The purpose of this measure is to:

- (1) Make various housekeeping amendments to clarify and improve the administration of the elections by mail law;
- (2) Beginning on January 1, 2021, establish a process for the automatic preregistration and registration of public school- and charter school-enrolled students who are at least sixteen years of age;
- (3) Establish ranked choice voting for special federal elections, special elections for vacant state Senate or state House of Representatives seats, and special elections for vacant county council seats; and
- (4) Amend the filing deadlines for candidates attempting to fill vacant state Senate seats.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of Elections, League of Women Voters of Hawaii, Democratic Party of Hawaii, Common Cause Hawaii, Pono Hawaii Initiative, and four individuals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2128, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2128, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, 1 (McDermott). Excused, none.

SCRep. 1002-20 Finance on H.B. No. 2573

The purpose of this measure is to authorize a prosecution for sex trafficking to be commenced at any time.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, Maui Police Department, IMUAlliance, Parents and Children Together, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2573, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2573, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1003-20 Finance on H.B. No. 2610

The purpose of this measure is to allow a narrow hearsay exception for statements made by domestic violence victims to certain government officials within twenty-four hours of an incident of domestic violence, even if the statement is testimonial in nature, as long as the statement bears sufficient indicia of reliability.

Your Committee received testimony in support of this measure from Parents and Children Together, Domestic Violence Action Center, and two individuals. Your Committee received testimony in opposition to this measure from the Standing Committee on Rules of Evidence of the Hawaii Supreme Court and Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, and Honolulu Police Department.

Your Committee has amended this measure by:

- (1) Clarifying that the narrow hearsay exception shall apply to statements made by domestic violence victims to certain government officials within twenty-four hours of an incident of domestic violence and prior to the defendant being arrested regardless of the availability of the declarant; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2610, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2610, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 15. Noes, none. Excused, none.

SCRep. 1004-20 Finance on H.B. No. 202

The purpose of this measure is to:

- (1) Repeal the renewable energy technologies tax credit for solar energy systems and wind-powered energy systems for commercial properties for taxable years beginning after December 31, 2019, except for taxpayers subject to a power purchase agreement approved by a decision and order issued by the Public Utilities Commission prior to December 31, 2019;
- (2) Increase the renewable energy technologies tax credit for solar water heater systems, other solar energy systems, and wind-powered energy systems for multi-family residential properties; and
- (3) Make the renewable energy technologies tax credit unavailable after December 31, 2045.

Your Committee received testimony in support of this measure from ADON, Hoohana Solar 1 LLC, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii PV Coalition, Hawaii Solar Energy Association, and one individual. Your Committee received comments on this measure from the Hawaii State Energy Office; Department of Taxation; Tax Foundation of Hawaii; Hawaiian Electric; Ulupono Initiative; 350Hawaii.org; Innergex Renewables USA, LLC; Clearway Energy Group; and eight individuals.

Your Committee has amended this measure by:

- (1) Specifying that solar energy systems installed and placed in service for commercial property, pursuant to a power purchase agreement approved or pending approval by the Public Utilities Commission prior to December 31, 2019, shall continue to receive the renewable energy technologies income tax credit at thirty-five percent, until the entire tax credit becomes unavailable after December 31, 2045; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 202, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 202, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 12. Noes, 1 (Eli). Excused, 2 (Wildberger, McDermott).

SCRep. 1005-20 Finance on H.B. No. 2486

The purpose of this measure is to:

- (1) Establish a Statewide Sustainability Division within the Office of Planning;
- (2) Update and reaffirm the role of the Office of Planning to coordinate among state agencies regarding climate change adaptation and sustainability; and
- (3) Direct the State Sustainability Coordinator in the Office of Planning to conduct a study on implementing a "Green New Deal for Hawaii".

Your Committee received testimony in support of this measure from the Department of Health, County of Kauai Department of Planning, Honolulu Board of Water Supply, U.S. Green Building Council, Hawaii Farm Bureau, Environmental Caucus of the Democratic Party of Hawaii, Chamber of Commerce Hawaii, Americans for Democratic Action Hawaii, Hawaii Cattlemen's Council, 350Hawaii.org, Hawaii Food Industry Association, Life of the Land, Aloha Harvest, Ponoholo Ranch Limited, Minatoishi Architects, and six individuals. Your Committee received comments on this measure from the Office of Planning and Department of Transportation.

Your Committee has amended this measure by:

- (1) Removing the proposed goals regarding sustainability for the Statewide Sustainability Division within the Office of Planning;
- (2) Removing proposed amendments to the laws establishing the Office of Planning;
- (3) Removing the proposed amended definition of "sustainability";
- (4) Removing the provisions that directed the State Sustainability Coordinator in the Office of Planning to conduct a study on implementing a "Green New Deal for Hawaii"; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2486, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2486, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 1006-20 Finance on H.B. No. 2657

The purpose of this measure is to:

- (1) Clarify the types of power purchase agreements, fuel supply agreements, and facility construction and purchases that the Public Utilities Commission shall not approve after June 30, 2020;
- (2) Prohibit the Department of Health from issuing or renewing covered source air permits for coal-burning electricity generation facilities after December 31, 2022; and
- (3) Prohibit an independent power producer from passing on the environmental response, energy, and food security tax to a purchasing utility company.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Youth Climate Coalition, Sierra Club of Hawaii, Climate Protectors Coalition, Young Progressives Demanding Action, IMUAlliance, 350Hawaii.org, Hawaii Public Health Association, Elemental Excelerator, Blue Plant Foundation, and numerous individuals. Your Committee received comments on this measure from the Department of Health; Department of Commerce and Consumer Affairs; Department of Taxation; Public Utilities Commission; and Hawaiian Electric Company, Inc.

Your Committee has amended this measure by:

- (1) Removing the provisions that:
 - (A) Clarify the types of fuel supply agreements and facility construction and purchases that the Public Utilities Commission shall not approve; and
 - (B) Prohibit an independent power producer from passing on the environmental response, energy, and food security tax to a purchasing utility company;
- (2) Specifying that beginning after June 30, 2020, the Public Utilities Commission is prohibited from approving any new, modified, or renewed power purchase agreement that proposes to burn or consume coal to generate electricity; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2657, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2657, H.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 1007-20 Finance on H.B. No. 141

The purpose of this measure is to:

- (1) Require public schools and public charter schools to have at least one employee trained to administer seizure rescue medication, except under certain circumstances;

- (2) Require a seizure action plan for every student diagnosed with a seizure disorder and distribution of the plan to employees charged with supervising or caring for the student;
- (3) Require all principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials; and
- (4) Appropriate funds to the Department of Education for training of employees to administer or assist with the self-administration of seizure rescue medication.

Your Committee received testimony in support of this measure from the Special Education Advisory Council, Hawaii Primary Care Association, Epilepsy Foundation of Hawaii, Epilepsy Foundation of America, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 141, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 141, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 1008-20 Finance on H.B. No. 1977

The purpose of this measure is to address the State's physician shortage by establishing a Medical Student Sponsorship Program within the Department of Health for medical students who successfully graduate from a high-quality but lower-cost school of medicine and make a ten-year service commitment to practice medicine in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Physician Shortage Crisis Task Force, Hawaii Primary Care Association, Hawaii Chapter of the American Academy of Pediatrics, Health Committee of the Democratic Party of Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, University of Hawaii System, and the County of Hawaii Office of the Mayor.

Your Committee has amended this measure by:

- (1) Establishing a Medical Student Sponsorship Selection Commission within the Department of Health to select program participants; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1977, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1977, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Gates, Hashimoto, Holt, Matayoshi, Nakamura, Todd). Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 1009-20 Finance on H.B. No. 2236

The purpose of this measure is to:

- (1) Require the Department of Health to work with the National Registry of Emergency Medical Technicians, or other qualified entity, to conduct a comprehensive study of the state emergency medical system workforce;
- (2) Require the Department of Health to conduct a comprehensive cost analysis of the state emergency medical system;
- (3) Require the Auditor to conduct a comprehensive management audit of the Emergency Medical Services Department of the City and County of Honolulu; and
- (4) Appropriate funds for collective bargaining increases and other current expenses of the state emergency medical system.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME, Local 646, AFL-CIO. Your Committee received comments on this measure from the Department of Health, Office of the Auditor, and Honolulu Emergency Services Department of the City and County of Honolulu.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2236, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2236, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 1010-20 Finance on H.B. No. 1529

The purpose of this measure is to establish the Hawaii Student Free Expression Act to allow student journalists at public schools to exercise freedom of speech and freedom of the press in school-sponsored media.

Your Committee received testimony in support of this measure from the Hawaii Publishers Association, Hawaii Professional Chapter of the Society of Professional Journalists, Student Press Law Center, All Hawaii News, and fifteen individuals. Your Committee received comments on this measure from the Department of Education and one individual.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii Student Free Expression Act shall not be construed to protect expression that constitutes hate speech or promotes illegal activities; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1529, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1529, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Wildberger, McDermott).

SCRep. 1011-20 Finance on H.B. No. 1915

The purpose of this measure is to establish and appropriate funds to the Department of Education for a workforce readiness program to provide students the opportunity to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates.

Your Committee received testimony in support of this measure from the McKinley Community School for Adults, Chamber of Commerce Hawaii, Hawaii Food Industry Association, and twelve individuals. Your Committee received comments on this measure from the Department of Education, Department of Labor and Industrial Relations, Executive Office on Early Learning, Early Learning Board, and University of Hawaii System.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1915, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1915, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1012-20 Finance on H.B. No. 2412

The purpose of this measure is to require the Department of Education to establish a three-year pilot program to develop a trauma-informed education program in the Castle-Kahuku and Kailua-Kalaheo complex areas, based on the Nanakuli-Waianae complex area trauma-informed education program, and report to the Legislature.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, Hawaii Primary Care Association, Hawaii Psychological Association, and ten individuals. Your Committee received comments on this measure from the Department of Education, Executive Office on Early Learning, and Democratic Party of Hawaii Education Caucus.

Your Committee has amended this measure by:

- (1) Applying the pilot program to the Castle, Kailua, and Kalaheo complex areas, rather than the Castle-Kahuku and Kailua-Kalaheo complex areas; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2412, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2412, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1013-20 Finance on H.B. No. 2740

The purpose of this measure is to require the Department of Education to establish food waste and plant-based alternative meal goals by January 1, 2035, as part of the Department of Education's Sustainable Schools Initiative and include information on its progress in meetings these goals in its annual report to the Legislature.

Your Committee received testimony in support of this measure from the Climate Protectors Coalition, Aloha Harvest, Kahana Foundation, Hawaii Youth Climate Strike, Vegetarian Society of Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from Hawaii Meats, LLC; Ulupalakua Ranch; Ponoholo Ranch Limited; Parker Ranch; and thirteen individuals. Your Committee received comments on this measure from the Department of Education and two individuals.

Your Committee has amended this measure by:

- (1) Replacing the plant-based alternative meal goals with a goal of locally sourcing sixty percent of all animal proteins and sixty percent of all produce for meals in all public schools by January 1, 2035, and making conforming amendments to the Department of Education's plan development requirements to meet that goal and reporting requirements;
- (2) Urging the Department of Education to incorporate Sustainable Schools Initiative elements into curriculum as appropriate; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2740, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2740, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1014-20 Judiciary on H.B. No. 2563

The purpose of this measure is to exempt planned community associations from requirements under the Hawaii Nonprofit Corporations Act regarding cumulative voting for directors and the removal of directors elected by members or directors.

Your Committee received testimony in support of this measure from the Hawaii Chapter of the Community Associations Institute Legislative Action Committee, Hawaii State Association of Parliamentarians, Associa, and one individual. Your Committee received comments on this measure from the Hawaii Council of Community Associations; Law Offices of Mark K. McKellar, LLLC; and four individuals.

Your Committee finds that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act may be manipulated by planned community association boards of directors to prevent minority groups from attaining representation by simply omitting cumulative voting from the notice. Under the 11th edition of Robert's Rules of Order Newly Revised, provisions concerning cumulative voting must be in the bylaws. This measure will clarify that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act do not apply to planned community associations governed under the State's planned community association laws.

Your Committee notes that the Hawaii State Association of Parliamentarians suggested several amendments to this measure. Should the Senate Committee on Commerce, Consumer Protection, and Health deliberate on this measure further, your Committee on Judiciary respectfully requests that it consider those amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2563, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1015-20 Judiciary on H.B. No. 2120

The purpose of this measure is to:

- (1) Amend certain parts of the conflicts of interests law of the State Ethics Code to include members of the Legislature and justices and judges of all state courts; and
- (2) Clarify that the conflicts of interests law does not prohibit a legislator from introducing legislation, serving on a committee, making statements, or taking action in the exercise of their legislative functions.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Common Cause Hawaii, Pono Hawaii Initiative, and five individuals. Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that the conflicts of interests law applies differently to legislators. This measure specifically includes those state employees in the conflicts of interests law while maintaining the constitutional protections specifically afforded to legislators when engaged in their legislative functions.

Your Committee has amended this measure by:

- (1) Deleting the inclusion of justices and judges in certain parts of the conflicts of interests law of the State Ethics Code; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2120, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2120, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1016-20 Judiciary on H.B. No. 676

The purpose of this measure is to support health care security professionals by classifying assault against these professionals as felony assault in the second degree.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Healthcare Association of Hawaii, The Queen's Health System, Queen's North Hawaii Community Hospital, The Queen's Medical Center-West Oahu, Hawaii-American Nurses Association, Hawaii Primary Care Association, Adventist Health Castle, and seven individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that under existing law, it is a misdemeanor to assault a health care security professional. Your Committee further finds that health care security professionals are at increased risk of sustaining violent injuries due to the nature of their profession. Your Committee also finds that health care security professionals provide a safe work place environment for all staff and patients. This measure recognizes the critical role health care security professionals play as frontline staff in violent situations and as essential members of the health care team by classifying assault against these professionals as felony assault in the second degree.

Your Committee has amended this measure by:

- (1) Amending the definition of "health care security professionals" to specify that the training received by the individual employed by a health care facility be specialized; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 676, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 676, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1017-20 Judiciary on H.B. No. 2339

The purpose of this measure is to exempt dependents of military servicemembers from the state residency requirement for employment with state or county government.

Your Committee received testimony in support of this measure from the Indo-Pacific Command, Department of Defense, Department of Human Resources Development, Hawaii Health Systems Corporation, Chamber of Commerce Hawaii, and two individuals.

Your Committee finds that based on the Department of Taxation's recent interpretations of federal law, income received by dependents of servicemembers is no longer considered Hawaii-sourced income if the servicemember is in Hawaii on valid military orders. Pursuant to this recent interpretation, your Committee further finds that Hawaii law should be amended to clarify that dependents of servicemembers may maintain residency in a state other than Hawaii and still be considered for employment in state or county government.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2339, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2339, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1018-20 Judiciary on H.B. No. 2562

The purpose of this measure is to clarify certain provisions relating to the governance of common interest communities in the State. Specifically, this measure:

- (1) For planned community associations:
 - (A) Specifies the manner in which a member of the board of directors may resign and may be removed;
 - (B) Specifies the time period for which the board of directors shall fill a vacancy; and
 - (C) Specifies that members of the planned community association possess the right to vote at an association meeting; and
- (2) For condominium associations, specifies the manner in which a member of the board of directors may resign.

Your Committee received testimony in support of this measure from the Hawaii Chapter of the Community Associations Institute Legislative Action Committee, Hawaii State Association of Parliamentarians Legislative Committee, Associa, and one individual. Your Committee received testimony in opposition to this measure from D.R. Horton Hawaii LLC, Case Lombardi & Pettit, and one individual. Your Committee received comments on this measure from the Hawaii Council of Community Associations and seven individuals.

Your Committee finds that existing law governing common interest communities requires clarification to avoid further disputes. This measure seeks to clarify and resolve several practical issues that have occurred in condominium and planned community association meetings.

Your Committee has amended this measure by:

- (1) Amending the manner in which a member of the board of directors for a planned community association or condominium association may resign;
- (2) Establishing notice and timing requirements for special association meetings to fill vacancies on the board of directors for planned community associations;
- (3) Deleting language that clarified the right to vote in planned community association matters;
- (4) Deleting language specifying the manner in which a member of the board of directors for a planned community association may be removed; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2562, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2562, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1019-20 Judiciary on H.B. No. 2161

The purpose of this measure is to:

- (1) Clarify that all condominiums may amend their declarations by the vote or written consent of owners representing at least sixty-seven percent of the common interest, unless the unit owners agree to require a higher percentage;
- (2) Clarify the definition of "tenant" as it relates to those qualified to serve as a member of the board in the event a unit is owned by a corporation, partnership, or limited liability company;
- (3) Clarify that no association, board of directors, association director, officer, attorney, or other association representative shall be liable for damages for libel, slander, or other defamation of character of any person for any action taken with respect to the distribution of any statement submitted by an owner for purposes of determining qualifications to serve on the board or soliciting proxies; and
- (4) Clarify provisions concerning the installation of solar energy devices on common elements or limited common elements.

Your Committee received testimony in support of this measure from the Hawaii State Association of Parliamentarians; Associa; Law Offices of Mark K. McKellar, LLC; and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Council of Community

Associations, Hawaii Association for Justice, Citizens' Caucus, and eleven individuals. Your Committee received comments on this measure from the Community Associations Institute and one individual.

Your Committee finds that a number of existing state laws concerning condominiums require clarification due to unintended consequences resulting from amendments to other sections, or provisions being subject to more than one interpretation. This measure amends the law to clarify ambiguous provisions and remove the impediments to effective governance by condominiums.

Your Committee has amended this measure by:

- (1) Deleting the provisions that:
 - (A) Clarify the definition of "tenant" as it relates to those qualified to serve as a member of the board in the event a unit is owned by a corporation, partnership, or limited liability company; and
 - (B) Clarify that no association, board of directors, association director, officer, attorney, or other association representative shall be liable for damages for libel, slander, or other defamation of character of any person for any action taken with respect to the distribution of any statement submitted by an owner for purposes of determining qualifications to serve on the board or soliciting proxies;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2161, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2161, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1020-20 Judiciary on H.B. No. 2101

The purpose of this measure is to:

- (1) Require circuit courts to apply special sentencing considerations when sentencing a minor for a nonviolent offense; and
- (2) Allow the circuit courts, in their discretion, to impose a sentence up to fifty percent shorter than the mandatory minimum or to decline to impose a mandatory enhanced sentence in certain circumstances.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Public Defender, Community Alliance on Prisons, Human Rights for Kids, and two individuals. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of the Prosecuting Attorney and Honolulu Police Department.

Your Committee finds that there are fundamental differences between minor and adult criminal offenders that are critical to consider during sentencing. Your Committee further finds that mandatory minimums for juveniles often fail to recognize the extenuating circumstances that may lead minors to offend and may significantly limit minors' potential for rehabilitation and reform. This measure allows the circuit courts to have greater discretion in sentencing minors, which will enable judges to consider the mitigating circumstances surrounding a charged offense, issue tailored sentences that can take advantage of a minor's high rehabilitation potential, and potentially reduce the unjust and unnecessary impacts of mandatory sentencing on juvenile offenders.

Your Committee has amended this measure by requiring a minor to enter a rehabilitation or diversion program in order to be eligible for a special sentence that is up to fifty percent shorter than the mandatory minimum.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2101, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2101, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (McKelvey, Perruso). Noes, none. Excused, 3 (Nakashima, Say, Thielen).

SCRep. 1021-20 Lower & Higher Education on S.B. No. 2664

The purpose of this measure is to:

- (1) Require the Board of Education to hold no less than six community forums annually, rather than one community meeting annually, with at least one community forum to be held in each county; and
- (2) Require the Board of Education to include an open forum for public comment on non-agenda items at the end of each public Board meeting, and report to the Legislature prior to the Regular Session of 2021 on the implementation of the open forums.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Education Caucus and one individual. Your Committee received comments on this measure from the Board of Education and Civil Beat Law Center for the Public Interest.

Your Committee finds that community meetings held by the Board of Education improve the public's access to the Board and allow the public to provide more information to the Board to help with decision-making and priority setting. Your Committee further finds that providing greater access to the Board of Education will improve transparency and access to information thereby encouraging an informed and engaged community of citizens.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2664, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2664, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1022-20 Lower & Higher Education on S.B. No. 2085

The purpose of this measure is to:

- (1) Appropriate funds to the Department of Education to provide public school and public charter school students with behavior analysis services; and
- (2) Require the Department of Education to seek any necessary approvals from the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to include applied behavior analysis services for eligible students who have been diagnosed with an autism spectrum disorder.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Democratic Party of Hawaii Education Caucus, Hawaii Disability Rights Center, Together for Our Keiki, Hawaii State Teachers Association, Hawaii Association for Behavior Analysis, and four individuals. Your Committee received comments on this measure from the Department of Education and Department of Human Services.

Your Committee finds that there is a shortage of licensed behavior analysts, which makes it difficult for the Department of Education to adequately serve the nearly one thousand five hundred public school students who are currently diagnosed with autism disorders. This measure will provide funding for behavior analysis services in schools to ensure all students requiring behavioral support receive the care they need and achieve their fullest potential.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2085, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2085, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1023-20 Lower & Higher Education on S.B. No. 3037

The purpose of this measure is to amend various statutes governing charter schools. Specifically, this measure:

- (1) Clarifies and consolidates the content required to be included in the authorizer's annual report to the Board of Education and Legislature;
- (2) Streamlines the application process for new charter schools;
- (3) Amends certain academic and financial indicators and measures in the framework upon which the performance provisions of a charter contract are based; and
- (4) Amends the annual financial audit process to allow charter schools to select an independent auditor from a list of approved independent auditors provided by the State Public Charter School Commission.

Your Committee received testimony in support of this measure from the State Public Charter School Commission. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure makes several housekeeping amendments that will give authorizers and charter schools greater flexibility, which will facilitate the efficient operation of the Hawaii's public charter school system.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3037, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3037, S.D. 1, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.
Ayes, 9; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1024-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2406

The purpose of this measure is to require police departments in counties with a population of less than five hundred thousand to purchase and deploy explosion detection technology for their departments' use, and appropriate funds to each of those counties as a grant-in-aid for this purpose.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the County of Kauai Police Department.

Your Committee finds that illegal gunfire and illegal fireworks jeopardize the ability of the people of the State to live in peace and security. However, your Committee also finds that explosion detection technology, while apparently used in ninety cities to assist in detecting the location of gunfire, is not a proven technology in the State and may be of questionable efficacy in large, rural areas.

Accordingly, your Committee has amended this measure by:

- (1) Requiring a police department for a county having a population of more than five hundred thousand to create a working group to study the feasibility of purchasing and deploying explosion detection technology for the purpose of assisting in locating and responding to explosions caused by the illegal use of firearms and fireworks, rather than requiring counties with a population of less than five hundred thousand to purchase and deploy explosion detection technology;
- (2) Requiring the members of the working group to include the Attorney General and the Chief of Police and Prosecuting Attorney of the specified county;
- (3) Requiring that the working group submit a report of its findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the Regular Session of 2021;
- (4) Removing the appropriation for the purchase of explosion detection technology; and

- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2406, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2406, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1025-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2383

The purpose of this measure is to support the role of public safety officers by:

- (1) Requiring the Department of Public Safety to review its policies and procedures governing the use of force, weapons, and equipment;
- (2) Requiring the Law Enforcement Standards Board to review the Department's use of force training; and
- (3) Appropriating funds for training, equipment, and related records management for the Department.

Your Committee received comments on this measure from the Department of Public Safety and Community Alliance on Prisons.

Your Committee finds that public safety officers are in a position of public trust as the guardians and protectors of the State's communities. Your Committee also finds that since 2015, the number of fatal shootings in Hawaii by law enforcement officers has more than doubled and that it has risen from less than one percent of the national total to two percent in 2019.

Your Committee further finds that requiring the Department of Public Safety to review and update, at least annually, its policies and procedures concerning the use of force, weapons, and equipment, and requiring the Department's use of force training to be reviewed by the Law Enforcement Standards Board will help to ensure the appropriateness of these policies, procedures, and training, and assist in promoting public confidence in these tools.

Your Committee has amended this measure by:

- (1) Deleting the requirement that each law enforcement officer be equipped with less than lethal weapons and receive associated training;
- (2) Deleting the specific examples of the types of use of force training to be included by the Department of Public Safety;
- (3) Deleting the requirement that the Deputy Director of the Department's Law Enforcement Division be included and certified in all weapons training;
- (4) Advancing the reporting requirement deadline to December 1, 2020;
- (5) Deleting appropriations for training and related records management, and purchase and maintenance of less than lethal equipment; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2383, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2383, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1026-20 Public Safety, Veterans, & Military Affairs on S.B. No. 3126

The purpose of this measure is to establish a working group within the Department of Public Safety and a four-year pilot program designed to reduce recidivism by providing inmates with business and financial literacy skills and education to allow them to succeed in the workforce, as well as to appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, Chamber of Commerce Hawaii, Community Alliance on Prisons, American Civil Liberties Union of Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that skills development and education that can be provided to inmates that will smooth their transition upon release and allow them to successfully integrate into society will reduce recidivism, which in turn can help to alleviate the overcrowding of the State's correctional facilities. However, while your Committee finds that such a pilot program has merit, establishing one at this time may be premature.

Accordingly, your Committee has amended this measure by:

- (1) Removing the establishment of the four-year pilot program, and instead, having the working group study the feasibility of establishing a pilot program designed to reduce recidivism by focusing on providing inmates with not only business, entrepreneurial, and financial literacy education, but also vocational training;
- (2) Requiring that the working group include a representative of the University of Hawaii;
- (3) Removing the requirement of periodic reports, and requiring a single report of the working group's recommendations to the Legislature prior to the regular session of 2021, with the working group ceasing to exist on December 31, 2020;
- (4) Removing the appropriation for the pilot program; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3126, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3126, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1027-20 Transportation on S.B. No. 2434

The purpose of this measure is to address the disposition of abandoned motor vehicles by authorizing the county directors of finance to issue certificates of ownership and salvage certificates to expedite the disposal of abandoned vehicles, under specified circumstances.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council and Insurance Auto Auctions, Inc. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Insurance Division.

Your Committee finds that this measure will help to implement Hawaii's motor vehicle salvage laws in a more efficient and expeditious manner.

Your Committee has amended this measure by:

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

Your Committee notes the concerns raised by the Insurance Commissioner that the expeditiousness with which the transfer of ownership between an insurance policyholder and the insurer can occur as set forth in this measure may actually adversely affect insurance policyholders under certain circumstances.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2434, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2434, S.D. 1, H.D. 1, and be referred to your Committee on Intrastate Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1028-20 Transportation on S.B. No. 2005

The purpose of this measure is to expand access to voter registration by:

- (1) Requiring that any person who is eligible to vote and applies for a new or renewal motor vehicle driver's license, provisional license, or instruction permit, or a new, renewal, or duplicate identification card be automatically registered to vote, unless the applicant affirmatively declines to be registered to vote; and
- (2) Authorizing access to and electronic transmission of databases maintained or operated by the counties or the Department of Transportation containing driver's license or identification card information to election officials and the statewide voter registration system.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Disability and Communication Access Board; Office of the County Clerk of the County of Kauai; Office of the County Clerk of the County of Hawaii; Common Cause Hawaii; AAUW of Hawaii; Americans for Democratic Action – Hawaii; AVR Hawaii Coalition; Hawaii Community Foundation; Sierra Club of Hawaii; Indivisible Hawaii; Community Alliance on Prisons; Faith Action for Community Equity; Hamakua Resistance; Hawaii Alliance of Nonprofit Organizations; Hawaii Appleseed Center for Law & Economic Justice; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Public Health Institute; Hawaii Women's Coalition; Hookipa Network - Kauai; League of Women Voters of Hawaii; League of Women Voters of Hawaii County; LGBT Caucus of the Democratic Party of Hawaii; Planned Parenthood Votes Northwest and Hawaii; Pono Hawaii Initiative; Pride @ Work – Hawaii; Transform Hawaii Government; We Are One, Inc.; Young Progressives Demanding Action; and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Office of Elections, Department of Transportation, and American Civil Liberties Union of Hawaii.

Your Committee finds that this measure will significantly facilitate civic participation in elections and will modernize Hawaii's voter registration system to make it more accurate and secure.

Your Committee has amended this measure by:

- (1) Prohibiting the examiner of drivers from electronically transmitting any information if an applicant affirmatively declines for the applicant's information to be transmitted;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2005, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2005, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1029-20 Transportation on S.B. No. 2329

The purpose of this measure is to reduce incidents of driving under the influence of an intoxicant by:

- (1) Specifying that if a person convicted of operating a vehicle after the person's license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant is also convicted of the offense of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant, the person must be sentenced to consecutive terms of imprisonment for both offenses;
- (2) Specifying that a person who has an ignition interlock permit must also carry government-issued identification with the person;
- (3) Extending the lookback period for provisions relating to ignition interlock requirements from five to ten years;
- (4) Making it a crime for a person who is restricted to driving a vehicle equipped with an ignition interlock device to knowingly obscure a camera lens associated with an ignition interlock device; and
- (5) Granting courts greater flexibility by providing that if, within ten years, a person has two or more prior convictions for the offenses of:

- (A) Operating a vehicle after the person's license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant;
- (B) Circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; or
- (C) Certain older offenses, one of the penalties to which the offender must be sentenced is between six months to one year of imprisonment.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Association of Transportation Safety Information Professionals, Traffic Injury Research Foundation, Hawaii Strategic Highway Safety Plan, and Foundation for Advancing Alcohol Responsibility. Your Committee received comments on this measure from the Department of Transportation, Office of the Public Defender, Mothers Against Drunk Driving Hawaii, and Smart Start LLC.

Your Committee finds that one way to stop an intoxicated driver from continuing to drive while intoxicated is to strengthen the laws relating to ignition interlock devices. This measure seeks to close loopholes in existing laws identified by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group.

Your Committee has amended this measure by:

- (1) Establishing a system of graduated penalties for violations of, and requiring proof of compliance with, the ignition interlock law;
- (2) Specifying that the government-issued identification must be a valid government-issued photo identification;
- (3) Extending the lookback period for the offense of circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device from five to ten years;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2329, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2329, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1030-20 Agriculture on S.B. No. 2723

The purpose of this measure is to appropriate funds for the GoFarm Hawaii program and require GoFarm Hawaii to provide the Chairperson of the Board of Agriculture with an annual report of the program's goals and a semi-annual report outlining program outputs and outcomes.

Your Committee received testimony in support of this measure from the University of Hawaii System, Hawaii Farm Bureau, Hoola Farms, North Shore Economic Vitality Partnership, The Kohala Center, Ulupono Initiative, Kahana Foundation, Maui Farmers Union United, Counter Culture Organic Farm, Art Farm 808, Hawaii State Future Farmers of America, Kokua Hawaii Foundation, Waimanalo Market Co-op, Hawaii Farm to School Hui, Kamehameha Schools, Hawaii Public Health Institute, EcoTipping Points Project, and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture and Hawaii Farmers Union United.

Your Committee finds that GoFarm Hawaii is the only statewide program that offers farmers comprehensive training for farm maintenance, business planning, and the small-scale production of commercial crops. Your Committee also finds the supply of locally grown produce is insufficient to meet demand, and the future of the State's farming industry, food supply, and agriculture is reliant upon increasing and diversifying the number of new farmers in the State.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language based on S.B. No. 2709, S.D. 1, Regular Session of 2020, to establish a Beginning Farmer Training Program and appropriate funds for the program;
- (2) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2723, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2723, S.D. 1, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Onishi). Noes, none. Excused, 2 (Cachola, Holt).

SCRep. 1031-20 Agriculture on S.B. No. 2985

The purpose of this measure is to protect animals by:

- (1) Providing civil immunity, absent gross negligence, to veterinarians who render emergency care or treatment to an animal, whether there is a veterinarian-client-patient relationship or not; and
- (2) Requiring veterinarians to report certain suspected injuries, killing, or abuse of an animal to law enforcement.

Your Committee received testimony in support of this measure from Hawaii Board of Veterinary Medicine, Hawaiian Humane Society, Animal Rights Hawaii, For Forgotten Felines, and thirteen individuals.

Your Committee finds that veterinarians should be permitted to use their skills and expertise to render emergency aid to animals without the fear of civil liability, provided that the aid is rendered in good faith and absent gross negligence. This measure provides appropriate civil immunity to veterinarians while ensuring the protection of animal health and welfare.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 31, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2985, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2985, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Cachola, Holt).

SCRep. 1032-20 Agriculture on S.B. No. 3040

The purpose of this measure is to protect the State's residents and environment and ensure more stringent enforcement of Hawaii's pesticide law by:

- (1) Requiring the Department of Agriculture to submit annual reports to the Legislature on pesticide inspections and compliance investigations; and
- (2) Increasing monetary fines for pesticide violations.

Your Committee received testimony in support of this measure from one member of the Hawaii County Council; Hawaii Alliance for Progressive Action; For Forgotten Felines; Hawaii SEED; GMO Free Kauai; The MOM Hui; Hawaii Center for Food Safety; Animal Rights Hawaii; Americans for Democratic Action-Hawaii; We Are One, Inc.; Young Progressives Demanding Action; Hookipa Network-Kauai; Surfrider Foundation-Kauai Chapter; Kihei Community Association; Apollo Kauai; Zero Waste Kauai; Eco Tipping Points Project; and over one hundred individuals. Your Committee received testimony in opposition to this measure from the Hawaii Farm Bureau, Western Plant Health Association, and Hawaii Pest Control Association. Your Committee received comments on this measure from the Department of Agriculture, IMUAlliance, and Hawaii Crop Improvement Association.

Your Committee finds that pesticide use, particularly use of the pesticide glyphosate, can significantly affect public health and welfare. Glyphosate is a broad-spectrum herbicide that kills many varieties of green vegetation and is widely used in agricultural, residential, aquatic, and other settings. Glyphosate is the most widely used herbicide globally and within the United States due to the widespread cultivation of "Roundup Ready" crops, which are crops that have been genetically engineered to withstand the application of a glyphosate-based herbicide, Roundup.

Your Committee further finds that there is growing, yet mixed, evidence on the potential harmful effects of glyphosate. In 2015, the International Agency for Research on Cancer, a division of the World Health Organization and the world's leading authority on cancer, unanimously concluded that glyphosate is a probable carcinogen. However, the United States Environmental Protection Agency continues to find "no risks to public health when glyphosate is used in accordance with its current label and that glyphosate is not a carcinogen". Due to the widespread use of glyphosate, your Committee finds that more information is needed to determine the impacts of glyphosate.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the language of H.B. No. 2197, H.D. 1, which establishes the Glyphosate Task Force (Task Force) until June 30, 2022, to be composed of members representing state, county, and federal agencies to assess the impact of glyphosate use on Hawaii's natural environment, human health, and agriculture;
- (2) Changing the effective date to July 31, 2150, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3040, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3040, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Cachola, Holt).

SCRep. 1033-20 Agriculture on S.B. No. 2099

The purpose of this measure is to transfer operational authority over portions of the East Kauai Irrigation System from the East Kauai Water Users' Cooperative to the Department of Agriculture. Specifically, this measure provides a conditional extension of the deadline to acquire required permits, establishes and appropriates funds for positions within the Department of Agriculture, and authorizes the issuance of general obligation bonds and appropriates funds for an irrigation system capital improvement project.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of Land and Natural Resources, Hawaii Farm Bureau, Kauai County Farm Bureau, Kalepa Coalition, Land Use Research Foundation of Hawaii, Ulupono Initiative, Saiva Siddhanta Church, and two individuals. Your Committee received testimony in opposition to this measure from Patients Without Time and two individuals.

Your Committee finds that providing irrigation support for East Kauai farmers is important and aligns with the State's food security goals.

Your Committee has amended this measure by:

- (1) Changing the general fund appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 2150, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concerns raised in the public hearing regarding uncertainty over the ownership of the East Kauai Irrigation System and the lands along the System and believes these issues should be clarified as this measure progresses. Should your Committee on Labor and Public Employment deliberate on this measure, your Committee respectfully requests that it resolve these issues.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2099, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2099, S.D. 2, H.D. 1, and be referred to your Committee on Labor & Public Employment.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Onishi). Noes, none. Excused, 2 (Cachola, Holt).

SCRep. 1034-20 Agriculture on S.B. No. 2050

The purpose of this measure is to:

- (1) Establish a regulatory framework for selling, distributing, and selling products containing hemp products and cannabidiol that were grown legally through approved government programs;
- (2) Require products containing cannabidiol to be properly labeled for sale in the State;
- (3) Prohibit manufacturers of industrial hemp products from making health-related claims; and
- (4) Clarify that products containing industrial hemp or cannabidiol are not considered adulterated food, beverage, or cosmetic products.

Your Committee received testimony in support of this measure from the Hawaii Farm Bureau, Hawaii Food Industry Association, and Aloha Green Holdings Inc. Your Committee received testimony in opposition to this measure from Patients Without Time and three individuals. Your Committee received comments on this measure from the Hawaii Hemp Farmers Association and U.S. Hemp Roundtable.

Your Committee finds that, while industrial hemp is currently being used nationally in hundreds of different applications, including consumer products such as personal care products and dietary supplements containing hemp products and cannabinoids, the Food and Drug Administration has issued non—legally binding public statements arguing that it is illegal to market cannabidiol as a food additive or dietary supplement because it is an active ingredient in a pharmaceutical drug. Your Committee further finds that given the time it is expected to take for the Food and Drug Administration to definitively regulate hemp-derived products and the existing confusion among consumers and the industry, it is important that a timely regulatory framework be established around hemp products and cannabinoids. Your Committee believes that the regulatory framework established by this measure will provide safeguards for consumers and certainty for Hawaii hemp farmers to continue to viably operate their industrial hemp operations in the State.

Your Committee has amended this measure by:

- (1) Deleting the exclusion of living hemp plants, viable seeds, leaf materials, or floral materials from the definition of "industrial hemp product";
- (2) Prohibiting industrial hemp flowers that have not been significantly physically altered, including by shredding and pulverizing, and not labeled as hemp from being sold in Hawaii;
- (3) Clarifying that any individual, entity, or licensed medical cannabis dispensary shall not be prohibited from manufacturing, distributing, or selling products containing industrial hemp, cannabinoids, extracts, or derivatives from industrial hemp;
- (4) Clarifying that a manufacturer includes a person who juices or packages a product;
- (5) Exempting industrial hemp products that are generally recognized as safe by the Food and Drug Administration from the new regulatory framework;
- (6) Changing its effective date to July 31, 2150, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the testimony submitted by the U.S. Hemp Roundtable contains suggestions to improve the new regulatory framework, including:

- (1) In certain provisions of this measure, the term "industrial hemp" should be changed to "hemp";
- (2) The provisions of this measure relating to the manufacture, distribution, or sale of industrial hemp products should be clarified to provide that nothing in this measure shall prohibit any individual or entity to engage in those activities, if the industrial hemp is grown in compliance with the Industrial Hemp Pilot Program, including licensees under the Medical Cannabis Dispensary System; and
- (3) The title of the section in this measure relating to industrial hemp being used as food should be changed to read, "Use in food and beverages products".

Your Committee notes that the testimony of the Hawaii Hemp Farmers Association also contains suggestions to improve the new regulatory framework, including:

- (1) A provision should be added to this measure to ensure that the interim sale of hemp products can begin on July 1, 2020, while the Department of Health undergoes the time-consuming rulemaking process to address labeling and testing;
- (2) Various provisions in the preamble should be clarified or deleted; and
- (3) The prohibition on the distribution or sale of certain raw hemp products should be clarified to apply in the absence of a certificate of analysis from an independent testing laboratory confirming that the tested sample of a batch did not contain contaminants at unsafe levels.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2050, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2050, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Cachola, Holt).

SCRep. 1035-20 Agriculture on S.B. No. 2955

The purpose of this measure is to expand coffee labeling and advertising requirements to include ready-to-drink coffee beverages and inner wrapping or packaging labels.

Your Committee received testimony in support of this measure from one member of the Hawaii County Council. Your Committee received comments on this measure from the Department of Agriculture, KonaLoa Farms, Kona Mountain Coffee, Rancho Aloha Kona Coffee, Kona Coffee Farmers Association, Hawaii Coffee Association, and three individuals.

Your Committee finds that for over twenty-six years, Hawaii has been the only region in the world that statutorily regulates the uses of its geographic names, such as "Kona", "Maui", and "Ka'u", on labels of its specialty agricultural products but requires that only ten percent of the product originate in the

geographic area indicated. Your Committee further finds that the low ten percent requirement directly damages and degrades the reputation of world-famous Hawaii-grown coffees and damages the economic interests of Hawaii's coffee farmers.

Your Committee amended this measure by:

- (1) Deleting its contents and inserting the language of H.B. No. 1886, H.D. 2, which supports Hawaii's coffee growers by:
 - (A) Including Hawaii-grown green coffee, cherry coffee, and parchment coffee in the coffee labeling requirements;
 - (B) Requiring disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
 - (C) Making it a violation of the coffee labeling law to use a geographic origin in labeling or advertising for roasted coffee, instant coffee, Hawaii-grown green coffee, cherry coffee, and parchment coffee that contain less than a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent; and
 - (D) Prohibiting use of the term "All Hawaiian" in labeling or advertising for roasted coffee, instant coffee, Hawaii-grown green coffee, cherry coffee, and parchment coffee not produced entirely from green coffee beans grown and processed in Hawaii;
 - (E) Appropriating funds for the Department of Agriculture to administer the coffee labeling requirements program; and
 - (F) Changing its effective date to July 1, 2150, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2955, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (DeCoite, Onishi). Noes, none. Excused, 2 (Cachola, Holt).

SCRep. 1036-20 Water, Land, & Hawaiian Affairs on S.B. No. 1253

The purpose of this measure to decriminalize traffic infractions within the Department of Land and Natural Resources' natural area reserves, game management areas, wildlife sanctuaries, and public hunting areas and replace the penalties with fines.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that Act 101, Session Laws of Hawaii 2008, decriminalized traffic infractions within the state park system, but did not decriminalize similar infractions committed within the Department of Land and Natural Resources' natural area reserves, game management areas, wildlife sanctuaries, and public hunting areas. This measure decriminalizes traffic violations on those lands as a means of simplifying the resolution of traffic violations occurring on those state lands and ensuring that police, prosecutorial, and judicial resources are focused on the most serious criminal offenses.

Your Committee has amended this measure by:

- (1) Requiring all monies collected from fines to be deposited in the general fund;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1253, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1253, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1037-20 Water, Land, & Hawaiian Affairs on S.B. No. 2706

The purpose of this measure is to:

- (1) Provide more specifications regarding the types of dwellings that constitute "farm dwellings" allowed within the agricultural district; and
- (2) Ensure that condominium property regime projects within the agricultural district are used for agricultural purposes.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and two individuals. Your Committee received comments on this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that to ensure agricultural lands were being appropriately utilized, the Legislature enacted Act 278, Session Laws of Hawaii 2019, which directed the Office of Planning, in consultation with other agencies, to study land subdivision and condominium property regime laws relating to agricultural lands. As a result, the Office of Planning submitted recommendations to the Legislature on how to better enforce requirements that agricultural lands are used for agricultural purposes. This measure will ensure that condominium property regime projects and farm dwellings within the agricultural district are used for agricultural purposes and grant the counties an opportunity to provide certain comments on proposed condominium property regime projects within the agricultural district.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2706, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2706, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1038-20 Water, Land, & Hawaiian Affairs on S.B. No. 2537

The purpose of this measure is to:

- (1) Prohibit the obstruction of access to beaches; and
- (2) Establish a minimum \$100 fine for the first conviction of obstructing access to public property.

Your Committee received testimony in support of this measure from Ho‘okipa Network-Kauai, Hawaii Youth Climate Coalition, Americans for Democratic Action, and ten individuals. Your Committee received comments on this measure from Pono Hawai‘i Initiative, Livable Hawaii Kai Hui, and twenty-one individuals.

Your Committee finds that existing law prohibiting the obstruction of access to public property prevents obstructing access to the sea, shoreline, and inland public recreation areas, but does not prohibit obstructing access to beaches and beach parks. This measure protects public access to beaches by explicitly prohibiting obstructing access to beaches.

Your Committee has amended this measure by:

- (1) Adding beach parks to the list of public property where it will be an offense to obstruct access; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2537, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2537, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1039-20 Water, Land, & Hawaiian Affairs on S.B. No. 2827

The purpose of this measure is to:

- (1) Expand the application of the transaction fee to all services offered by the Bureau of Conveyances;
- (2) Expand the use of the recordation transaction fee authorized under Act 120, Session Laws of Hawaii (SLH) 2009, to include purchases of software, project management and implementation, staffing, workflow improvements, and services related to the management, archiving, preservation, and accessibility of records at the Bureau of Conveyances and the Office of the Assistant Registrar of the Land Court; and
- (3) Clarify that the transaction fee shall be repealed on the effective date of administrative rules adopted by the Department of Land and Natural Resources (DLNR) that include the establishment of a transaction fee or July 1, 2023, whichever occurs first.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Act 120, SLH 2009, directed DLNR to assess a \$5 transaction fee on each recording in the Bureau of Conveyances and the Office of the Assistant Registrar of the Land Court for services rendered by the Bureau of Conveyances in deregistering land, with the money collected to be used to support purchases of hardware, system design, and staff training related to automation of the Bureau of Conveyances. Your Committee further finds that Act 120, SLH 2009, specified the transaction fee would be repealed on the effective date of rules adopted by DLNR that address the establishment of a transaction fee for each recording in the Bureau of Conveyances and the Office of the Assistant Registrar of the Land Court. This measure expands the application of the transaction fee to all services rendered by the Bureau of Conveyances, expands the uses of the fee, and clarifies the date when the transaction fee shall be repealed.

Your Committee has amended this measure by changing the effective date to July 1, 2051, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2827, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2827, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 1040-20 Water, Land, & Hawaiian Affairs on S.B. No. 2953

The purpose of this measure is to clarify provisions regarding designation, impoundment, and disposal of unauthorized, abandoned, grounded, and derelict vessels on state property or in the waters of the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Waikiki Neighborhood Board, and one individual. Your Committee received comments on this measure from the Ocean Tourism Coalition.

Your Committee finds that abandoned, grounded, neglected, and derelict vessels pose significant risks to natural resources and public health and safety. Your Committee further finds that, under existing law, by the time the Department of Land and Natural Resources (DLNR) can begin to remove unauthorized, abandoned, grounded, or derelict vessels, the condition of the vessel has often deteriorated, further complicating removal efforts and increasing potential risks to natural resources and public health and safety. This measure amends provisions regarding the removal and impoundment of such vessels on state property or in state waters to facilitate faster responses by DLNR.

Your Committee has amended this measure by:

- (1) Removing language allowing DLNR to impound and dispose any vessel moored, anchored, or stored in the waters of the State that is in violation of any departmental rule or law;
- (2) Requiring the notice to an owner of a vessel that is in imminent danger of breaking up on certain sites to indicate that the owner must commence salvage operations, rather than remove the vessel, within twenty-four hours from the time the notice is posted;
- (3) Changing the time in which an administrative hearing must be held by DLNR from within ten working days to five working days of delivery of the written request;
- (4) Clarifying that a vessel shall be presumed abandoned if the vessel has been moored, anchored, or otherwise left unattended for more than seventy-two hours without a valid use permit;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2953, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2953, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1041-20 Lower & Higher Education on S.B. No. 2573

The purpose of this measure is to require the Board of Regents of the University of Hawaii to:

- (1) By May 1, 2021, begin livestreaming audio and archiving on its website all Board of Regents standing committee meetings;
- (2) By September 1, 2021, begin livestreaming video and archiving on its website all regular meetings of the Board of Regents; and
- (3) Determine its obligations and best practices that should be implemented to comply with the federal Americans with Disabilities Act in regard to the accessibility of webcasting and video streaming of Board of Regents meetings.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Office of the Board of Regents of the University of Hawaii.

Your Committee finds the public meetings of the Board of Regents of the University of Hawaii serve to keep the public informed of the actions of the Board. However, the availability of the public to attend the meetings may be restricted, especially if individuals who wish to attend the meetings are unable to do so because meetings are held outside of the island of their residence. This measure will require the use of technology to broadcast and record the public meetings of the Board and allow the public to listen and view the meetings, even when they are unable to attend in person.

Your Committee has amended this measure by:

- (1) Requiring the Board of Regents to archive and make available to the public digital audio recordings of its standing committee meetings one week, rather than seventy-two hours, after adjournment of the meetings;
- (2) Requiring the Board of Regents to archive and make available to the public recorded webcasts of its regular meetings one week, rather than seventy-two hours, after adjournment of the meetings;
- (3) Changing its effective date to July 1, 2050; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2573, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2573, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 1042-20 Lower & Higher Education on S.B. No. 3059

The purpose of this measure is to remove the sunset provision of Act 39, Session Laws of Hawaii 2017 (Act 39), making permanent the Innovation and Commercialization Initiative Program.

Your Committee received testimony in support of this measure from the University of Hawaii System and Hawaii Technology Development Corporation.

Your Committee finds that Act 39 provided the University of Hawaii with express statutory authority to enable and facilitate the deployment of university educational and instructional resources, university managerial and fiscal resources, and university personnel to promote the economic health and diversification of workforce opportunities in the State through the commercialization of inventions and discoveries generated by or at the University. With Act 39, the Innovation and Commercialization Initiative Program within the University of Hawaii was established. According to Act 39, this authority is set to be repealed on June 30, 2021. This measure will continue the efforts of the Innovation and Commercialization Initiative Program in promoting economic health diversifying the workforce by removing the sunset date in Act 39, making the Program permanent.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 2, 2050; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

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

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 1043-20 Human Services & Homelessness on S.B. No. 2119

The purpose of this measure is to establish conditions and time limits in which a child may be placed in room confinement in a detention or shelter facility.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, American Civil Liberties Union of Hawaii, and two individuals.

Your Committee finds that Hawaii's juvenile justice system has undergone a major philosophical shift away from practices that exert control over youth through punishment and toward evidence-based and trauma responsive approaches for holding youth accountable for their conduct. According to testimony provided by the Judiciary, both research and experience establish that any perceived brief benefits of room confinement obscure the fact that room confinement is not an effective deterrent for misbehavior, nor does it give youth the skills needed to behave differently in the future.

Your Committee has amended this measure by:

- (1) Reducing the number of hours a child may be held in room confinement from no more than four hours to no more than three hours;
- (2) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2119, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2119, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1044-20 Human Services & Homelessness on S.B. No. 2110

The purpose of this measure is to require the family court to appoint counsel to indigent parents in child protective services cases and make every effort to provide counsel at the first hearing attended by the legal parent.

Your Committee received testimony in support of this measure from the Hawaii Access to Justice Commission, American Civil Liberties Union of Hawaii, National Coalition for a Civil Right to Counsel, Hawaii Appleseed Center for Law and Economic Justice, and one individual. Your Committee received comments on this measure from the Judiciary and Department of Human Services.

Your Committee finds that this measure ensures that Hawaii law comports with the Hawaii Supreme Court decision *In re T.M.*, 131 Haw. 419 (2014), in which the Court held that under the due process clause of the Hawaii State Constitution, indigent parents are guaranteed the right to court-appointed counsel in termination of parental rights proceedings.

Your Committee has amended this measure by:

- (1) Clarifying that the family court shall appoint counsel to represent indigent parents in foster care cases;
- (2) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2110, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2110, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 1045-20 Human Services & Homelessness on S.B. No. 2344

The purpose of this measure is to:

- (1) Expand the circumstances under which minors may consent to no cost emergency shelter and related services to include the requirement that the provider supplying shelter is licensed to do so for minors or adults and is in compliance with zoning and safety regulations; and
- (2) Require the Department of Human Services to make every effort to ensure that every island has a shelter for unaccompanied minors.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, Residential Youth Services and Empowerment, IMUAlliance, and ten individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Human Services.

Your Committee finds that this measure supports youth experiencing homelessness by increasing opportunities for homeless youth to access shelters and related services and independently consent to these services.

Your Committee notes the concerns raised in testimony by the Hawaii Youth Services Network regarding the risk of abuse and exploitation and lack of services and staffing for unaccompanied minors in facilities that are designed to serve chronically homeless adults, many of which may have serious mental health and substance abuse issues.

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

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2344, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2344, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1046-20 Human Services & Homelessness on S.B. No. 3122

The purpose of this measure is to require the Department of Human Services, upon approval from the Centers for Medicare and Medicaid Services, to establish and implement a program to provide home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services and appropriate funds for the program.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Substance Abuse Coalition, Coalition for a Drug-Free Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Health, and Hilopaa.

Your Committee finds that there is a gap in the continuum of care for at-risk individuals with intellectual disabilities or developmental disabilities who are unable to access home- and community-based services. These individuals are often at-risk of institutionalization because they may not receive proper supports to ensure their transition to and through adulthood. This measure is intended to provide essential supports to at-risk individuals as they transition from youth to adulthood to maximize their independence and potential to thrive throughout life.

However, your Committee notes that the number of people potentially covered by this measure is unknown. Your Committee finds that it is prudent at this point to convene a working group to study the implementation and design of a program for at-risk individuals, including estimating total costs associated with delivering such a program.

Your Committee has amended this measure by:

- (1) Removing language that would have required the Department of Human Services to seek approval from the Centers for Medicare and Medicaid Services and establish and implement a program to provide home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services and appropriated funds for the program;
- (2) Requiring the State Council on Developmental Disabilities to:
 - (A) Convene a working group to study the design and implementation of a program, including cost estimations, for providing home- and community-based services to individuals with intellectual or developmental disabilities who are found, through assessment, to be at risk of institutionalization; and
 - (B) Submit a report to the Legislature prior to the Regular Session of 2021;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3122, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3122, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 1047-20 Human Services & Homelessness on S.B. No. 2894

The purpose of this measure is to clarify certain requirements regarding licensure of child care facilities, including exemptions from licensure, health and safety standards, and investigations of violations.

Your Committee received testimony in support of this measure from the Department of Human Services and one individual.

Your Committee finds that this measure supports the Department of Human Services' enforcement of child care laws in instances when individuals or organizations are providing child care without a license or registration from the Department.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2894, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2894, S.D. 1, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1048-20 Human Services & Homelessness on S.B. No. 2638

The purpose of this measure is to establish a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:

- (1) Amending the offense of abuse of family or household members to provide for a lesser included petty misdemeanor offense and penalties;
- (2) Allowing a deferred acceptance of guilty plea or no contest plea in cases involving misdemeanor and petty misdemeanor abuse offenses, if certain conditions are met; and
- (3) Requiring the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household members cases.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Coalition Against Domestic Violence, Domestic Violence Action Center, and three individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your

Committee received comments on this measure from the Department of the Attorney General, Office of the Public Defender, and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that this measure allows greater flexibility in the sentencing options regarding abuse of family or household members, while emphasizing accountability of the defendant, safety of the victims, and enhanced protection of children affected by domestic violence.

Your Committee has amended this measure by:

- (1) Clarifying the elements of a petty misdemeanor offense of abuse of family or household members to include the exercise of coercive control;
- (2) Enabling a court to set aside a defendant's no contest plea if the defendant fails to meet certain conditions;
- (3) Updating the preamble to clarify that the petty misdemeanor offense of abuse of family or household members is not a lesser included offense within the misdemeanor offense of abuse of family or household members;
- (4) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2638, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2638, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Say). Noes, 1 (Ward). Excused, none.

SCRep. 1049-20 Human Services & Homelessness on S.B. No. 2989

The purpose of this measure is to allow a candidate seeking election for state- and county-level offices to use campaign funds to pay for the candidate's child care costs, under certain conditions.

Your Committee received testimony in support of this measure from the Pono Hawaii Initiative, Common Cause Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee notes that this measure will help ease the financial burden for candidates with children who run for state and local offices, thereby broadening the field of candidates for voters to choose from and encouraging greater participation in the elections process.

Your Committee has amended this measure by:

- (1) Making the age of the child to qualify for child care costs unspecified;
- (2) Deleting the definition of "immediate family member" as "immediate family" is already defined under existing campaign finance law; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2989, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2989, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 1050-20 Transportation on S.B. No. 2235

The purpose of this measure is to establish a funding source to support a state drug and alcohol toxicology testing laboratory by:

- (1) Establishing a state drug and alcohol toxicology testing laboratory special fund, to be administered by the Department of Health; and
- (2) Depositing into the special fund fines paid by repeat and habitual offenders who have operated vehicles under the influence of an intoxicant and offenders who have operated vehicles after their license and privilege to operate a vehicle were suspended or revoked for operating a vehicle under the influence of an intoxicant.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawaii, Honolulu Police Department, Mothers Against Drunk Driving Hawaii, Hawaii Bicycling League, and Strategic Highway Safety Plan. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Health.

Your Committee finds that presently, testing of blood and urine samples obtained for the purpose of cases involving the operation of a motor vehicle while under the influence of an intoxicant is performed by private laboratories, with the exception of blood alcohol testing within the City and County of Honolulu. This drug and alcohol testing performed by private laboratories, including out-of-state laboratories, is costly and time-consuming. Occasions have occurred where the test results were not timely for trial, thereby causing cases to be dismissed.

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2235, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2235, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1051-20 Transportation/Housing on S.B. No. 2809

The purpose of this measure is to authorize the Director of Finance to issue general obligation bonds to the Department of Business, Economic Development, and Tourism for certain transit-oriented development projects.

Your Committees received testimony in support of this measure from the Hawaii Lodging and Tourism Association. Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Interagency Council for Transit-Oriented Development, and State Office of Planning.

Your Committees find that funding appropriated through this measure for fiscal year 2020-2021 will, according to the Hawaii Housing Finance and Development Corporation, provide seed money to fund neighbor island transit-oriented development projects for area planning, master planning, and infrastructure assessments.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2809, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2809, S.D. 2, H.D. 1, and be referred to your Committee on Water, Land, & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 8; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

Housing: Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1052-20 Transportation/Housing on S.B. No. 2054

The purpose of this measure is to:

- (1) Specify that the cost of regional infrastructure improvements made by the Hawaii Housing Finance and Development Corporation (HHFDC) may be assessed against transit-oriented development projects specifically benefiting from the improvements; and
- (2) Require the Hawaii Interagency Council for Transit-Oriented Development to review and make recommendations on applications for subaccount funds for infrastructure projects related to transit-oriented development.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Interagency Council for Transit-Oriented Development, State Office of Planning, Department of Planning and Permitting of the City and County of Honolulu, and Building Industry Association of Hawaii.

Your Committees find that authorizing HHFDC to recapture some of the costs of regional infrastructure improvements from transit-oriented development projects that derive specific benefits from those improvements is an equitable means of spreading the cost of those improvements. According to HHFDC, parcels benefiting from the improvements would pay their proportionate share based on a formula.

Your Committees further find that requiring the Hawaii Interagency Council for Transit-Oriented Development to review and make recommendations on applications for subaccount funds for transit-oriented infrastructure improvements provides for a central advisory body with specific expertise and responsibilities in the subject area to filter such applications and provide guidance. This requirement would also enable the Hawaii Interagency Council for Transit-Oriented Development to assure alignment of the infrastructure projects funded with the regional needs and priorities it has identified.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Transportation and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2054, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2054, S.D. 2, H.D. 1, and be referred to your Committee on Water, Land, & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 7. Noes, none. Excused, 1 (Cullen).

Housing: Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1053-20 Energy & Environmental Protection on S.B. No. 3008

The purpose of this measure is to exempt hydrogen fuels from measurement requirements for petroleum products.

Your Committee received testimony in support of this measure from Servco Pacific, Inc.; Sustainable Energy Hawaii; Hawaii Automotive Dealers' Association; and one individual.

Your Committee finds that hydrogen, as a renewable fuel, offers great promise for Hawaii. Your Committee further finds that the existing measurement standards law implies that hydrogen must be sold on the basis of measure, yet the State currently does not have a means to measure and certify hydrogen dispensers. This measure will assist the State in utilizing other forms of renewable fuels by explicitly exempting hydrogen from measurement standards relating to fuel.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3008, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3008, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1054-20 Energy & Environmental Protection on S.B. No. 2727

The purpose of this measure is to amend the Deposit Beverage Container Program by:

- (1) Exempting a beverage dealer who is located in a high-density population area from operating a redemption center if the dealer is located within one mile of a certified redemption center operated independently of the dealer; and
- (2) Requiring the Department of Health to adjust the handling fees for the Program at least annually to an amount not less than the handling fee in the prior calendar year as adjusted by percentage changes in the Consumer Price Index for the Honolulu area.

Your Committee received testimony in support of this measure from Reynolds Recycling, Inc. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and American Beverage Association. Your Committee received comments on this measure from the Department of Health and Department of Environmental Services of the City and County of Honolulu.

Your Committee finds that since January 2005, the Deposit Beverage Container Program has encouraged residents to recycle, which helps to remove containers from the waste stream and reduce litter in the community. The Program certifies independent recycling companies to operate redemption centers that collect recyclable containers and provide Hawaii consumers with refunds of the five-cent deposit fee that is paid for eligible containers.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2727, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2727, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1055-20 Energy & Environmental Protection on S.B. No. 1431

The purpose of this measure is to encourage investment in the deployment of seawater air conditioning as a renewable energy technology by expanding the renewable energy technologies income tax credit to include commercial seawater air conditioning systems that are connected to a seawater air conditioning district cooling system.

Your Committee received testimony in support of this measure from Honolulu Seawater Air Conditioning, Ulupono Initiative, 350Hawaii.org, and six individuals. Your Committee received comments on this measure from the Department of Taxation, Public Utilities Commission, Hawaii State Energy Office, and Tax Foundation of Hawaii.

Your Committee finds that providing tax incentives for the deployment of commercial seawater air conditioning systems will promote their adoption, thereby decreasing electricity use and reducing demand for fresh water.

Your Committee has amended this measure by:

- (1) Establishing an income tax credit, separate from the renewable energy technologies income tax credit, for each commercial air conditioning system connecting to a seawater air conditioning district cooling system that is connected, installed, and placed into service on or after December 31, 2020;
- (2) Establishing the amount of the tax credit at the lesser of the actual cost of connecting the air conditioning system to the cooling system or \$250,000, per multi-family residential or commercial property;
- (3) Adding a definition of "property";
- (4) Making the tax credit inapplicable to taxable years beginning after December 31, 2030; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1431, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1431, S.D. 2, H.D. 1, and be referred to your Committee on Legislative Management.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1056-20 Energy & Environmental Protection on S.B. No. 2503

The purpose of this measure is to establish within the Department of Health the Time of Transfer Individual Wastewater System Inspection Program to oversee the inspection and repair of any individual wastewater system at the time of the sale or transfer of ownership of an attached property.

Your Committee received testimony in support of this measure from the Department of Health and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association of REALTORS.

Your Committee finds that the Department of Health and Department of Business, Economic Development, and Tourism receive approximately \$1,100,000 in annual federal grants through the Coastal Zone Act Reauthorization Amendments of 1990, contingent on the State taking measures to address and minimize polluted runoff, including runoff from on-site sewage facilities. This measure minimizes the polluted runoff created by failing individual wastewater systems in the State by establishing a program to oversee the inspection and repair of individual wastewater systems at the time of an attached property's transfer or sale.

Your Committee has amended this measure by:

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

Your Committee notes that the intent of this measure, should it be enacted, is to not have it take effect upon approval but instead have a delayed effective date, in order to allow relevant industries and the Department of Health sufficient time to prepare for implementation of the new program.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2503, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2503, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1057-20 Energy & Environmental Protection on S.B. No. 3144

The purpose of this measure is to support recycling, bioconversion, or composting businesses by requiring the Office of Solid Waste Management to establish a recycling facility grant program to support recycling in the State.

Your Committee received testimony in support of this measure from Pono Hawaii Initiative and one individual. Your Committee received comments on this measure from the Department of Health and Maui Chamber of Commerce.

Your Committee finds that the recycling facility grant program established by this measure will aid efforts to divert more municipal waste from landfills and, accordingly, reduce greenhouse gas emissions, by supporting the operations of businesses that focus on the reduction, recycling, bioconversion, and composting of solid waste.

Your Committee further finds that the companion to this measure, H.B. No. 2404, H.D. 2 (Regular Session of 2020), was previously passed your Committee.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2404, H.D. 2, a measure that establishes and appropriates funds for a recycled products manufacturing grant program to issue grants to recycled products manufacturers or bioconversion or composting businesses to assist them in offsetting the costs of operations within the State; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3144, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3144, S.D. 2, H.D. 1, and be referred to your Committee on Economic Development & Business.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1058-20 Energy & Environmental Protection on S.B. No. 2655

The purpose of this measure is to exempt a public utility from seeking approval from the Public Utilities Commission (Commission) to place, construct, erect, or build a high-voltage electric transmission system under certain circumstances.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc.; Sustainable Energy Hawaii; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Division of Consumer Advocacy and Public Utilities Commission.

Your Committee finds that the Commission currently reviews all proposals for the construction of high-voltage transmission lines to determine whether transmission line systems should be built above or below ground. It is often significantly more expensive to build transmission lines below ground than above ground, and when a public utility is paying these costs, the burden is passed onto the ratepayers. However, if an entity other than a public utility is responsible for the cost of undergrounding, there is no direct ratepayer burden.

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2655, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2655, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1059-20 Energy & Environmental Protection on S.B. No. 2072

The purpose of this measure is to help achieve the State's renewable portfolio standard of one hundred percent of its electricity from renewable energy sources by December 31, 2045, by requiring:

- (1) The Governor; Department of Business, Economic Development, and Tourism; and Hawaii State Energy Office to develop a strategic plan that outlines benchmarks to meet the renewable portfolio standard; and
- (2) The Hawaii Natural Energy Institute of the University of Hawaii to conduct a feasibility study on the State's ability to achieve the renewable portfolio standard.

Your Committee received testimony in support of this measure from IMUAlliance, Ulupono Initiative, Hawaii Public Health Association, Climate Protectors Coalition, and three individuals. Your Committee received comments on this measure from the Department of Business, Economic Development and Tourism; Hawaii State Energy Office; and Hawaiian Electric Company, Inc.

Your Committee finds that the Hawaii State Energy Office should be the lead entity to develop and communicate a strategy to determine how renewable energy projects can be sited to minimize negative impacts and address community concerns, as well as to assess how Hawaii's several related statutes regarding renewable energy, energy efficiency, and its zero emissions clean economy target will be achieved.

Your Committee has amended this measure by:

- (1) Specifying that the strategic plan should also identify clear benchmarks to attain the zero emissions clean economy target;
- (2) Deleting the feasibility study requirement;
- (3) Requiring the Chief Energy Officer to convene an advisory group to facilitate discussions about energy policy in the State;
- (4) Appropriating an unspecified amount for the advisory group; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2072, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2072, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1060-20 Energy & Environmental Protection on S.B. No. 2326

The purpose of this measure is to phase in a prohibition on the manufacture and sale in Hawaii of certain personal care products and non-prescription drugs that contain synthetic plastic microbeads.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Public Health Association, Surfrider Foundation Kauai, Animal Rights Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the American Chemistry Council, Hawaii Reef and Ocean Coalition, Hawaii Youth Climate Coalition, Retail Merchants of Hawaii, and Beach Environmental Awareness Campaign Hawaii.

Your Committee finds that this measure does not apply to rinse-off cosmetics including those rinse-off cosmetics that are non-prescription drugs, as these products are exclusively regulated by the federal government pursuant to the federal Microbead-Free Waters Act of 2015.

Your Committee has amended this measure by:

- (1) Removing language that allowed any county ordinance concerning synthetic plastic microbeads to be preempted; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2326, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2326, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Har). Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1061-20 Health on S.B. No. 2724

The purpose of this measure is to prohibit the use of lead-based paint on outdoor structures after December 31, 2021.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that while the use of lead-based paints for residential structures are restricted, lead-based paints continue to be used on outdoor structures. Additionally, the use, maintenance, and removal of paints containing lead on outdoor structures create lead exposure pathways that are hazardous to workers, contaminate the environment, and expose children and adults who live, work, and play in proximity to these structures. This measure would prevent future contamination from lead-based paint in the environment and enhance the public health of the residents of the State.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2724, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2724, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1062-20 Health on S.B. No. 2586

The purpose of this measure is to permit qualifying patients to be reimbursed by health insurers, mutual benefit societies, and health maintenance organizations for amounts spent on medical cannabis and manufactured cannabis products.

Your Committee received comments in support of this measure from the Hawaii Cannabis Industry Association, Aloha Green Holdings Inc., and Kush Hawaii. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, and American Family Life Assurance Company of Columbus.

Your Committee finds that New Mexico was the first state to pass laws and rules to allow for medical cannabis reimbursement under the Workers' Compensation Administration, a program that has been active now for four years. Additionally, Connecticut, Maine, Minnesota, and New Jersey also cover medical cannabis for workers' compensation.

Your Committee notes that concerns were raised by the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees regarding how medical cannabis costs will legally be reimbursed, even under a paper claim process, by the insurers, pharmacy benefit managers, and payors since cannabis, even for medical purposes, is considered a controlled substance under federal law.

Your Committee has amended this measure by:

- (1) Requiring the Auditor to conduct an impact assessment report on the social and financial impacts of the mandatory health insurance coverage proposed by this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2586, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2586, S.D. 1, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1063-20 Health on S.B. No. 2284

The purpose of this measure is to prohibit a health care insurer, mutual benefit society, or health maintenance organization from requiring an insured, subscriber, member, or enrollee diagnosed with stage two through stage four cancer to undergo step therapy prior to covering the insured for the drug prescribed by the insured's health care provider, under certain conditions, for health insurance policies and contracts issued or renewed after December 31, 2020.

Your Committee received testimony in support of this measure from the Hawaii Medical Association and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and Hawaii Association of Health Plans.

Your Committee finds that the Department of Health reports cancer as the second leading cause of death among Hawaii residents, claiming more than two thousand two hundred Hawaii residents each year. Your Committee further finds that cancer patients should have full access to effective treatment options at early stages of their illnesses. This measure would prohibit health insurers from requiring step therapy prior to covering the insured for the drug prescribed by the insured's health care provider.

Your Committee has amended this measure by:

- (1) Requiring the Auditor to conduct an impact assessment report on the social and financial impacts of the mandatory health insurance coverage proposed by this measure;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2284, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2284, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1064-20 Housing on S.B. No. 2616

The purpose of this measure is to exempt affordable housing units, additions to existing dwelling units, accessory dwelling units, ohana dwelling units, and affordable housing projects developed by the Hawaii Public Housing Authority from fifty percent of the school impact fee revenues imposed and collected by the Department of Education.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, one member of the Maui County Council, and one individual. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii, Chamber of Commerce of Hawaii, and three individuals. Your Committee received comments on this measure from the Department of Education and Office of Hawaiian Affairs.

Your Committee finds that school impact fees increase the costs of development. Your Committee further finds that it is appropriate to reduce the total cost of developing affordable housing by reducing by fifty percent the school impact fees paid by developers of certain residential dwellings.

Your Committee finds that the testimony submitted by the Office of Hawaiian Affairs (OHA) on this measure underscores the pressing need for more affordable housing. Hawaii will need a projected 50,000 more housing units by 2025, twenty percent of which is for affordable units. Existing state programs incentivize the development of affordable housing by, among other things, exempting developers of affordable housing projects from a wide array of development requirements, including those related to planning, zoning, subdivision construction standards, land development, and dwelling unit construction. According to testimony from OHA, since home prices, rental payments, and homelessness continue to increase, any increase in incentives to developers of affordable housing should be conditioned upon a more substantial affordable housing contribution by the developers than is currently required.

As to the overall impact of the Department of Education's school impact fee program, your Committee notes the concerns of some of its Committee members, that some counties are not fully engaging in the school impact fee process.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2616, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2616, S.D. 2, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (McDermott).

SCRep. 1065-20 Tourism & International Affairs on S.B. No. 2922

The purpose of this measure is to simplify and streamline administration of the transient accommodations tax (TAT) by:

- (1) Broadening the definition of "operator" to include any person operating a transient accommodation or engaging or continuing in any service business that results in the collection of receipts defined as gross rental proceeds under the TAT law;
- (2) Replacing the term "operator or plan manager" with "person" or "taxpayer" to ensure no technical defenses or loopholes to any TAT provisions have been created since the imposition of the TAT on transient accommodations brokers, travel agents, and tour packagers enacted by Act 211, Session Laws of Hawaii 2018;
- (3) Repealing the misdemeanor for failing to obtain a TAT registration identification number and replacing the misdemeanor with a monetary fine to be consistent with similar violations under the general excise tax law;

- (4) Applying personal liability for certain controlling officers under section 237-41.5, Hawaii Revised Statutes, to taxpayers and others affected or covered by the TAT law; and
- (5) Removing outdated provisions requiring taxpayers to file and pay at specific taxation districts.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that many provisions of the TAT law are out of date and must be updated. Your Committee further finds that by making necessary updates and replacing the misdemeanor penalty for failure to register to engage or continue in the business of furnishing transient accommodations or as a plan manager with a fine structure, this measure will streamline TAT laws and make the penalty for failure to register consistent with similar violations under the general excise tax law.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2922, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2922, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Cachola, Creagan).

SCRep. 1066-20 Tourism & International Affairs on S.B. No. 2696

The purpose of this measure is to:

- (1) Require the Office of Planning to prepare a feasibility and implementation plan to assess a green fee on a per visitor, per stay basis assessing the current plans and programs to close the conservation funding gap and achieve the Aloha+ Challenge natural resource management 2030 goals;
- (2) Require the Office of Planning to establish an advisory group to advise the office in development of the plan; and
- (3) Make an appropriation for the Office of Planning to prepare the plan.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Chamber of Commerce Hawaii, The Nature Conservancy, Kohala Coast Resort Association, IMUAalliance, Kohala Institute, and two individuals. Your Committee received comments on this measure from the Office of Planning and Tax Foundation of Hawaii.

Your Committee finds that Hawaii's environment is integral to the experiences of residents and visitors. Your Committee further finds that broadening the scope of the study beyond green fees will support the comprehensive statewide sustainability coordination and implementation of Hawaii's sustainability laws, goals, policies, priorities, and planning throughout government.

Your Committee has amended this measure by:

- (1) Replacing the feasibility and implementation plan with a study that will identify the current plans, programs, funding sequences, and allocations of state revenue to achieve the Aloha+ Challenge natural resource management goals; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Tourism & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2696, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2696, S.D. 2, H.D. 1, and be referred to your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (Cachola, Creagan).

SCRep. 1067-20 Energy & Environmental Protection on S.B. No. 2721

The purpose of this measure is to require the Department of Health to develop a risk-based selection process for the Deposit Beverage Container Program to select reports submitted by distributors and redemption centers for audit.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from Reynolds Recycling, Inc. Your Committee received comments on this measure from the American Beverage Association and Hawaii Food Industry Association.

Your Committee finds that audits of the Deposit Beverage Container Program are inefficient, as the audits can only reveal a small or negligible difference between the amount of money that should have been reimbursed and the amount actually reimbursed. This measure will optimize these audits and ensure that all eligible beverage containers being redeemed are accurately accounted for and appropriately reimbursed.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2721, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2721, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1068-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on S.B. No. 3099

The purpose of this measure is to require implementation of the recommendations of the Hawaii Sea Level Rise Vulnerability and Adaptation Report (Report) by:

- (1) Requiring state and county departments and agencies to incorporate the Report's recommendations into its objectives, policies, planning, financing strategy, and other processes;
- (2) Requiring relevant state and county departments and agencies to report on the progress of implementing the Report's recommendations to the Legislature;
- (3) Appropriating funds for certain state departments and agencies to implement the Report's recommendations;
- (4) Appropriating funds to each of the four major counties to implement the Report's recommendations and conduct a regional market assessment for certain urban areas; and
- (5) Appropriating funds to the Department of Health to conduct a sea level mitigation review and submit interim and final reports to the Legislature.

Your Committees received testimony in support of this measure from the Climate Protectors Coalition, IMUAlliance, and three individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning, Office of Hawaiian Affairs, City and County of Honolulu Board of Water Supply, Hawaii Association of REALTORS, and Common Cause Hawaii.

Your Committees find that this measure will establish a coordinated, government-wide approach to addressing, planning for, and adapting to sea level rise and that certain agencies have already taken steps to address the impact of sea level rise.

Your Committees have amended this measure by:

- (1) Removing the appropriation for state agencies to implement the measure;
- (2) Removing the appropriation to each county to implement the measure and the counties' reporting requirements;
- (3) Removing the exemption of the Office of Planning's Standing Committee on Sea Level Rise and Managed Retreat from the Sunshine Law;
- (4) Removing the definition of "sea level rise exposure area" as designated by the Hawaii Climate Change and Mitigation and Adaptation Commission (Commission) for purposes of the Willing Seller Program;
- (5) Removing the authorization for the Land Use Commission to develop a policy to address the managed retreat of urban areas on to lands zoned for agricultural and conservation use under certain conditions;
- (6) Removing the requirement for the Office of Environmental Quality Control to implement the provisions of the Report;
- (7) Deleting the amendment to require the Historic Preservation Program to inventory and develop processes and protocols to preserve traditional and customary native Hawaiian cultural resources and practices that may be impacted by sea level rise;
- (8) Removing the acquisition of lands that buffer or otherwise may preserve adjacent beaches and other coastal areas as an approved use of monies from the Land Conservation Fund;
- (9) Removing mandatory seller disclosure requirements in real estate transactions within a sea level exposure area designated by the Commission; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3099, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3099, S.D. 2, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7; Ayes with Reservations (Thielen). Noes, none. Excused, none.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Ward).

SCRep. 1069-20 Lower & Higher Education on S.B. No. 594

The purpose of this measure is to require and appropriate funds to the Department of Education to implement a School Meal Subsidy Program for income-eligible public school students who do not otherwise qualify for a free lunch under the free and reduced price lunch program.

Your Committee received testimony in support of this measure from the Department of Education, Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, and one individual.

Your Committee finds that the National School Lunch Program is a federally assisted meal program for schools that provides daily low-cost or free meals to children from households making a certain income. However, the Department of Education estimates that up to fifteen thousand children each year from gap groups do not qualify for the National School Lunch Program. This measure will provide equal access to food services for students and ensures that all public school students are provided school meals.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 594, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 594, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1070-20 Health/Intrastate Commerce on S.B. No. 2424

The purpose of this measure is to clarify the definition of the practice of medicine to provide uniformity of practice for medical physicians and osteopathic physicians.

Your Committees received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawaii Medical Board, and Hawaii Medical Association.

Your Committees find that the definition of "practice of medicine" was amended in 2008 by adding a separate, distinct definition of "osteopathic medicine". Since medical physicians and osteopathic physicians receive the same training, this distinction is unnecessary. This measure therefore brings the definition of the practice of medicine to parity with the current practice of medicine and provides uniformity for medical physicians and osteopathic physicians.

Your Committees further find that the current practice of medicine includes the treatment of disease and includes additional services that are now commonplace in the practice of modern medicine. Accordingly, this measure also expands the scope of practice of medicine beyond merely treating disease, which will provide the Regulated Industries Complaints Office with tangible grounds for evaluating physician compliance with licensure laws and enable the Office to better target and enjoin unlicensed practices and behaviors.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Health and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2424, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2424, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 8. Noes, none. Excused, none.

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Gates, Nishimoto).

SCRep. 1071-20 Health/Intrastate Commerce on S.B. No. 2584

The purpose of this measure is to establish minimum requirements for dental assistants in Hawaii. Specifically, this measure:

- (1) Requires all dental assistants to obtain CPR certification and complete an accredited educational program by a certain date;
- (2) Requires dental assistants with less than five years of experience to provide proof of enrollment in an accredited program;
- (3) Exempts dental assistants with at least five years of experience from the education requirements for dental assistants; and
- (4) Clarifies the allowable and prohibited practices of dental assistants.

Your Committees received testimony in support of this measure from the Hawaii Dental Hygienists' Association and a petition by numerous individuals. Your Committees received testimony in opposition of this measure from the Board of Dentistry, Hawaii Dental Association, and ten individuals.

Your Committees find that Hawaii is a part of a small group of states that do not require dental assistants to be certified. The public is best served and protected when dental assistants are properly educated, trained, regulated, and certified.

However, your Committees believe that this measure misclassifies certain tasks as "procedures" and may be construed to require administrative tasks to be conducted under the direct supervision of a dentist. To ensure that the responsibilities, scope of practice, certification and education requirements, and other aspects of the professional regulation of dental assistants are appropriately crafted, your Committees believe that the creation of a task force with oral health experts to create a regulatory framework for dental assistants will ensure patient safety.

Accordingly, your Committees have amended this measure by:

- (1) Deleting provisions that established minimum requirements for dental assistants in Hawaii;
- (2) Establishing a task force to provide recommendations on qualification and certification requirements and the allowable scope of practice for dental assistants in Hawaii; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2584, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2584, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 8. Noes, none. Excused, none.

Intrastate Commerce: Ayes, 5. Noes, none. Excused, 2 (Gates, Nishimoto).

SCRep. 1072-20 Health/Intrastate Commerce on S.B. No. 2544

The purpose of this measure is to clarify and update the scope of practice and licensure requirements for acupuncture practitioners.

Your Committees received testimony in support of this measure from the Board of Acupuncture; AcuPlan Hawaii; Hawaii Acupuncture Association; Institute of Clinical Acupuncture and Oriental Medicine; Acupuncture & Wellness Center, LLC; Kailua Acupuncture Clinic; Longevity Health Center; and fourteen individuals. Your Committees received testimony in opposition of this measure from Maui Holistic Physical Therapy and five individuals. Your Committees received comments on this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, American Physical Therapy Association-Hawaii, and numerous individuals.

Your Committees find that thirty-four states and the District of Columbia have passed laws that allow physical therapists to perform dry needling. The State of Hawaii is missing the choice of dry needling by physical therapists to alleviate patients' pain and mobility issues, which can also alleviate opioid addiction.

Your Committees urge the Board of Acupuncture and Board of Physical Therapy to meet and talk or seek and participate in mediation to help resolve the acupuncture and physical therapy needling practice issue, which has become a very contentious issue, by dispute prevention and resolution through the Mediation Center of the Pacific.

Your Committees also find that existing laws relating to the scope of practice for acupuncturists have not been updated in more than twenty years and do not adequately describe the leading requirements or methods and techniques learned in the educational body of training used today. Education, research, biomedical training, and terminology have all evolved and advanced within the profession and updates are necessary to continue to meet current best standards of practice to treat and care for Hawaii residents. Your Committees believe that a working group should be established to consider and make recommendations on the scope of practice for acupuncturists.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its substantive contents;
- (2) Establishing a working group to consider and make recommendations on the scope of practice for acupuncturists;
- (3) Amending its purpose section;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2544, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2544, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

Intrastate Commerce: Ayes, 5; Ayes with Reservations (McDermott). Noes, none. Excused, 2 (Gates, Nishimoto).

SCRep. 1073-20 Energy & Environmental Protection on S.B. No. 3036

The purpose of this measure is to specify that solar energy systems installed and placed in service on commercial property pursuant to a power purchase agreement approved by the Public Utilities Commission (PUC) prior to December 31, 2019, or filed and pending approval by the PUC prior to December 31, 2019, shall continue to receive the renewable energy technologies income tax credit at the lesser of thirty-five per cent of the actual cost or \$500,000 per solar energy system.

Your Committee received testimony in support of this measure from the Hawaii Clean Power Alliance; Hoohana Solar 1 LLC; Innergex Renewables USA, LLC; Hawaii Solar Energy Association; Climate Protectors Coalition; 350Hawaii.org; Clearway Energy Group; Hawaii PV Coalition; and six individuals. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawaii. Your Committee received comments on this measure from the Department of Taxation; Hawaii State Energy Office; Tax Foundation of Hawaii; Hawaiian Electric Company, Inc.; Kauai Island Utility Cooperative; AES Distributed Energy; and Tesla.

Your Committee finds that, in order to pursue its goal to reach one hundred percent renewable energy by 2045, Hawaii must continue to support utility-scale renewable energy projects that benefit residents and ratepayers. Your Committee further finds that the State must provide certainty and clarity for these projects to ensure their stability and long-term financial viability.

Your Committee has amended this measure by:

- (1) Deleting the preamble;
- (2) Amending the renewable energy technologies income tax credit amount for each solar energy system to be thirty-five percent of the actual cost or a designated cap amount, rather than the lesser of the two;
- (3) Repealing the renewable energy technologies income tax credit for solar energy systems for commercial properties for taxable years beginning after December 31, 2019, but grandfathering in certain solar energy systems, including certain solar energy systems integrated with a pump hydroelectric energy storage system;
- (4) Increasing the tax credit for solar water heater systems, other solar energy systems, and wind-powered energy systems for multi-family residential properties to \$750 per unit per system; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3036, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3036, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1074-20 Energy & Environmental Protection on S.B. No. 2818

The purpose of this measure is to require the Public Utilities Commission (PUC) to contract with the Hawaii Natural Energy Institute to conduct a study regarding the availability, feasibility, and costs of the use of renewable gas in Hawaii by gas utility companies.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs Division of Consumer Advocacy, Hawaii Gas, Hawaiian Electric, EcoTipping Points Project, Chamber of Commerce Hawaii, Hawaii Bioeconomy Trade Organization, Sustainable Energy Hawaii, Par Hawaii, Ulupono Initiative, Blue Planet Foundation, Land Use Research Foundation of Hawaii, and fourteen individuals. Your Committee received testimony in opposition to this measure from 350Hawaii.org, Climate Protectors Coalition, Life of the Land, and five individuals. Your Committee received comments on this measure from the Hawaii State Energy Office and Public Utilities Commission.

Your Committee finds that the study required under this measure will provide important data to support future policies to increase the development, deployment, and use of renewable natural gas in the State. Your Committee further finds that the State statutorily is committed to one hundred percent renewable energy sales in the State by 2045. By amending the method by which the State's one hundred percent renewable energy goal is calculated, the State may more accurately determine whether the State is truly achieving its goal of sourcing one hundred percent of its electricity from renewable sources.

Your Committee has amended this measure by:

- (1) Deleting its preamble;
- (2) Inserting the preamble of H.B. No. 1242, H.D. 1 (Regular Session of 2020);
- (3) Deleting the language requiring the PUC to conduct the study and replacing it with language from H.B. No. 1242, H.D. 2 (Regular Session of 2020), to make technical amendments to the study requirement and amend the definition of "gas utility company";
- (4) Further amending the study requirement by deleting provisions requiring review of the study by a panel of experts and confirmation and verification of information and analysis used in conducting the study and amending the scope of the study;
- (5) Inserting an appropriation from the Public Utilities Commission Special Fund of an unspecified amount for the PUC to conduct the study;
- (6) Inserting the contents of H.B. No. 1864, H.D. 2 (Regular Session of 2020), which amends the definition of "renewable portfolio standard" to more accurately reflect the percentage of total electrical energy generated that is represented by renewable electrical energy in the State;
- (7) Inserting a savings clause;
- (8) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Consumer Protection & Commerce or Committee on Finance deliberate on this measure, your Committee respectfully requests consideration of an appropriation amount of \$150,000 from the Public Utilities Special Fund for the study.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2818, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2818, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Yamane, Thielen).

SCRep. 1075-20 Energy & Environmental Protection/Housing on S.B. No. 1289

The purpose of this measure, beginning on January 1, 2022, is to prohibit the issuance of a building permit for a new single-family dwelling that is part of a development of twenty or more dwellings and does not include a rooftop solar energy generation system, unless a variance is granted.

Your Committees received testimony in support of this measure from Pono Hawaii Initiative, Climate Protectors Coalition, EcoTipping Points Project, Blue Planet Foundation, 350Hawaii.org, and nine individuals. Your Committees received testimony in opposition to this measure from the Building Industry Association Hawaii, Chamber of Commerce Hawaii, NAIOP Hawaii, D.R. Horton LLC, and Hawaii Association of REALTORS. Your Committees received comments on this measure from the Hawaii State Energy Office; Hawaiian Electric Company, Inc.; Hawaii PV Coalition; and Hawaii Solar Energy Association.

Your Committees find that rooftop solar energy generation systems should be cost-effective for consumers so that requiring such systems for a new single-family dwelling, that is part of a development of twenty or more dwellings, does not have unintended adverse consequences to them, particularly for our most vulnerable communities.

Your Committees have amended this measure by:

- (1) Exempting from the rooftop solar installation requirement any single-family dwelling that is part of a development of twenty or more dwellings and is affordable to a household having an income of one hundred percent or less of the area median income as determined by the United States Department of Housing and Urban Development;
- (2) Allowing a variance application to be accepted if certain professionals attest that a rooftop photovoltaic energy generating system, rather than a renewable energy technology system, is substituted for use as the primary energy source for electricity;
- (3) Defining "rooftop photovoltaic energy generating system" to include any identifiable facility that utilizes electricity-generating photovoltaic modules mounted on a rooftop and reduces the use of other types of energy that are dependent upon fossil fuel;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1289, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1289, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Energy & Environmental Protection: Ayes, 6; Ayes with Reservations (Har). Noes, none. Excused, 1 (Thielen).
Housing: Ayes, 6. Noes, 1 (Hashimoto). Excused, 1 (McDermott).

SCRep. 1076-20 Labor & Public Employment on S.B. No. 2543

The purpose of this measure is to:

- (1) Prohibit an employer from discriminating against a person in hiring, termination, or any term or condition of employment based on the person's status as a medical cannabis cardholder, under certain conditions;
- (2) Specify that an employer may use a fit for duty test as a risk-based assessment tool for medical cannabis users in potentially dangerous occupations; and
- (3) Specify certain categories of employment that are exempt from the protections of this measure.

Your Committee received testimony in support of this measure from the Department of Public Safety; Hawaii Transportation Association; Big Island Grown Dispensaries; Aloha Green Holdings Inc.; Drug Policy Forum of Hawaii; Hawaii Cannabis Industry Association; Kush Hawaii; Hawaiian Electric Company, Inc.; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation, Kauai Police Department, Maui Chamber of Commerce, Hawaii Food Industry Association, and Retail Merchants of Hawaii. Your Committee received comments on this

measure from the Department of Health, Hawaii Civil Rights Commission, Department of Human Resources of the City and County of Honolulu, Chamber of Commerce Hawaii, and Matson.

Your Committee finds that many states have legalized medical cannabis. However, only a handful of states have policies that in some way address anti-discrimination for medical cannabis patients. This measure addresses the lack of employment protections for those workers who are medical cannabis patients.

Your Committee has amended this measure by:

- (1) Providing that nothing shall abridge any existing right of an employer to send an employee for medical evaluation when the employer has safety concerns about the impairment of the employee;
- (2) Allowing employers to take adverse action or discipline employees who use or possess medical cannabis in the workplace or who are impaired in the workplace;
- (3) Specifying that no employer shall have any liability to an employee who is injured or killed during the performance of the employee's job if the employee's impairment by medical cannabis was the sole contributing factor to the employee's death or injury;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that should this measure proceed further in the legislative process, there be clarification on the ambiguity regarding what constitutes "fit for duty tests" relating to medical cannabis use in potentially dangerous occupations.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2543, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2543, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

SCRep. 1077-20 Labor & Public Employment on S.B. No. 2490

The purpose of this measure is to improve retirement savings opportunities in the State by establishing, and appropriating funds for, the Hawaii Retirement Security Task Force to:

- (1) Create a Hawaii retirement savings program for private sector employees who are not currently covered by an existing employer-sponsored retirement plan; and
- (2) Report to the Legislature on its progress, including any proposed legislation, no later than forty days prior to the convening of the Regular Session of 2021.

Your Committee received testimony in support of this measure from Young Progressives Demanding Action; Hawaii Family Caregiver Coalition; AARP Hawaii; Maui Chamber of Commerce; Hawaiian Cool Water; 3 Financial Group LLC; Gochi Grill; Priam's Automotive Service & Repair, Inc.; National Conference on Public Employee Retirement Systems; Art Nelson Sailmaker/Ullman Sails; Burgers on Bishop; Craigsides Travel; and fifteen individuals. Your Committee received testimony in opposition to this measure from NAIFA Hawaii and American Council of Life Insurers. Your Committee received comments on this measure from the Department of Budget and Finance and State Procurement Office.

According to a 2018 study by the U.S. Bureau of Labor Statistics, nearly 40,000,000 private-sector employees do not have access to a retirement plan through their employer. Many working Americans struggle when it comes to saving money for their short-term and long-term goals. Americans are not saving as much as they should for their retirement. Your Committee recognizes that this savings deficit threatens the quality of life of people in our State who are approaching retirement or are already retired.

Your Committee finds that states such as California, Connecticut, Illinois, Maryland, Massachusetts, New Jersey, New York, Oregon, Vermont, and Washington have state-sponsored retirement programs. Many other states have introduced legislation for state-sponsored retirement programs. This measure establishes a task force to look at the feasibility of establishing a retirement savings program in Hawaii.

Your Committee finds that the companion to this measure, H.B. No. 2251, H.D. 1, (Regular Session of 2020), was previously passed by your Committee.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2251, H.D. 1, a measure that:
 - (A) Establishes a retirement savings task force to secure a consultant to assess the feasibility of a Hawaii retirement savings program; assess the viability of current state retirement savings programs in other states; determine the feasibility of joining a multi-state, state-facilitated retirement savings program; research the implications of the federal SECURE Act; and draft an implementation plan for a retirement savings program;
 - (B) Requires the retirement savings task force to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than forty days prior to the convening of the Regular Session of 2021; and
 - (C) Appropriates funds to retain the consultant and pay for associated expenses, including staff;
- (2) Changing the composition of the task force;
- (3) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2490, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2490, S.D. 2, H.D. 1, and be referred to your Committee on Human Services & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

SCRep. 1078-20 Labor & Public Employment on S.B. No. 2307

The purpose of this measure is to require all state and state funded facilities, with certain exceptions, to have internet computer and wireless access filters to restrict access to pornography sites.

Your Committee received testimony in support of this measure from the Department of Education and Office of Enterprise Technology Services. Your Committee received comments on this measure from the Hawaii State Public Library System.

Your Committee finds that the Internet of today is full of pornographic content and the federal Children's Internet Protection Act requires all public schools and libraries receiving federal funds and providing internet access to use filters that restrict people from accessing pornography while using their internet services.

Your Committee further finds that the State has a compelling interest in ensuring that State resources are not being utilized to obtain or view pornography.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2307, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2307, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

SCRep. 1079-20 Labor & Public Employment on S.B. No. 2313

The purpose of this measure is to prohibit an employer from:

- (1) Requiring an employee to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault; and
- (2) Retaliating against an employee for disclosing or discussing sexual harassment or sexual assault.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii Civil Rights Commission, Hawaii Labor Coalition, AAUW of Hawaii, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, SAG-AFTRA Hawaii Local, and five individuals. Your Committee received comments on this measure from the Queen's Health Systems.

Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault are important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work environment and retaliating against employees for disclosure provides enhanced protections and supports a safe and positive work environment for all individuals.

Your Committee has amended this measure by:

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

Your Committee notes the concerns of the Queen's Health Systems in its testimony that this measure, as currently drafted, would impede its peer review process relating to quality assessment and performance improvement. However, based on the testimony, it is unclear to your Committee how the Queen's Health Systems' peer review process and the nondisclosure agreement requirements contained in this measure actually relate.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2313, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2313, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

SCRep. 1080-20 Labor & Public Employment on S.B. No. 2576

The purpose of this measure is to exempt the University of Hawaii from reimbursing the State for contributions made by the State to the Hawaii Employer-Union Health Benefits Trust Fund and the Employees' Retirement System for university employees whose salary costs are paid by the University of Hawaii Tuition and Fees Special Fund.

Your Committee received comments on this measure from the Department of Budget and Finance and University of Hawaii System.

Your Committee finds that this measure codifies an existing cost-sharing practice that the Department of Budget and Finance, Department of Accounting and General Services, and University of Hawaii have utilized for the last fifteen years as a cost-sharing agreement that benefits the University of Hawaii and state government.

Your Committee has amended this measure by:

- (1) Providing that legislatively authorized positions of the University of Hawaii that have salary costs paid by the University of Hawaii Tuition and Fees Special Fund may be exempted from reimbursement to the State pursuant to an executive order;
- (2) Specifying that the University of Hawaii annual report submitted to the Legislature shall be in conformance with the reporting requirements of the executive order;
- (3) Removing the provision that establishes a cap on the salary costs exempted from reimbursement to the State;
- (4) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2576, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2576, S.D. 2, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

SCRep. 1081-20 Labor & Public Employment on S.B. No. 2010

The purpose of this measure is to establish The Uniform Employee and Student Online Privacy Protection Act to protect the online accounts of employees, prospective employees, unpaid interns, applicants, students, prospective students, and independent contractors from mandatory or coercive access by their employers and educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Civil Rights Commission, and Commission to Promote Uniform Legislation. Your Committee received comments on this measure from the Department of the Attorney General and American Civil Liberties Union of Hawaii.

Your Committee finds that growing reports of employers and educational institutions requiring or demanding access to the personal online accounts of employees, job applicants, and students raises significant privacy concerns. These concerns have resulted in legislative efforts in other jurisdictions to protect employees and students against unwarranted invasions of privacy and from workplace access to their social media accounts. This measure seeks to prevent employers and public and private educational institutions from demanding access to the online accounts of employees and students.

Your Committee has amended this measure by:

- (1) Inserting a purpose section specifying that The Uniform Employee and Student Online Privacy Protection Act in this measure is a law of statewide concern;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2010, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2010, S.D. 1, H.D. 1, and be referred to your Committee on Lower & Higher Education.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Ichiyama, McKelvey, Quinlan).

SCRep. 1082-20 Intrastate Commerce on S.B. No. 2541

The purpose of this measure is to establish continuing education requirements and clarify the advertising limitations for massage therapists.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association-Hawaii Chapter, and one individual. Your Committee received testimony in opposition to this measure from the Hanalei Day Spa and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Pacific Center for Awareness and Bodywork, and Kauai Massage Therapy.

Your Committee finds that massage therapist licensees should regularly maintain their knowledge and education through continuing education requirements that include basic first aid and emergency-related training. While your Committee understands that advertisements, regardless of medium, should be limited to protect consumers from unscrupulous practitioners, concerns raised in testimony before your Committee about the breadth of the advertising limitations proposed by this measure and their possible infringement on constitutionally-protected commercial speech warrants sufficient caution. Accordingly, your Committee believes that amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Authorizing the Board of Massage Therapy to conduct random audits of licensees to determine compliance with the continuing education requirements proposed by this measure;
- (2) Deleting the provisions that would have updated and modified the advertising limitations and penalties on massage therapists and massage therapy establishments;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2541, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2541, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1083-20 Intrastate Commerce on S.B. No. 2878

The purpose of this measure is to:

- (1) Authorize the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repeal the petty misdemeanor penalty for practicing massage therapy without a license in favor of existing statutes that already treat unlicensed activity as a misdemeanor; and
- (3) Increase the minimum fine from \$100 to \$250 and the maximum fine from \$1,000 to \$2,000 for each violation of laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association-Hawaii Chapter, and IMUAlliance.

Your Committee finds that the companion to this measure, H.B. No. 2322, H.D. 1 (Regular Session of 2020), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2322, H.D. 1, which amends this measure by:

- (1) Requiring, rather than permitting, the Board of Massage Therapy to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Inserting a savings clause;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2878, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1084-20 Intrastate Commerce on S.B. No. 2871

The purpose of this measure is to allow the Contractors License Board and Real Estate Commission to make findings and adjustments of the recovery fund and education fund fees when fund levels are adequate to carry out the statutory mandates for which the funds were created.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Contractors License Board, Hawaii Real Estate Commission, Associa, and Hawaii Chapter of the Community Associations Institute Legislation Action Committee.

Your Committee finds that the companion to this measure, H.B. No. 2315, H.D. 3 (Regular Session of 2020), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2315, H.D. 3 which amends this measure by:

- (1) Clarifying that this measure supersedes any contrary amendments made to the various recovery and education funds by Act 29, Session Laws of Hawaii 2019; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2871, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2871, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1085-20 Intrastate Commerce on S.B. No. 2877

The purpose of this measure is to:

- (1) Clarify that the practicum internship experience requirement shall be included with the coursework in counseling requirement for mental health counselors; and
- (2) Clarify the supervision requirements of licensure for mental health counselors by permitting applicants to fulfill all or part of their face-to-face clinical supervision requirement by a videoconference service.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; University of Hawaii at Hilo; Hawaii Substance Abuse Coalition; Democratic Party of Hawaii; Aloha House, Inc.; and five individuals.

Your Committee finds that the companion to this measure, H.B. No. 2321, H.D. 2 (Regular Session of 2020), a substantially similar measure, was previously passed by your Committee.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2321, H.D. 2, which amends this measure by:

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

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2877, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2877, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1086-20 Intrastate Commerce on S.B. No. 2879

The purpose of this measure is to expand the pool of persons eligible to receive restitution from the Mortgage Loan Recovery Fund.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the companion to this measure, H.B. No. 2323, H.D. 2 (Regular Session of 2020), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2323, H.D. 2, which amends this measure by changing the effective date to July 1, 2050, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2879, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2879, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1087-20 Intrastate Commerce on S.B. No. 2883

The purpose of this measure is to clarify that churches granted an exemption under section 441-22.1, Hawaii Revised Statutes, are exempt from all requirements of chapter 441, Hawaii Revised Statutes, and that other exempted entities shall comply with any provision of that chapter upon order of the Director of Commerce and Consumer Affairs.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the companion to this measure, H.B. No. 2327, H.D. 1 (Regular Session of 2020), was previously passed by your Committee.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2327, H.D. 1, an identical measure except for its effective date of July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2883, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2883, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1088-20 Intrastate Commerce on S.B. No. 2872

The purpose of this measure is to increase the amount an injured homeowner may recover from the Contractors Recovery Fund and the maximum payout for any licensed contractor from the Contractors Recovery Fund.

Your Committee received testimony in support of this measure from the Contractors License Board and Subcontractors Association of Hawaii.

Your Committee finds that the companion to this measure, H.B. No. 2316, H.D. 1 (Regular Session of 2020), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2316, H.D. 1, which amends this measure by:

- (1) Changing the maximum liability for any licensed contractor from \$75,000 to \$50,000; and
- (2) Changing the effective date to July 1, 2050, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2872, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1089-20 Intrastate Commerce on S.B. No. 2587

The purpose of this measure is to strengthen regulation over the payday lending industry by:

- (1) Establishing requirements for small dollar installment loans;
- (2) Requiring a person to be licensed in order to act as a small dollar lender;
- (3) Appropriating funds for the Division of Financial Institutions (DFI) of the Department of Commerce and Consumer Affairs to carry out the purposes of the small dollar installment loan program;
- (4) Requiring a person to be registered with the Department of Commerce and Consumer Affairs in order to conduct business as a check casher; and
- (5) Requiring DFI to conduct an analysis of the regulation of payday lenders and deferred deposit agreements.

Your Committee received testimony in support of this measure from Ohana Holdings, LLC. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Dollar Financial Group, and one individual.

Your Committee finds that twenty-one percent of all households in Hawaii use an alternative financial service, such as a check cashing or payday loan service, at least once during the year. Your Committee further finds that because of the State's existing deferred deposit laws, consumers who use payday lending can get trapped in unsustainable cycles of debt. This measure creates a regulatory framework for small dollar lenders that will provide protection to unbanked and underbanked Hawaii residents.

Your Committee has heard testimony from the Department of Commerce and Consumer Affairs that a consumer loan statutory scheme exists in Chapter 421, Article 9 (Article 9), Hawaii Revised Statutes. The existing loan scheme offers many of the protections proposed by this measure, such as precomputed consumer loans, the types of fees that can be charged to consumers, the circumstances under which a prepayment penalty can be charged, and provisions on how refunds are calculated. In their testimony, the Department of Commerce and Consumer Affairs further notes that DFI has been working with small dollar and payday lenders and, because Article 9 provides DFI with the ability to review nondepository financial service loan companies in the same manner that it reviews banks, would therefore prefer to use the existing scheme of Article 9 for the licensing, supervision, and examination of these types of lenders.

Your Committee finds that placing the licensing and regulatory measures for small dollar lenders proposed by this measure in Article 9 will promote further discussion that may lead to identifying and removing duplicative provisions. Your Committee notes that the maximum allowable loan amount proposed

by this measure of \$1,500 falls well short of the \$25,000 maximum loan amount authorized by Article 9 and requests that your Committee on Consumer Protection & Commerce consider the application of Article 9 on loans greater than the proposed \$1,500 maximum for small dollar lenders proposed by this measure.

Your Committee has amended this measure by:

- (1) Placing the licensing and regulatory measures for small dollar lenders proposed by this measure in Chapter 421, Article 9, Hawaii Revised Statutes, rather than as a new Chapter in title 25A, Hawaii Revised Statutes;
- (2) Adding a new definition for "renewal";
- (3) Increasing the maximum allowable loan size from \$1,000 to \$1,500;
- (4) Increasing the maximum allowable costs from fifty percent to sixty percent;
- (5) Increasing the tiered maximum monthly maintenance fee from \$25 to \$60;
- (6) Clarifying payment requirements, specifically:
 - (A) Prioritizing payment of all past due interests and fees; and
 - (B) Allowing a lender to contract for payment every two weeks on a multiple installment small dollar loan;
- (7) Increasing the time a small dollar lender has to respond to a request for the amount required to discharge the loan in full from two days to five days;
- (8) Expanding the methods by which a loan payment may be made;
- (9) Allowing for electronic signature of loan documents, if the loan is being made over the Internet;
- (10) Deleting language allowing small dollar lenders to contract for interest at a single annual rate that would result in the same earned interest as the graduated rate;
- (11) Clarifying what information the parties must reduce to a written agreement;
- (12) Allowing for a default charge of \$30;
- (13) Exempting shared phone numbers or electronic accounts from the prohibition on contacting a consumer's spouse or domestic partner;
- (14) Exempting the transfer or pledge of a small dollar loan to affiliated small dollar lenders or financial institutions in connection with asset-backed financing, where such transfers do not result in relinquishing servicing rights on the loan, from the notice requirements;
- (15) Clarifying what types of advertising would prevent a lender from obtaining a license;
- (16) Expanding the entities a licensee may transfer pending small dollar loans to as part of a voluntary surrender of a license;
- (17) Requiring the State Auditor, rather than the Division of Financial Institutions of the Department of Commerce and Consumer Affairs, to conduct an analysis of the regulation of payday lenders and deferred deposit agreements; and
- (18) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2587, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2587, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, McDermott).

SCRep. 1090-20 Health on S.B. No. 31

The purpose of this measure is to support healthcare providers acting as preceptors by:

- (1) Improving accessibility for providers to receive the Healthcare Preceptor Tax Credit by amending certain definitions; and
- (2) Including the Director of Health as a member of the Preceptor Credit Assurance Committee.

Your Committee received testimony in support of this measure from the Department of Taxation, University of Hawaii System, Hawaii State Center for Nursing, Hawaii Pacific Health, Hawaii State Rural Health Association, Hawaii Primary Care Association, Hawaii Association of Professional Nurses, The Queen's Health Systems, Liberty Dialysis-Hawaii, and three individuals.

Your Committee finds that expanding access to the healthcare preceptor tax credit will help to address the State's shortage of healthcare providers by incentivizing additional persons to offer professional instruction, training, and supervision to students and residents seeking careers as healthcare providers.

Your Committee further finds that the current healthcare workforce must be considered when assessing whether new healthcare facilities are needed.

Your Committee has amended this measure by:

- (1) Amending the criteria for certificate of need review to include the relationship to the existing health care system of the area; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 31, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 31, S.D. 3, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1091-20 Health on S.B. No. 2429

The purpose of this measure is to extend the state-funded medical assistance provided to eligible pregnant women for up to twelve months post-pregnancy in certain circumstances.

Your Committee received testimony in support of this measure from the Hawaii Women's Coalition, Hawaii Primary Care Association, American Association of University Women of Hawaii, Kaiser Permanente Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Section of the American College of Obstetricians and Gynecologists, Save Medicaid Hawaii, Koku'a Kalihi Valley, Hawaii Substance Abuse Coalition, Hawaii Chapter of the American Academy of Pediatrics, Hawaii Maternal & Infant Health Collaborative, Filipina Advocacy Network, March of Dimes, Early Childhood Action Strategy, and nine individuals. Your Committee received testimony in opposition of this measure from one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee notes the concerns raised in testimony by the Department of Human Services regarding expanding Medicaid coverage to a new population, which will require additional funding. The Department of Human Services estimates that approximately \$3,200,000 in total funds would be necessary, and that the entire amount would need to be paid through state-only funds. Research indicates that Centers for Medicare and Medicaid Services has not consistently approved other states' requests for twelve-month postpartum coverage, which would mean that state-only dollars would have to be used to implement this measure.

Your Committee has amended this measure by:

- (1) Permitting additional medical assistance for any woman enrolled in Medicaid during her pregnancy, and any newborn child of that woman, for health-related issues that arise because of tobacco, alcohol, or opioid use during pregnancy;
- (2) Appropriating an unspecified amount of funds; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2429, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2429, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1092-20 Health on S.B. No. 2278

The purpose of this measure is to protect patients with health insurance who receive treatment from an out-of-network provider from the practice of "surprise billing" or "balance billing" by:

- (1) Prohibiting nonparticipating health care providers from balance billing patients in specific circumstances; and
- (2) Establishing rate calculation requirements for the reimbursement of nonparticipating providers.

Your Committee received testimony in support of this measure from AARP Hawaii, Hawaii Primary Care Association, and Kaiser Permanente Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association and Hawaii College of Emergency Physicians. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Pacific Health, Hawaii Medical Assurance Association, Maui Health System, and UHA Health Insurance.

Your Committee finds that patients with health insurance who receive treatment from an out-of-network provider may be subject to the practice known as "balance billing" or "surprise billing", wherein the provider bills the patient for the difference between what the patient's health insurance chooses to reimburse and what the provider chooses to charge. This measure protects consumers against such surprise bills from nonparticipating providers.

Your Committee notes that the intent of this measure is to protect all consumers of health care and urges the Department of Human Services to finalize its all-payers claims system as soon as possible. Furthermore, your Committee would like to see the development of a fair, reliable database system.

Your Committee has amended this measure by:

- (1) Removing the requirement that rates of reimbursement be calculated based on a percentage of the amount that Medicare reimburses on a fee-for-service basis for the same or similar services in the general geographic region in which the services were rendered;
- (2) Providing that a health carrier and nonparticipating provider may consult an independent, third-party database as part of their negotiations to determine a reasonable payment amount;
- (3) Specifying that nonparticipating providers may seek the uncovered cost of services rendered from enrollees who have consented to receive out-of-network health care services provided by a nonparticipating provider;
- (4) Requiring the Insurance Commissioner to refer certain disputes between health carriers and nonparticipating providers to an independent dispute resolution entity for binding arbitration; and
- (5) Making technical, nonsubstantive amendments for the purposes of style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2278, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2278, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1093-20 Health on S.B. No. 2281

The purpose of this measure is to make permanent the regulation of behavior analysts.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Disability Rights Center, Together For Our Keiki, Hawaii Association for Behavior Analysis, Hawaii State Teachers Association, and two individuals.

Your Committee finds that behavior analysis means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior. The practice of behavior analysis includes the empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis, including the use of motivating operations, positive reinforcement, and other methods to help people develop positive behaviors. Act 199, Session Laws of Hawaii 2015 (Act 199), established the licensing requirements for behavior analysts in the State. Since the enactment of Act 199, hundreds of behavior analysts have become licensed and thousands of children with autism are now receiving access to applied behavior analysis. This measure will continue the licensure program for behavior analysts to protect the public from the unqualified practice of behavior analysis and from unprofessional conduct by behavior analysts.

Your Committee amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2281, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2281, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1094-20 Health on S.B. No. 2439

The purpose of this measure is to require health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the cost of auto-injectable epinephrine, based on appropriate weight-based dosage, for insured persons eighteen years of age or younger, beginning on January 1, 2021.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, and Hawaii Medical Service Association.

Your Committee finds that epinephrine is necessary to prevent deadly anaphylaxis. Pharmaceutical companies have dramatically increased the prices for lifesaving auto-injectable epinephrine in the past, jeopardizing access to this critical drug. This measure requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the cost of auto-injectable epinephrine to ensure increased access for minors. Your Committee notes that the additional mandated health insurance benefit proposed by this measure and the requirement for an impact assessment report warrant continued discussion as this measure moves through the legislative process.

Your Committee has amended this measure by:

- (1) Deleting language that would have exempted the mandated coverage proposed by this measure from the requirements of an impact assessment report conducted by the Auditor;
- (2) Requiring the Auditor to conduct an impact assessment report on the social and financial impacts of the mandatory health insurance coverage proposed by this measure;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2439, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2439, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Say, Tokioka). Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1095-20 Health on S.B. No. 2919

The purpose of this measure is to require that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's electronic prescription accountability system.

Your Committee received testimony in support of this measure from the Department of Public Safety and Board of Pharmacy.

Your Committee finds that Act 255, Session Laws of Hawaii 2019, allows pharmacists to issue prescriptions for opioid antagonists, thereby increasing access to lifesaving drugs. Your Committee further finds that the electronic prescription accountability system, or Prescription Drug Monitoring Program, increases Hawaii's public health surveillance capacity to better protect the community from prescribing practices that are of concern, especially the over-prescription of opioids. This measure centralizes efforts to track dispensing and distribution of opioid antagonists by requiring pharmacists to report opioid antagonist prescriptions to the Prescription Drug Monitoring Program, thereby improving efficiency for reporting and collecting data to help prevent opioid overdose.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2919, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2919, S.D. 1, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1096-20 Health on S.B. No. 2917

The purpose of this measure is to clarify the individuals who may access information stored in the Electronic Prescription Accountability System.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of Public Safety.

Your Committee finds that providing authorized Department of Health Med-QUEST Program employees with access to the Electronic Prescription Accountability System, more commonly known as the Prescription Drug Monitoring Program (PDMP), will enhance the Department of Human Services' clinical and program integrity efforts. Your Committee also finds that allowing licensed health care providers or delegates of the providers employed by the United States Department of Veterans Affairs access to the PDMP will make Hawaii law consistent with federal law, which requires that every state provide these licensed health care providers and their delegates access to their electronic prescription accountability systems, without exception.

Your Committee has amended this measure by:

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

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

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1097-20 Health on S.B. No. 3091

The purpose of this measure is to enable the Hawaii Medical Board to also certify emergency medical responders other than emergency ambulance service personnel.

Your Committee received testimony in support of this measure from the Hawaii Medical Board and Kauai Fire Department. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Honolulu Emergency Services Department, and three individuals.

Your Committee finds that emergency medical personnel are an integral component of Hawaii's emergency medical system. However, existing laws relating to the certification of emergency medical personnel address only emergency ambulance service personnel, rather than all emergency medical personnel. This measure authorizes the Hawaii Medical Board to certify other emergency medical personnel, such as firefighters and ocean safety lifeguards, and, thus, increase the supply of emergency medical responders in the State.

Your Committee notes the recommendations in testimony from the Department of Health, that there be no location or employer restriction for holding a valid Emergency Medical Technician–Basic or paramedic license in Hawaii, which is similar to other health care professional licensing.

Your Committee also notes that some concerns were raised in testimony before your Committee that this measure creates multiple categories of emergency medical technicians, which may result in certain categories of emergency medical technicians being upgraded to the detriment of other types of emergency medical technicians.

Your Committee has amended this measure by:

- (1) Reinstating language that requires certification as emergency personnel to be a prerequisite to the practice of emergency medical services as an employee of an emergency ambulance service, rather than as an employee of an emergency service;
- (2) Permitting an individual with proof of current certification from the National Registry of Emergency Medical Technicians as an emergency medical technician to be deemed to have met the educational requirements to perform emergency medical services as an emergency medical technician in the State; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3091, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3091, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1098-20 Health on S.B. No. 2637

The purpose of this measure is to protect children from lead hazards by:

- (1) Requiring the Department of Health to establish a statewide program (Program) for the early identification of and intervention for lead poisoning in infants;
- (2) Establishing benchmarks at which children in the State shall be tested for lead poisoning, based on age or environment;
- (3) Requiring certain health care facilities to test their patients for lead poisoning; and
- (4) Requiring insurance coverage for certain blood lead testing services.

Your Committee received testimony in support of this measure from the Hawaii Children's Action Network Speaks!; Healthy Mothers Healthy Babies Coalition of Hawaii; Early Childhood Action Strategy; Muranaka Environmental Consultants, Inc.; and three individuals. Your Committee received comments on this measure from the Department of Health, Department of Human Services, Department of the Attorney General, Department of Commerce and Consumer Affairs, and Hawaii Medical Service Association.

Your Committee finds that lead poisoning can have devastating, lifelong effects on children and can be the cause of learning disabilities, behavioral problems, high blood pressure, organ damage, and other health problems. Your Committee believes that although federal law mandates that all Medicaid-insured children be tested for lead poisoning at one and two years of age, the State should impose the same age-based testing requirement, as well as environmentally-based requirements, for all children.

Your Committee notes that should insurance coverage be mandated for the testing of lead poisoning, it may trigger a statutorily required impact assessment and may require the State to defray the costs of the additional benefit under the federal Patient Protection and Affordable Care Act.

Your Committee has amended this measure by:

- (1) Amending the persons covered by the Program from infants, which was defined as zero to three years of age, to instead include all children up to six years of age;
- (2) Amending the definition for "lead poisoning" to correspond with the level determined by the federal Centers for Disease Control and Prevention;
- (3) Deleting the benchmarks and instead establishing that all children are considered at risk and be tested in accordance with Early and Periodic Screening, Diagnostic, and Treatment guidelines under Medicaid;
- (4) Deleting the criteria for determining when a child is high-risk;
- (5) Narrowing the responsibilities imposed on various health care providers to only primary care providers;
- (6) Deleting the mandated insurance coverage; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2637, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2637, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1099-20 Health on S.B. No. 2787

The purpose of this measure is to authorize the Department of Health to:

- (1) Issue permits to medical cannabis dispensaries for the delivery of medical cannabis and manufactured cannabis products to qualifying patients or primary caregivers if certain conditions are met; and
- (2) Issue medical cannabis transporter licenses in specific situations.

Your Committee received testimony in support of this measure from the Hawaii Cannabis Industry Association, Big Island Grown, Drug Policy Forum of Hawaii, and Kush Hawaii. Your Committee received testimony in opposition to this measure from the Department of Health and Kauai Police Department. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that although the state medical cannabis dispensary system was established in 2016, some qualifying patients and primary caregivers continue to have difficulty physically getting to a retail dispensing location due to transportation issues, their physical disability and pain, or geographic distance. This measure provides for a safe, secure, and transparent system for qualifying patients and primary caregivers to have medical cannabis and manufactured cannabis products delivered to their homes.

Your Committee has amended this measure by:

- (1) Clarifying that medical cannabis or manufactured cannabis products delivered by a medical cannabis transporter are subject to the tracking requirements of the Department of Health;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2787, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2787, S.D. 1, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 2 (Belatti, Ward).

SCRep. 1100-20 Consumer Protection & Commerce on S.B. No. 2227

The purpose of this measure is to:

- (1) Prohibit any person, other than a licensed tobacco retailer, from receiving any shipment of e-liquids or electronic smoking devices;
- (2) Tax and regulate e-liquid products and electronic smoking devices in the same manner as other tobacco products;
- (3) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (4) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products;
- (5) Fund health education, prevention, and cessation programs having to do with the risks and dangers of the use of electronic smoking devices by youth; and
- (6) Repeal various statutory provisions relating to electronic smoking devices made obsolete by this measure.

Your Committee received testimony in support of this measure from the Department of Health; Department of Taxation; Hawaii Youth Services Network; Hawaii Substance Abuse Coalition; Blue Zones Project Hawaii; Hawaii Pacific Health; American Lung Association; We Are One, Inc.; Kapiolani Smokefree Families Program at Kapiolani Medical Center for Women and Children; University of Hawaii Student Health Advisory Council; Pediatric Therapies Hawaii; Hawaii State Teachers Association; Coalition for a Drug-Free Hawaii; Hawaii Community Foundation; Hui No Ke Ola Pono; West Hawaii Community Health Center; The Friends of Kamalani and Lydgate Park; Hawaii Primary Care Association; Emma Whitney Photography; Coalition for a Tobacco-Free Hawaii; Hawaii Dental Association; Hawaii Children's Action Network Speaks!; American Heart Association; American Cancer Society Cancer Action Network; numerous individuals; and a petition with numerous individuals. Your Committee received testimony in opposition to this measure from VOLCANO Fine

Electronic Cigarettes; Irie Hawaii; Hawaii Smokers Alliance; HI Lyfe Vaporz, LLC; Retail Merchants of Hawaii; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General, Tax Foundation of Hawaii, Hawaii Food Industry Association, and two individuals.

Your Committee finds that tobacco use is the single most preventable cause of disease, disability, and death in the United States. Your Committee further finds that the rapid growth of the electronic smoking device industry necessitates additional regulations to protect consumers. Your Committee also finds that electronic smoking devices and e-liquids should be taxed to encourage users of e-liquids to quit, sustain cessation, prevent youth initiation, and reduce consumption.

Your Committee has amended this measure by:

- (1) Deleting the prohibition on receiving any shipment of e-liquids or electronic smoking devices;
- (2) Establishing the offense of unlawful shipment of e-liquids and electronic smoking devices;
- (3) Clarifying that the definition of "tobacco products" includes electronic smoking devices and their cartridges and other component parts regardless of whether the electronic smoking devices, cartridges, and other component parts contain e-liquids; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2227, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2227, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Aquino, Belatti, Matsumoto).

SCRep. 1101-20 Consumer Protection & Commerce on S.B. No. 2228

The purpose of this measure is to:

- (1) Establish the offense of unlawful shipment of e-liquid products;
- (2) Prohibit the sale of flavored products for electronic smoking devices;
- (3) Prohibit the mislabeling of e-liquid products containing nicotine;
- (4) Prohibit the sale of electronic smoking devices, e-liquid, and electronic smoking device accessories, other than through retail sales via a direct, in-person exchange between a retailer and consumer; and
- (5) Tax and regulate e-liquid products and electronic smoking devices in the same manner as other tobacco products.

Your Committee received testimony in support of this measure from the Department of Health; Department of Taxation; Office of the Prosecuting Attorney of the County of Hawaii; Chamber of Commerce Hawaii; Coalition for a Tobacco-Free Hawaii; Hawaii Children's Action Network Speaks!; Hawaii Dental Association; American Heart Association; American Cancer Society Cancer Action Network; Hawaii Substance Abuse Coalition; The Friends of Kamalani and Lydgate Park; Hawaii Primary Care Association; Pono Hawaii Initiative; The Man Cave; HIPHI Youth Council; Coalition for a Drug-Free Hawaii; Pediatric Therapies Hawaii; Hui No Ke Ola Pono, Hawaii State Teachers Association; Shaka Tea; University of Hawaii Student Health Advisory Council; Kapiolani Smokefree Families Program at Kapiolani Medical Center for Women and Children; Flavors Hook Kids HI Campaign; West Hawaii Community Health Center; We Are One, Inc.; Hawaii Pacific Health; Kamehameha Schools; Windward Nazarene Academy; Maui Preparatory Academy; St. Andrew's Schools; Doris Todd Christian Academy; Maui Christian Academy; Maui Adventist School; Waldorf School; Holy Nativity School; Mid-Pacific Institute; Damien Memorial School; Blue Zones Project Hawaii; American Lung Association; and numerous individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii; HI Lyfe Vaporz, LLC; Hawaii Smokers Alliance; Irie Hawaii; VOLCANO eCigs; Vape Kings LLC; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Food Industry Association.

Your Committee finds that between 2011 to 2015, the use of electronic smoking devices by Hawaii's youth increased six-fold among middle school youth and four-fold among high school youth. This is particularly concerning considering the nicotine content of such devices and recent severe lung injuries reported nationally as a result of using electronic smoking devices. Your Committee further finds that flavored tobacco products are particularly appealing to youth since the flavors change the taste and reduce the harshness of the otherwise unflavored tobacco product. This measure aims to protect Hawaii's youth by establishing more stringent regulations on e-liquids and electronic smoking devices.

Your Committee has amended this measure by:

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

Your Committee notes the concerns raised in testimony by the Department of the Attorney General that parts of this measure may be outside the scope of its narrow title. Should your Committee on Judiciary consider this measure, your Committee respectfully requests that your Committee on Judiciary give consideration to these concerns.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2228, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2228, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Aquino, Belatti, Matsumoto).

SCRep. 1102-20 Public Safety, Veterans, & Military Affairs on S.B. No. 3073

The purpose of this measure is to appropriate funds for programs, ceremonies, and activities commemorating the seventy-fifth anniversary of the end of World War II, which will be observed on September 2, 2020.

Your Committee received testimony in support of this measure from the Office of the Veterans' Services, Department of Defense; Hawaii Tourism Authority; Chamber of Commerce Hawaii; 75th WWII Commemoration Committee; U.S.S. Missouri Memorial Association; Hawaii Lodging and Tourism Association; and two individuals.

Your Committee finds that the observance of this milestone anniversary is a recognition of the sacrifices of the men and women who served in World War II, the important role Hawaii played geographically and in terms of troop contributions, and the suffering and loss of life of all people involved. This measure will provide funding needed to support the observance.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$250,000 for the World War II commemoration programs, ceremonies, and activities. These funds will supplement the \$500,000 in funding being provided by the Hawaii Tourism Authority.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3073, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1103-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2523

The purpose of this measure is to:

- (1) Authorize the Director of Public Safety to withhold certain information regarding deaths at correctional facilities or community correctional centers; and
- (2) Require the Director to include in the report regarding the death that is submitted to the Governor, the decedent's name, a description of the circumstances and cause of death of the individual, and any state and federal laws that explicitly prohibit the disclosure of the information withheld.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that this measure will improve transparency in the operations of correctional facilities and community correctional centers.

Your Committee further finds that, from the enactment of Act 234, Session Laws of Hawaii 2019 (Act 234) on July 2, 2019, through the end of December 2019, there were approximately twelve deaths of incarcerated persons in the State. The Department of Public Safety has previously taken the position that it needed to withhold certain information required by Section 353C-8.5, Hawaii Revised Statutes, based on advice it had received from the Department of the Attorney General that the Health Insurance Portability and Accountability Act (HIPAA) prohibited its disclosure. Your Committee further finds, according to testimony from the Department of Public Safety, that the Department of the Attorney General has since changed its position and that disclosure will be made going forward.

Your Committee has amended this measure by:

- (1) Specifying that the reporting requirements apply to any information previously withheld by the Director of Public Safety on or after July 2, 2019, the effective date of Act 234; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2523, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2523, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1104-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2885

The purpose of this measure is to establish the Hazard Mitigation Special Fund and appropriate funds for personnel, operating, and administrative costs deemed necessary by the Hawaii Emergency Management Agency to administer section 127A-18, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii State Energy Office, Hawaii Emergency Management Agency, and one individual.

Your Committee finds that section 127A-18, Hawaii Revised Statutes, allows certain personnel to enter private property in the absence of an emergency or disaster, with notice to the landowner and occupant, to address dangerous trees and unstable rock and soil conditions and mitigate flood hazards. Creation of the special fund will provide the Hawaii Emergency Management Agency a dedicated funding source for personnel to mitigate situations deemed hazardous to the health and safety of the public through the actions identified in the statute.

Your Committee understands funding for the Hawaii Emergency Management Agency is nearly exhausted. This measure will provide funding to allow this work to continue.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$5,000,000 into and out of the Hazard Mitigation Special Fund.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2885, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1105-20 Public Safety, Veterans, & Military Affairs on S.B. No. 3072

The purpose of this measure is to improve the State's preparedness and response to disasters, in part, by:

- (1) Requiring statewide inventories of hospitals, dialysis centers, medical facilities, satellite phones, and generators to provide backup power; and
- (2) Appropriating funds for positions related to emergency response planning and allocation of resources and for non-perishable food in natural disasters.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency and one individual.

Your Committee recognizes the importance of improving the State's preparedness for and response to communities affected by disasters. However, your Committee finds that the priority at this time is to inventory designated emergency shelters and their ability to withstand hurricanes.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the requirement that new public buildings be designed to withstand category four and higher hurricanes;
- (2) Deleting the requirements that various departments or agencies establish statewide inventories of hospitals, dialysis centers, medical facilities, satellite phones, and generators to provide backup power;
- (3) Requiring the Hawaii Emergency Management Agency to inventory all designated emergency shelters and their ability to withstand a category one hurricane or higher, and provide a list of emergency shelters and their respective hurricane ratings to the Legislature prior to the convening of the Regular Session of 2021;
- (4) Deleting the appropriations; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3072, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3072, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1106-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2888

The purpose of this measure is to establish a Statewide Interoperable Communications Executive Committee for public safety communications, a Statewide Interoperable Communications Technical Subcommittee to provide technical advice to the executive committee, and the position of Statewide Interoperable Communications Coordinator.

Your Committee received testimony in support of this measure from the Department of Defense, Department of Transportation, Statewide Interoperability Coordinator, Office of Enterprise Technology Services, Honolulu Police Department, Department of Emergency Management of the City and County of Honolulu, and one individual.

Your Committee finds that this measure is intended to provide clear direction for the collaboration of various state and county agencies where public safety is concerned. By harnessing resources and identifying how information will be shared, incident response can be coordinated more effectively.

Your Committee has amended this measure by:

- (1) Amending its preamble for conciseness;
- (2) Adding FirstNet to the types of communication networks the Statewide Interoperable Communications Executive Committee shall use in promoting statewide public safety communications;
- (3) Revising the membership of the Statewide Interoperable Communications Executive Committee by increasing membership to four members from the first responder or emergency management agencies from each of the four counties and having these members be selected by the respective heads of the first responder or emergency management agencies, rather than the county mayors; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2888, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2888, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1107-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2887

The purpose of this measure is to:

- (1) Establish a Long-Term Recovery Authority to work with the State Disaster Recovery Coordinator to enhance the capacity of the government, relevant agencies, and the community to recover from the impacts of disasters and build resilience and sustainability in the State; and
- (2) Appropriate funds for two positions and an operating budget for state disaster recovery coordination activities within the Office of the Governor.

Your Committee received testimony in support of this measure from the Department of Defense, Department of Transportation, Hawaii State Energy Office, Hawaii Emergency Management Agency, State Office of Planning, and one individual.

Your Committee finds that the State is in need of a lead authority to facilitate the identification, coordination, and delivery of recovery assistance during and after a disaster. Establishing the Long-Term Recovery Authority will enhance the capacity of the State, relevant agencies, and communities to prepare for and recover from the impacts of disasters.

Your Committee has amended this measure by:

- (1) Designating the state coordinating officer for active disasters or the officer's designee as a member of the Long-Term Recovery Authority, rather than simply requiring that the officer be invited to participate; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2887, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2887, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1108-20 Public Safety, Veterans, & Military Affairs on S.B. No. 2788

The purpose of this measure is to provide continued aid for disaster relief in response to the April 2018 flooding in the County of Kauai and in other areas of the State by extending by one year the lapse date of the appropriation made for this relief pursuant to Act 12, Session Laws of Hawaii 2018, as amended by Act 35, Session Laws of Hawaii 2019 (Act 12).

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Emergency Management Agency, Waioli Valley Taro Hui, and one individual.

Your Committee understands that the Department of Land and Natural Resources sustained substantial damage to its facilities in Kauai due to the heavy rains and flooding events in April 2018. The Department received funds pursuant to Act 12 for recovery response for several locations and facilities and is currently implementing those projects. Additional time is needed to complete these and other flood response projects. Your Committee supports these recovery efforts and finds that this measure will allow for work on not only Kauai, but also other areas of the State, including East Oahu, to continue to their completion.

Your Committee notes that the companion to this measure, H.B. No. 1794, H.D. 2 (Regular Session of 2020), is preferable because it will assure the same level of funding appropriated by Act 12 for flood response projects and mitigation efforts and will allow for the appropriations to be extended for an additional three years.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 1794, H.D. 2, a measure that:

- (1) Retains the appropriation amounts of \$100,000,000 for the County of Kauai and \$25,000,000 for other areas of the State;
- (2) Authorizes an extension through June 30, 2023, rather than June 30, 2021; and
- (3) Takes effect on June 29, 2020.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2788, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2788, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1109-20 Transportation on S.B. No. 2911

The purpose of this measure is to:

- (1) Require the Fire Chief and Ocean Safety Director of each county, in addition to the Director of Public Safety and Police Chief of each county, to transmit to the Department of Land and Natural Resources a copy of every report relating to boating accidents or the theft, loss, or recovery of vessels; and
- (2) Require all reports submitted to be unredacted.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that this measure will increase the comprehensiveness of boating accident data collected and allow the United States Coast Guard and partnering organizations to review trends in operator use of boating equipment and boating practices in the context of risk of fatalities, disappearances, and injuries. In this manner, your Committee anticipates this measure will result in improved safety for boaters and ocean users who interact with boaters.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2911, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2911, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1110-20 Transportation on S.B. No. 2925

The purpose of this measure is to:

- (1) Authorize the use of debit cards and online electronic payment to pay for certain airport charges; and
- (2) Allow the airport or purchaser to pay for processing fees and charges.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that airport charges can only be paid with cash or checks. This measure will make the process of payment easier for airport tenants and allow tenants to pay charges and fees on a timely basis.

Your Committee has amended this measure by:

- (1) Requiring, rather than authorizing, the airport to impose additional processing fees or charges upon a tenant for an online electronic or credit or debit card payment; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2925, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2925, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1111-20 Transportation on S.B. No. 2103

The purpose of this measure is to authorize the issuance of special number electric vehicle license plates to commemorate the Polynesian Voyaging Society (PVS).

Your Committee received testimony in support of this measure from the Ocean Learning Academy, Pacific Islands Institute, Polynesian Voyaging Society, and numerous individuals.

Your Committee finds that the PVS has been influencing and inspiring not only the communities of Hawaii, but also those around the world. Your Committee further finds that encouraging the use of electric cars is beneficial to Hawaii's environment. This measure would provide a dedicated source of income to PVC while also encouraging the increased use of electric vehicles in the State.

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2103, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2103, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1112-20 Transportation on S.B. No. 3158

The purpose of this measure is to protect consumers from unscrupulous persons by prohibiting persons from intentionally or knowingly:

- (1) Manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale any counterfeit supplemental restraint system component, nonfunctional airbag, or airbag that does not meet federal safety requirements; and
- (2) Selling, offering for sale, installing, or reinstalling in a motor vehicle any device that causes the motor vehicle's diagnostic systems to fail to warn that the motor vehicle is equipped with a counterfeit supplemental restraint system component or nonfunctional airbag or that no airbag is installed, as applicable.

Your Committee received testimony in support of this measure from the Department of Transportation; Alliance for Automotive Innovation; Honda; National Insurance Crime Bureau; and Automotive Anti-Counterfeiting Council, Inc.

Your Committee finds that airbags are a critical component of vehicle safety systems and are responsible for saving countless lives. Your Committee further finds that counterfeit airbags compromise these vehicle safety systems. These counterfeit airbags may be filled with sawdust, newspaper, or nothing at all, endangering unknowing consumers. Your Committee finds that this measure is necessary for the protection of consumers and aligns the State with twenty-two other states that have enacted similar legislation.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3158, S.D. 1, and recommends that it pass Second Reading and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1113-20 Transportation on S.B. No. 2672

The purpose of this measure is to require a vehicle approaching a crosswalk from the opposite direction of another vehicle stopped at that crosswalk to yield and not proceed until a pedestrian, if any, has crossed the roadway.

Your Committee received testimony in support of this measure from the Department of Transportation, Disability and Communication Access Board, and two individuals.

Your Committee finds that currently, when a pedestrian is in a crosswalk, only vehicles on the same side of the intersection of the crosswalk are required to stop for the pedestrian. However, there is no requirement that vehicles on the opposite side of the intersection also stop for the pedestrian in the crosswalk. This measure will improve pedestrian safety by requiring any vehicle approaching a crosswalk from the opposite direction to stop and wait until the pedestrian has crossed the roadway when another vehicle on the opposite side of the intersection has stopped for a crossing pedestrian.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2672 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1114-20 Transportation on S.B. No. 2992

The purpose of this measure is to permanently authorize the Department of Transportation to designate road shoulders upon which motorcycles may drive, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Transportation, Cetra, Koa Puna, Indian Motorcycle Rider's Group, Leathernecks MC, Oahu Motorsports Association, and numerous individuals. Your Committee received comments on this measure from the Street Bikers United Hawaii and one individual.

Your Committee finds that the Legislature passed Act 218, Session Laws of Hawaii 2018 (Act 218), which authorized the Department of Transportation to designate certain road shoulders upon which motorcycles can drive, provided that the corridor is congested and motorcycle operators do not exceed ten miles per hour. Act 218 is scheduled to sunset on December 31, 2020. Your Committee further finds that Act 218 has been proven effective since it was enacted and has resulted in a number of benefits, including reducing risk of danger to motorcyclists.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2992 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1115-20 Transportation on S.B. No. 2508

The purpose of this measure is to comply with the National Highway Traffic Safety Administration's recommendations in regard to describing a motor vehicle collision by replacing the term "accident" with "collision" for the certain provisions of the traffic code.

Your Committee received testimony in support from the Department of Transportation, Honolulu Police Department, Mothers Against Drunk Driving Hawaii, and one individual.

Your Committee finds that National Highway Traffic Safety Administration encourages use of the term "collision" over "accident" because an accident is an unplanned event resulting in unintended consequences and motor vehicle collisions involve planned and intended events, which could theoretically impact an interpretation of the driver's state of mind in criminal cases.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2508, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1116-20 Transportation on S.B. No. 2166

The purpose of this measure is to require vehicles traveling less than the speed limit on any two-lane bidirectional roadway, behind which a certain number of vehicles are formed in a line, to use turnouts on the roadway to let those other vehicles proceed when passing or overtaking is not possible or permitted.

Your Committee received testimony in support of this measure from the Department of Transportation and County Council of the County of Maui.

Your Committee finds that increased traffic on the road to Hana, Maui, has led to unsafe driving conditions when the lead vehicle is moving slowly, causing a back-up of vehicles, and traffic moving in the opposite direction makes it unsafe for the vehicles to pass. This measure promotes traffic safety on roadways, such as Hana Highway, by requiring drivers of lead vehicles on certain roadways to use turnouts and allow vehicles to pass under certain circumstances.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2166, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2166, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1117-20 Transportation on S.B. No. 2993

The purpose of this measure is to align the State's commercial driver's license qualification standards with federal regulations by repealing language related to medical waivers due to diabetes.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawaii Transportation Association.

Your Committee finds that an amendment to federal regulations removed the requirement for commercial driver's license holders, who are treating diabetes mellitus with insulin, to obtain a medical waiver in addition to their periodic medical examination. According to the Department of Transportation, rather than continue to require a waiver, the medical examiner who examines the driver will confer with the driver's treating clinician, evaluate the driver's medical records, and decide whether the driver's medical condition will have an adverse effect on the person's ability to drive safely. If the driver satisfies the medical requirements, a medical examiner's certificate with no indication of a waiver will be issued to the driver. However, if the driver does not meet the requirements, a certificate will not be issued. This measure will align state law with current federal regulations and expedite the certification process for those commercial driver's license holders who are treating diabetes with insulin.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2993, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2993, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Woodson).

SCRep. 1118-20 Transportation/Consumer Protection & Commerce on S.B. No. 2384

The purpose of this measure is to:

- (1) Require certain tow operators to provide to a disabled vehicle's driver a written disclosure of certain information and an itemization of charges before attaching a disabled vehicle to the tow truck under certain circumstances;
- (2) Authorize any vehicle involved in a motor vehicle accident that cannot be moved under its own power or is otherwise disabled to be towed away at the expense of the registered owner of the vehicle; and
- (3) Exempt automobile clubs or towing companies operating under a contract with an automobile club from motor vehicle towing and storage requirements.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs; GEICO Insurance Agency, Inc.; American Property Casualty Insurance Association; National Insurance Crime Bureau; AAA Hawaii; and one individual. Your Committees received comments on this measure from the Hawaii Insurers Council.

Your Committees find that some towing companies deliberately overcharge consumers for towing services, expecting either the vehicle owner or their insurance company to pay an exorbitant amount in order to retrieve the vehicle. This measure seeks to prevent such abuse without confusing consumers and possibly binding insurers to pay unreasonably high expenses.

Your Committees have amended this measure by:

- (1) Deleting language that would require certain tow operators to provide to a disabled vehicle's driver a written disclosure of certain information and an itemization of charges before attaching a disabled vehicle to the tow truck under certain circumstances;
- (2) Specifying the applicable towing and storage fees for towing a motor vehicle that is involved in an accident and cannot be moved under its own power or is otherwise disabled and constitutes an obstruction or hazard to traffic, but has not been ordered to be towed by the police department;
- (3) Exempting automobile clubs or towing companies operating under a contract with an insurer or motor vehicle manufacturer from motor vehicle towing and storage requirements; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Transportation and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2384, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2384, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 7. Noes, none. Excused, 1 (Brower).

Consumer Protection & Commerce: Ayes, 7. Noes, none. Excused, 4 (Belatti, Cabanilla Arakawa, Har, Onishi).

SCRep. 1119-20 Health/Human Services & Homelessness on S.B. No. 2102

The purpose of this measure is to amend the description for the appropriation for the Alzheimer's disease and related dementia services coordinator in Act 127, Session Laws of Hawaii 2019.

Prior to the public hearing on this measure, your Committees posted and made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts provisions in response to the global pandemic of COVID-19 to:

- (1) Require the Executive Office on Aging (EOA) and all agencies and non-profits that receive funding through EOA, including the Kupuna Care Program and Kupuna Caregivers Program, to establish certain sanitation protocols for caregivers in long-term care facilities; and
- (2) Require the Executive Director of EOA to request an allocation of funds from the Governor's emergency proclamation for the sanitation protocols.

Your Committees received comments on the proposed H.D. 1 from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, and Catholic Charities Hawaii.

Your Committees find that the World Health Organization declared COVID-19 to be a global pandemic on March 11, 2020, and that governments at all levels must take swift action to contain and mitigate the effects of this new and deadly disease. Your Committees further find that COVID-19 poses a particular threat to elderly and immunocompromised individuals.

Your Committees suggest that the Department of Health and EOA appoint an interdepartmental liaison to work between high-risk and monitored kupuna who are living in care homes and state officials. This liaison is essential to ensure that Hawaii's most high-risk and vulnerable citizens receive the assistance and attention from the government that they need and deserve during this crisis. Your Committees also find that regular communication is a vital step toward reducing the number of COVID-19 cases in the State.

Your Committees have amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Requiring EOA and all agencies and non-profits that receive funding through EOA, including the Kupuna Care Program and Kupuna Caregivers Program, to establish infection control protocols for caregivers in long-term care facilities; establish emergency preparedness and response protocols, including but not limited to visitation policies for long-term care facilities; and implement COVID-19 testing of residents of long-term care facilities; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2102, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2102, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Tokioka).

Human Services & Homelessness: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Tokioka).

SCRep. 1120-20 Health/Human Services & Homelessness on S.B. No. 2458

The purpose of this measure is to require and appropriate funds for the Department of Health to create and host an informational website and launch an educational outreach campaign on the effects of excessive screen time on the mental health and relationships of children and teenagers.

Your Committees received testimony in support of this measure from three individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that a growing body of empirical data and anecdotal accounts suggest that time spent in front of screens has an adverse effect upon children's mental health and healthy relationship formation. Furthermore, a growing body of evidence suggests that excessive screen time may have a significant impact on the increase in anxiety, depression, and suicide among teenager. Your Committees further find that, despite this research, the State lacks an educational resource for families on the effects of excessive screen time and best practices for limiting screen time. This measure will give parents in Hawaii convenient access to resources about the effects of screen time on children's and teenagers' mental health and their ability to form strong, healthy relationships.

Your Committees note that the Department of Health estimated in its written testimony that the costs to implement this measure would be \$200,000 in fiscal year 2020-2021 and \$350,000 in fiscal year 2021-2022. Your Committees recognize that the global pandemic of COVID-19 has caused major economic impacts at the state, national, and international levels and that fiscal resources are severely strained at this time. However, your Committees will continue to collaborate with other committees to develop sound public policy that benefits the people of Hawaii.

Your Committees have amended this measure by:

- (1) Deleting its substantive provisions and instead requiring the Behavioral Health Services Administration of the Department of Health to convene a working group to compile resources to inform and educate the public about the impacts of excessive digital image screen time on the mental health and relationships of children and teenagers and report to the Legislature;
- (2) Removing the appropriations section;
- (3) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2458, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2458, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Tokioka).

Human Services & Homelessness: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Tokioka).

SCRep. 1121-20 Health/Lower & Higher Education on S.B. No. 2983

The purpose of this measure is to appropriate funds to the Department of Health to fund the Health Care Provider Loan Repayment Program administered by the University of Hawaii John A. Burns School of Medicine.

Your Committees received testimony in support of this measure from the Department of Health, Department of Labor and Industrial Relations, University of Hawaii, Hawaii State Center for Nursing, Office of the Mayor of the County of Hawaii, Lanai Community Health Center, Hawaii State Rural Health Association, Hawaii Medical Association, Hawaii – American Nurses Association, Healthcare Association of Hawaii, Hilo Medical Center Foundation, Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Family Health, The Queen's Health Systems, Hawaii Psychological Association, Kaiser Permanente Hawaii, and numerous individuals.

Your Committees find that Hawaii is experiencing a shortage of approximately eight hundred doctors, as well as many other types of primary care and behavioral health care workers. This shortage is most acute for those on neighbor islands and in rural areas. Your Committees further find that one of the fastest and least expensive methods for recruiting health care professionals is through a loan repayment program. Hawaii's State Loan Repayment Program, known as the Health Care Provider Loan Repayment Program, is administered through the John A. Burns School of Medicine and provides loan repayment benefits for health care professionals in exchange for the commitment to serve in rural or medically underserved communities. This measure continues the Health Care Provider Loan Repayment Program, which will help reduce the health care professional shortages in those areas.

Your Committees have amended this measure by:

- (1) Clarifying that the name of the loan repayment program is the Health Care Provider Loan Repayment Program;
- (2) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2983, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2983, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Ward).

Lower & Higher Education: Ayes, 9. Noes, none. Excused, 2 (Quinlan, D. Kobayashi).

SCRep. 1122-20 Human Services & Homelessness on S.B. No. 2891

The purpose of this measure is to:

- (1) Require the Office of Youth Services to provide commercial enterprise vocational programs to promote self-sustainability in young adults; and
- (2) Establish the Office of Youth Services Revolving Fund for the receipt of income and payment of expenses generated from the programs.

Your Committee received testimony in support of this measure from the Department of Human Services, Office of Hawaiian Affairs, Office of Youth Services, Partners in Development Foundation, Community Alliance on Prisons, and four individuals.

Your Committee notes that this measure supports the Kawaihoa Youth and Family Wellness Center, located at the campus of the Hawaii Youth Correctional Facility, to provide necessary services for at-risk youth and young adults, including innovative programs that provide skills building, vocational training, and economic programming to prepare young adults for entry into the workforce.

Your Committee has amended this measure by:

- (1) Removing the general fund appropriation into the Office of Youth Services Revolving Fund and the corresponding authorization to expend funds from the revolving fund; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2891, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2891, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 1123-20 Human Services & Homelessness on S.B. No. 2337

The purpose of this measure is to support the needs of Hawaii's elderly by establishing and funding five long-term care ombudsmen specialist positions within the Office of the Long-Term Care Ombudsman.

Your Committee received testimony in support of this measure from the Executive Office on Aging, State Long-Term Care Ombudsman, Office of the Mayor of the County of Hawaii, AARP Hawaii, Hawaii Family Caregiver Coalition, and four individuals.

Your Committee finds that the Long-Term Care Ombudsman Program (Program) is required by federal law and state law to protect the human and civil rights of residents in all long-term care settings. Federal law requires the Long-Term Care Ombudsman to visit facilities quarterly; respond to complaints; engage in investigations; provide information, assistance, and referrals to long-term residents and their families; facilitate family councils statewide; provide community education; and administer the Program.

Your Committee further finds that the Program is currently staffed by the State Long-Term Care Ombudsman, a volunteer coordinator, and an Oahu Ombudsman position. The three contracted positions for the counties of Hawaii, Kauai, and Maui are trained Ombudsmen and have assisted to expand quarterly visits; however, the State Long-Term Care Ombudsman indicated in testimony before your Committee that these contract staff do not replace the unmet needs of full-time staff. Your Committee recognizes the essential role of the State Long-Term Care Ombudsman and staff in advocating for and responding to the needs and concerns of residents in long-term care settings.

Your Committee finds that the companion to this measure, H.B. No. 1872, H.D. 1 (Regular Session of 2020), was previously passed by the House.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 1872, H.D. 1, a measure that establishes and funds an unspecified number of long-term care ombudsmen specialist positions within the Office of the Long-Term Care Ombudsman.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2337, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2337, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Mizuno, Say).

SCRep. 1124-20 Human Services & Homelessness on S.B. No. 3117

The purpose of this measure is to extend until December 31, 2021, and appropriate funds for, the Emergency Department Homelessness Assessment Pilot Program and Medical Respite Pilot Program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, The Queen's Health Systems, Environmental Caucus of the Democratic Party of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that since 2018, the Department of Human Services has contracted with Queen's Medical Center to administer the Emergency Department Homelessness Assessment Pilot Program and Medical Respite Pilot Program. Your Committee further finds that there is a high utilization of emergency department resources by homeless individuals for non-emergent needs. Your Committee notes that many of the homeless patients seen at Queen's are super utilizers of its emergency department and suffer from mental health and substance abuse issues. The Emergency Department Homelessness Assessment Pilot Program, operated through the Queen's Care Coalition, has proven that coordinated care services for homeless patients and connecting patients to community resources is an effective and cost-saving approach.

Your Committee also notes that the Medical Respite Pilot Program has demonstrated positive results in delivering medical respite services for eligible individuals experiencing homelessness by providing services such as meals, case management, and medical, nursing, and psychiatric care. Your Committee recognizes the value of the medical intervention services provided to homeless individuals under both pilot programs.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3117, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3117, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Mizuno, Say).

SCRep. 1125-20 Human Services & Homelessness/Public Safety, Veterans, & Military Affairs on S.B. No. 2345

The purpose of this measure is to:

- (1) Require the Department of Human Services to continue to lead a working group to address visitation and support needs of children and families of incarcerated individuals; and
- (2) Require the Department of Human Services, in cooperation with the Department of Public Safety and other stakeholders, to establish a pilot visitation and family resource center at Waiawa Correctional Facility.

Your Committees received testimony in support of this measure from the Department of Human Services, Office of Youth Services, Adult Friends for Youth, Early Childhood Action Strategy, Community Alliance on Prisons, Blueprint for Change, Hawaii Children's Action Network Speaks!, American Civil Liberties Union of Hawaii, and four individuals. Your Committees received comments on this measure from the Department of Public Safety and Office of Hawaiian Affairs.

Your Committees find that through the efforts of the Departments of Human Services and Public Safety, Keiki Caucus's Family Reunification Working Group, and other community stakeholders, that working models of family visitation centers on prison grounds of other jurisdictions could be emulated to ensure the well-being of children of incarcerated parents and their families. In examining these visitation centers, the stakeholders have found that the centers strengthen family bonds while promoting the best interests of the children. To facilitate these goals in the State, your Committees believe that it is in the best interest of the State's children to establish a pilot visitation and family resource center at the Waiawa Correctional Facility.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees note that the Department of Human Services indicated in testimony before your Committees that \$150,000 is the funding amount necessary to establish and operate the pilot visitation and family resource center at Waiawa Correctional Center on Oahu. Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider appropriating this amount.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Public Safety, Veterans, & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2345, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2345, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Human Services & Homelessness: Ayes, 5. Noes, none. Excused, 3 (Belatti, Say, Ward).

Public Safety, Veterans, & Military Affairs: Ayes, 4. Noes, none. Excused, 3 (Gates, Nishimoto, McDermott).

SCRep. 1126-20 Human Services & Homelessness on S.B. No. 2631

The purpose of this measure is to permit judicial discretion to refer a defendant to a diversion program or treatment court when the judge has conferred with counsel and has reason to believe the defendant has an untreated serious and persistent mental health illness yet is legally fit to proceed.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Coalition for a Drug-Free Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Health and one individual.

Your Committee finds that H.B. No. 1619, H.D. 1 (Regular Session of 2020), a substantially similar measure, was previously passed by your Committee.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 1619, H.D. 1, a measure that:

- (1) Authorizes the courts to enter into agreements with the parties where there is reason to believe the defendant has a physical or mental disease, disorder, or defect that will or has become an issue in the criminal case;
- (2) Requires either one psychiatrist or one psychologist to be appointed in felony cases requiring three examiners;
- (3) Requires an examination for penal responsibility to be conducted within fifteen days after a finding of fitness to proceed; and
- (4) Contains an effective date of July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2631, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2631, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say, Ward). Noes, none. Excused, none.

SCRep. 1127-20 Human Services & Homelessness on S.B. No. 2342

The purpose of this measure is to support the work of the Kupuna Caregivers Program by:

- (1) Reducing the number of hours per week, from thirty hours to twenty hours, that an individual must be employed to be a qualified caregiver under the Kupuna Caregivers Program; and
- (2) Appropriating funds for proper implementation of the Kupuna Caregivers Program.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elder Affairs; AARP Hawaii; Pono Hawaii Initiative; Church of the Crossroads; Hawaii Appleseed Center for Law and Economic Justice; Hawaii Children's Action Network Speaks!; Hawaii Family Caregiver

Coalition; Faith Action for Community Equity; Alzheimer's Association, Aloha Chapter; and four individuals. Your Committee received comments on this measure from the Executive Office on Aging.

Your Committee finds that Hawaii's older adult population continues to rise, with more and more elderly relying on caregivers who provide help to the elderly in the activities of daily living, attendant care, personal care, and transportation, among other services. Your Committee recognizes that caregivers play a critical role in fulfilling an important role and responsibility in communities throughout the State. Your Committee also recognizes that caregivers must take care of themselves and obtain the necessary supports to sustain their own health as well as the health of the family member for whom they are caring. The Kupuna Caregivers Program provides working caregivers with resources and support to care for elders while enabling the caregivers to remain in the workforce. Your Committee further finds that the appropriation in this measure will expand the Kupuna Caregivers Program to reach more caregivers and care recipients.

Your Committee has amended this measure by:

- (1) Removing language that would have reduced the amount of hours that an individual must be employed to be a qualified caregiver under the Kupuna Caregivers Program; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2342, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2342, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Mizuno, Say).

SCRep. 1128-20 Human Services & Homelessness on S.B. No. 2893

The purpose of this measure is to align the state definition of "chronically homeless individual" with the federal definition established by the United States Department of Housing and Urban Development, to reduce confusion among providers, communities, and private partners.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Environmental Caucus of the Democratic Party of Hawaii, and one individual.

Your Committee finds that this measure provides clarity and will improve the delivery and development of homeless services. This measure also ensures that Housing First services are targeted to homeless individuals with the highest level of need.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2893, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2893, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Mizuno, Say).

SCRep. 1129-20 Human Services & Homelessness on S.B. No. 2942

The purpose of this measure is to require the Governor's Coordinator on Homelessness to develop and implement separate regional plans for various neighborhoods across the State to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of impacted communities and needs of the homeless population.

Your Committee received testimony in support of this measure from a member of the Hawaii County Council and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Office of the Mayor of the County of Hawaii, Hawaii Health & Harm Reduction Center, Catholic Charities Hawaii, HOPE Services Hawaii, and one individual.

Your Committee recognizes that homelessness is a matter of statewide concern. Your Committee finds that addressing homelessness requires a regional approach that involves the coordination of county and community resources to meet the needs of the homeless population that are unique to each county or region. This measure enables greater collaborative effort among the State, counties, neighborhood boards, nonprofit organizations, and other stakeholders to address homelessness in the State.

Your Committee has amended this measure by:

- (1) Allowing the Governor's Coordinator on Homelessness, in conjunction with the Hawaii Interagency Council on Homelessness, to develop plans for the City and County of Honolulu and the counties of Hawaii, Kauai, and Maui to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of communities impacted by homelessness and the needs of the homeless population of each region within each county; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2942, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2942, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (Say). Excused, none.

SCRep. 1130-20 Human Services & Homelessness on S.B. No. 2291

The purpose of this measure is to establish a refundable tax credit for business-supported child care equal to a percentage of a taxpayer's eligible business child care expenses.

Your Committee received comments on this measure from the Department of Human Services, Department of Taxation, Executive Office on Early Learning, and Tax Foundation of Hawaii.

Your Committee finds that Hawaii's families are financially burdened and alternative, innovative methods are necessary to alleviate the financial burdens. This measure incentivizes employers to invest in its employees and expand access to child care to Hawaii's working families.

Your Committee has amended this measure by specifying that the definition of "child care facility" includes child care facilities registered with the Department of Human Services, as well as child care facilities that are licensed by the Department.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2291, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2291, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 1131-20 Human Services & Homelessness on S.B. No. 2603

The purpose of this measure is to assist family courts in determining the best interest of children when making custody decisions. Specifically, this measure gives guidance to family courts by:

- (1) Establishing rebuttable presumptions that it is not in the best interests of a child to grant custody or unsupervised visitation to a person if the person or anyone in the household in which the person resides:
 - (A) Has convictions for a violent or sexual offense, in which the victim was a minor;
 - (B) Has a conviction of murder, in which the victim was the other parent; or
 - (C) Is required to register as a sex offender;
- (2) Requiring a court to consider registration as a sex offender a presumption of risk that affects the burden of producing evidence; and
- (3) Specifying that a court shall not disclose certain information about a child or the custodial parent of the child, unless it is in the best interests of the child.

Your Committee received testimony in support of this measure from The Sex Abuse Treatment Center and six individuals.

Your Committee finds that this measure will assist family courts in making custody decisions by creating a rebuttable presumption of significant risks to a child to ensure that children are not placed into the custody of or given unsupervised visitation with persons who are deemed likely to harm the child or jeopardize the child's safety.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2603, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2603, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Mizuno, Say).

SCRep. 1132-20 Human Services & Homelessness on S.B. No. 2505

The purpose of this measure is to require, and appropriate funds for, the Department of Health to repurpose unused state facilities to provide short-term residential beds to allow the stabilization, triage, and assessment of patients in need of services for mental health conditions, substance use, or homelessness.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Health, Honolulu Emergency Services Department, a member of the Hawaii County Council, Hawaii Psychiatric Medical Association, The Queen's Health Systems, Democratic Party of Hawaii, Hawaii Substance Abuse Coalition, Hawaii Health & Harm Reduction Center, Community Alliance on Prisons, Partners in Care, Catholic Charities Hawaii, Coalition for a Drug-Free Hawaii, and eleven individuals.

Your Committee finds that short-term stabilization beds are intended to serve individuals with severe mental illness, substance use disorders, or co-occurring disorders. According to testimony provided by the Governor's Coordinator on Homelessness, short-term stabilization beds are not intended to provide general services for all individuals experiencing homelessness and the target population for stabilization services includes many individuals who are not homeless. Your Committee recognizes that the inclusion of language in this measure specifically related to homelessness may unintentionally narrow the pool of individuals who can be served by short-term stabilization beds.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the provision of short-term residential beds is for the stabilization, triage, and assessment of patients in need of services for mental health conditions and/or substance use, which may include homelessness; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2505, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2505, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, none.

SCRep. 1133-20 Human Services & Homelessness/Health on S.B. No. 2335

The purpose of this measure is to appropriate funds for the Healthy Aging Partnership Program (Program) to further the Program's important role in improving the health and well-being of Hawaii's kupuna.

Your Committees received testimony in support of this measure from the Executive Office on Aging, AARP Hawaii, Hawaii Primary Care Association, and numerous individuals.

Your Committees find that the Program is designed to improve the health of older individuals and reduce higher levels of health care costs. The Program is designed to encourage and empower seniors to stay healthy, stay active, and to age in place. This is accomplished through the Program's education to seniors on better ways to manage their health, and how to safely reside in their homes and prevent falls.

Your Committees have amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2335, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2335, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Say).
Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 1134-20 Human Services & Homelessness/Health on S.B. No. 2469

The purpose of this measure is to address the health care needs of the homeless population in the State by requiring the Department of Human Services to establish and operate two mobile clinics to serve homeless individuals and appropriating funds to purchase, staff, and operate the clinics.

Your Committees received testimony in support of this measure from the Office of the Mayor of the County of Hawaii, Hawaii Psychological Association, Environmental Caucus of the Democratic Party of Hawaii, and six individuals. Your Committees received comments on this measure from the Department of Human Services and Hawaii Primary Care Association.

Your Committees recognize that mobile clinics can reduce geographical, financial, and psychological barriers to health care for individuals who are homeless. This measure provides greater opportunities to extend health outreach and increase health care access for the State's homeless population.

Your Committees have amended this measure by:

- (1) Requiring the Department of Human Services to contract with nonprofits to establish and operate the mobile clinics;
- (2) Changing the number of mobile clinics to an unspecified amount;
- (3) Including a psychologist as part of the mobile clinic staff;
- (4) Allowing, rather than requiring, the mobile clinics to provide specified services;
- (5) Including COVID-19 testing as one of the services that the mobile clinics may provide; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services & Homelessness and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2469, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2469, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Human Services & Homelessness: Ayes, 7. Noes, none. Excused, 1 (Say).
Health: Ayes, 7. Noes, none. Excused, 1 (Say).

SCRep. 1135-20 Labor & Public Employment/Lower & Higher Education on S.B. No. 2488

The purpose of this measure is to help address various teacher shortages in the State by appropriating funds for:

- (1) Teacher compensation as negotiated between the Superintendent of Education and the exclusive representative of Collective Bargaining Unit (5) in a memorandum of understanding that includes:
 - (A) An experimental modernization project to address compensation equity issues and make necessary discretionary salary adjustments for experienced senior teachers; and
 - (B) Additional teacher pay for special education, hard-to-staff geographic locations, and Hawaiian language immersion programs;
- (2) Extra compensation for classroom teacher shortage differentials in charter schools; and
- (3) Fringe benefit costs for teacher compensation, including the state employers' share of the employees' retirement pension accumulation and social security and Medicare payments for employees.

Your Committees received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Special Education Advisory Council, Kamaile Academy Public Charter School, HE'E Coalition, Democratic Party of Hawaii, Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, Americans for Democratic Action, Hawaii Appleseed Center for Law and Economic Justice, Kamehameha Schools, ILWU Local 142, Pride at Work Hawaii, Parents for Public Schools of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, and over two

hundred individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Iron Workers Stabilization Fund and five individuals.

Your Committees understand that a qualified and stable teacher workforce is central to student learning and achievement and the success of Hawaii's public education system. However, your Committees find that the State continues to face a chronic teacher shortage, which undermines student learning and achievement. Your Committees recognize that various compensation methods and strategies are essential for attracting, recruiting, and retaining qualified teachers in the State.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2488, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2488, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Labor & Public Employment: Ayes, 8. Noes, none. Excused, none.

Lower & Higher Education: Ayes, 11. Noes, none. Excused, none.

SCRep. 1136-20 Lower & Higher Education/Labor & Public Employment on S.B. No. 2056

The purpose of this measure is to require and appropriate funds to the University of Hawaii to collaborate with the Department of Education; Department of Business, Economic Development, and Tourism; and numerous other entities to further develop interactive web tools to provide access to job data and earnings calculators that will enable degree-seeking individuals to make better-informed decisions regarding their post-secondary education and career choices.

Your Committees received testimony in support of this measure from the University of Hawaii System. Your Committees received comments on this measure from the Department of Education; Department of the Attorney General; Department of Business, Economic Development, and Tourism.

Your Committees find that providing degree-seeking individuals with easily accessible job and earnings data will help these individuals make better-informed decisions and satisfy their personal and professional goals.

Your Committees have amended this measure by:

- (1) Inserting a preamble affirming the Legislature's finding that helping degree-seeking individuals in Hawaii to make better-informed decisions regarding their post-secondary education and career choices is a matter of statewide concern;
- (2) Changing its effective date to July 1, 2051; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2056, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2056, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Ohno).

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (McKelvey).

SCRep. 1137-20 Lower & Higher Education/Labor & Public Employment on S.B. No. 2065

The purpose of this measure is to:

- (1) Establish a Workforce Readiness Program within the Department of Education to allow students to graduate from an extended high school enrollment with an industry-recognized associate's degree to complement the student's high school diploma; and
- (2) Appropriate funds for the Program, including two full-time equivalent (2.0 FTE) educational specialist II positions and seven full-time equivalent (7.0 FTE) district office teachers.

Your Committees received testimony in support of this measure from the Hawaii Food Industry Association and three individuals. Your Committees received comments on this measure from the Department of Education, Department of Labor and Industrial Relations, Executive Office on Early Learning, and Early Learning Board.

Your Committees find that, despite having a high school graduation rate of eighty-one percent, only fifty-six percent of Hawaii's public school graduates continued on to post-secondary education in 2015. Your Committees further find that high school students in Hawaii would benefit from aligning educational curriculum to workforce readiness. This measure will establish a Workforce Readiness Program that will have educators and industry employers collaborate to develop a qualified pool of talent ready to meet local, regional, and global economic and labor demands.

Your Committees have amended this measure by changing its effective date to July 1, 2051.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2065, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2065, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Ohno).

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (McKelvey).

SCRep. 1138-20 Lower & Higher Education/Labor & Public Employment on S.B. No. 2259

The purpose of this measure is to establish and appropriate funds for a Workforce Readiness Program to provide opportunities for students to earn diplomas and various certificates that pertain to employment.

Your Committees received testimony in support of this measure from McKinley Community School for Adults, Waipahu Community School for Adults, Hawaii Pacific Health, Hawaii Food Industry Association, and numerous individuals. Your Committees received comments on this measure from the Department of Education, Department of Labor and Industrial Relations, Executive Office on Early Learning, and Early Learning Board.

Your Committees find that current high school graduates and non-graduates would benefit from aligning educational curriculum to a workforce readiness preparation program that will ensure they receive the industry-based skills and certification required for employment after graduation.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2259, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2259, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Ohno).

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (McKelvey).

SCRep. 1139-20 Lower & Higher Education/Labor & Public Employment on S.B. No. 3013

The purpose of this measure is to require and appropriate funds to the Department of Education to establish high value employment criteria for industry certification awards to public high schools.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, HawaiiKidsCAN, Hawaii Pacific Health, Project Lead the Way, @MLTSinHawaii, Hawaii Food Industry Association, Chamber of Commerce Hawaii, and six individuals. Your Committees received comments on this measure from the Department of Education, Department of Labor and Industrial Relations, Executive Office on Early Learning, and Early Learning Board.

Your Committees find that, according to the National Center for Education Statistics, about 3.7 million students are expected to graduate high school during the 2019-2020 school year. These students will be entering into a job market where postsecondary credentials are high in demand. An industry-recognized certification conveys a student's career readiness because the credential validates the competencies and skills required for success in a given occupation or industry.

Your Committees further find that Hawaii has critical shortages of qualified local workers in sectors such as health, education, air travel, and technology. This measure will incentivize public high schools to encourage their students to pursue industry certification in high-value occupations, particularly those having a high demand for competent and skilled employees, high potential for growth, and high wages and prepare them for the modern workforce.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3013, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3013, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 10. Noes, none. Excused, 1 (Ohno).

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (McKelvey).

SCRep. 1140-20 Lower & Higher Education/Labor & Public Employment on S.B. No. 3014

The purpose of this measure is to:

- (1) Establish an income tax credit for employers who create on-site early childhood facilities; and
- (2) Establish and appropriate funds for an on-site early childhood facility coordinator position to assist with licensure and accreditation requirements, work with providers, and ensure appropriate facility design of on-site early childhood facilities established by employers in the State.

Your Committees received testimony in support of this measure from the Hawaii Community Foundation. Your Committees received comments on this measure from the Department of Taxation, Department of Human Services, and Executive Office on Early Learning.

Your Committees find that the cost of child care in Hawaii is among the highest in the nation, requiring some parents to remain at home with their children because of the high cost of child care. Your Committees further find that employers who create on-site early childhood facilities see greater employee retention and performance, lower absenteeism, and a more productive and positive workplace environment. This measure will help parents address concerns of child care costs and provide more opportunities for access to early childhood learning programs by providing an income tax credit for employers who create on-site early childhood facilities.

Your Committee has amended this measure by changing the effective date to July 1, 2051.

Should your Committee on Finance decide to hear this measure, your Committees respectfully request that it consider the comments raised in the Department of Taxation's testimony regarding designating a certifying agency for the on-site early childhood facility tax credit and whether the tax credit is intended to be refundable or nonrefundable.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3014, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3014, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 11. Noes, none. Excused, none.

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (McKelvey).

SCRep. 1141-20 Lower & Higher Education/Labor & Public Employment on S.B. No. 3058

The purpose of this measure is to extend the availability of certain exemptions from the State Ethics Code regarding technology transfer activities sponsored by the University of Hawaii to June 30, 2025.

Your Committees received testimony in support of this measure from the University of Hawaii System and one individual.

Your Committees find that Act 38, Session Laws of Hawaii 2017 (Act 38), clarified and updated the application of the State Ethics Code to technology transfer activities sponsored by the University of Hawaii, which facilitated the University's contributions to research commercialization and economic development. However, a sunset date of June 30, 2022, was included in Act 38. Your Committees further find that it is a matter of statewide concern to support the timely and efficient commercialization of intellectual property created by basic and applied research at the University of Hawaii, and that extending Act 38 will allow the University to continue its contribution to research commercialization and economic development.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Labor & Public Employment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3058, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3058, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Lower & Higher Education: Ayes, 11. Noes, none. Excused, none.

Labor & Public Employment: Ayes, 7. Noes, none. Excused, 1 (McKelvey).

SCRep. 1142-20 Lower & Higher Education on S.B. No. 2262

The purpose of this measure is to amend the powers and duties of the Hawaii Teachers Standards Board to authorize the issuance of certificates for teachers at private schools.

Your Committee received testimony in support of this measure from the Hawaii Teacher Standards Board and Hawaii Association of Independent Schools.

Your Committee finds that approximately thirty-eight thousand children attend one hundred sixty-seven private schools and are educated by nearly 3,000 private school teachers. Almost all of these educators hold at least a bachelor's degree and, in many cases, an advanced degree. Many of these teachers have completed a standard licensure program as part of their undergraduate or graduate education. Most private schools, however, do not require that their faculty be "licensed" and instead require the completion of a degree in the field of study in which they plan to teach. This measure will provide certification by the Hawaii Teachers Standards Board for private school educators and affirm that these persons meet the basic qualifications to be an educator.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2262, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2262, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Johanson, D. Kobayashi).

SCRep. 1143-20 Lower & Higher Education on S.B. No. 2690

The purpose of this measure is to appropriate funds to the University of Hawaii Maui College for scholarships in its Office of International and Regional Partnerships to subsidize travel expenses and tuition.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which preserves the content of this measure and additionally establishes and appropriates funds for a Network Improvement Community Task Force to develop a K-12 science, technology, engineering, and mathematics (STEM) teacher education degree for the University of Hawaii.

Your Committee received comments on the proposed H.D. 1 from the University of Hawaii System Community Colleges.

Your Committee finds that there is a shortage of qualified STEM teachers in the Hawaii. The proposed H.D. 1 establishes a task force that will coordinate with the University of Hawaii to develop a K-12 STEM teacher education program, with the goal of building the capacity for, and eventually establishing, a statewide program to recruit, prepare, and retain K-12 STEM teachers that will work in high-need areas.

Your Committee further finds that the University of Hawaii Maui College's Office of International and Regional Partnerships works continuously to connect students from Maui and abroad through study abroad programs that offer students the opportunity to gain foreign language skills and cross-cultural competence and foster meaningful relationships in an increasingly globalized world. The proposed H.D. 1 will provide funding to the University of Hawaii Maui College's Office of International and Regional Partnerships to continue the Office's work in sending students to participate in study abroad programs.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2690, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2690, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Johanson).

SCRep. 1144-20 Lower & Higher Education on S.B. No. 2063

The purpose of this measure is to:

- (1) Establish the Hawaii After School Program for Youth within the Department of Education Community Engagement Branch to provide after school programs for children in grades six through eight; and
- (2) Establish the Hawaii After School Program for Youth Special Fund (Special Fund) and appropriate funds into and out of the Special Fund for implementation costs and expenses of the Hawaii After School Program for Youth, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, University of Hawaii at Manoa College of Education, Hawaii State Teachers Association, Hawaii Arts Alliance, After-School All-Stars Hawaii, Hawaii Afterschool Alliance, Hui for Excellence in Education, Kahoomiki, Parents and Children Together, and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Human Services, and Challenge Island Oahu.

Your Committee finds that more than thirty-six thousand children in the State are left alone after school each day. Providing additional after school programs to Hawaii's students will inspire and motivate them to learn, support their social and emotional growth, and help raise academic achievement.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2063, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2063, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1145-20 Lower & Higher Education on S.B. No. 2736

The purpose of this measure is to appropriate funds to the University of Hawaii College of Tropical Agriculture and Human Resources for an ornamental and landscape entomology extension specialist, plant pathologist extension specialist, and pesticide extension specialist.

Your Committee received testimony in support of this measure from the University of Hawaii College of Tropical Agriculture and Human Resources; Meadow Gold Dairies; Maui County Farm Bureau; Land Use Research Foundation; Hawaii Farm Bureau; Hawaii Cattlemen's Council; East Oahu County Farm Bureau; Hawaii Crop Improvement Association; Waihale Products; Kaneshiro Farm; Hawaii Food Products Inc.; Matsuda-Fukuyama Farms; Maui Floral; Tropical Flowers Express; Dinas Garden; The Grassmaster; Wines of Kauai, LLC; Kamiya Papaya; KHK Ranch, LLC; Main Family Farm; Hawaii Fish Company Inc.; Yee's Orchard; Ohana Farm Orchards; Hawaii Pacific Orchids; and numerous individuals.

Your Committee finds that the biosecurity of agriculture in Hawaii is one of the most significant issues facing agriculture production. This measure will provide funding for additional positions within the University of Hawaii College of Tropical Agriculture and Human Resources to protect the future of agriculture and biosecurity in the State by monitoring crop health and developing remediation solutions.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2736, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2736, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 1146-20 Lower & Higher Education on S.B. No. 2052

The purpose of this measure is to:

- (1) Allow students and teachers who agree to teach full-time at early childhood education centers or facilities for a specified length of time to participate in the Hawaii Educator Loan Program;
- (2) Change the criteria for determining the amount of a Hawaii Educator Loan Program recipient's loan award and interest that will be waived each year; and
- (3) Appropriate funds to the University of Hawaii to provide loan forgiveness to early childhood education professionals.

Your Committee received testimony in support of this measure from the Department of Education, Democratic Party of Hawaii Education Caucus, Kamehameha Schools, Early Childhood Action Strategy, Hawaii State Teachers Association, and three individuals. Your Committee received comments on this measure from the Department of Human Services, Department of the Attorney General, State Public Charter School Commission, Executive Office on Early Learning, and Early Learning Board.

Your Committee finds that incentivizing the development of a pool of highly qualified early childhood professionals will ensure that Hawaii's students receive an educational foundation that will help to prevent these students from being inappropriately referred to special education or engaging in activities that could lead to suspensions or expulsions.

Your Committee has amended this measure by:

- (1) Clarifying that students are eligible for the Hawaii Educator Loan Program if they agree to teach full-time at:
 - (A) Public prekindergarten programs at public charter schools; or
 - (B) Early childhood education centers or group child care centers licensed by the Department of Human Services;
- (2) Changing its effective date to July 2, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2052, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2052, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Hashem).

SCRep. 1147-20 Lower & Higher Education on S.B. No. 584

The purpose of this measure is to require the Department of Education to include as part of its required website posting of project information the source of funding for the project and the amount of any funds appropriated by the Legislature for repair and maintenance but used for another purpose, along with an explanation of that use.

Your Committee did not receive any testimony on this measure.

Your Committee finds that more comprehensive disclosures by the Department of Education will help to increase transparency and fiscal responsibility regarding funds appropriated for public school facilities and other projects.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 584, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 584, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1148-20 Lower & Higher Education on S.B. No. 2264

The purpose of this measure is to minimize situations in which a student may be denied a school meal because of the student's inability to pay by:

- (1) Increasing the number of days in which students can apply for free or reduced lunch or replenish the student's meal fund without being denied a meal;
- (2) Prohibiting a school from serving an alternative meal to a student solely for failure to pay within thirty days of the first semester of a school year or after a student's meal fund account reaches a zero or negative balance;
- (3) Prohibiting a school from publicly identifying or stigmatizing a student for the inability to pay for a school meal;
- (4) Requiring a school to direct any communication relating to a student's meal fund account balance to the student's parent or guardian;
- (5) Requiring the Department of Education to report to the Legislature annually regarding the prevalence of students being denied a school meal solely for failure to pay and any actions taken by the Department or individual schools to address the issue;
- (6) Requiring the Department of Education to use monies in the special school lunch fund to provide school meals at no charge for children in kindergarten through twelfth grade who are participating in the school meals program and who would otherwise be required to pay a reduced price for meals; and
- (7) Appropriating monies into and out of the special school lunch fund to provide school meals at no charge for students participating in the school meals program and who would otherwise be required to pay a reduced price for meals.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Appleseed Center for Law & Economic Justice, Pioneering Healthy Communities, Blue Zones Project, Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, Parents and Children Together, and two individuals.

Your Committee finds that proper nutrition is an important part of a student's healthy learning environment. The removal of a student's lunch due to the inability to pay creates an unhealthy learning environment for the student. This measure will minimize situations in which a student may be denied a school meal because of the student's inability to pay for the meal.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2264, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2264, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, DeCoite).

SCRep. 1149-20 Lower & Higher Education on S.B. No. 2392

The purpose of this measure is to appropriate funds to the University of Hawaii John A. Burns School of Medicine to provide stipends to students enrolled in the Imi Hoola Post-baccalaureate Program and, at the discretion of the Department of Native Hawaiian Health of the John A. Burns School of Medicine, support the existing programs within the Imi Hoola Post-baccalaureate Program.

Your Committee received testimony in support of this measure from the University of Hawaii John A. Burns School of Medicine, Filipinos for Affirmative Action, Hawaii Public Health Association, The Queen's Health Systems, and numerous individuals.

Your Committee finds that the Imi Hoola Program is a proven diversity pipeline program that provides educational opportunities to disadvantaged students pursuing careers in medicine and has successfully equipped deserving local students with the knowledge, skills, and confidence to achieve success in the competitive field of medicine. This measure will address the physician workforce shortage in Hawaii by increasing the number of local physicians through a program that enhances students' academic and professional readiness for medical school.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2392, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2392, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Johanson).

SCRep. 1150-20 Lower & Higher Education on S.B. No. 35

The purpose of this measure is to appropriate funds to establish a Safe Space Program for alternative learning center program students in the Department of Education.

Your Committee received testimony in support of this measure from Adult Friends for Youth. Your Committee received comments on this measure from the Department of Human Services, Department of Education, and Office of Youth Services.

Your Committee finds that alternative learning centers are Department of Education programs and typically provide support services to students placed in these programs during the school day. This measure will create a Safe Space Program that is an add-on to the Alternative Early Learning Centers and will continue to provide support for students who are in crisis due to issues and conditions they experience in their lives outside of the classroom.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 35, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 35, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Johanson, D. Kobayashi).

SCRep. 1151-20 Lower & Higher Education on S.B. No. 2485

The purpose of this measure is to broaden the types of grants for which the Department of Education, State Public Charter School Commission, or a charter authorizer may retain and expend.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that this measure will authorize state public education agencies to more efficiently use federal grant monies for their intended purposes, including the pursuit of additional discretionary grants, monitoring grant execution, complying with grant requirements, and auditing grant expenditures.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Education, State Public Charter School Commission, or a charter authorizer may retain and expend federal indirect overhead reimbursements for grants that are not in excess of the negotiated rate for the reimbursements; and
- (2) Changing its effective date to July 1, 2051.

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

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Johanson, D. Kobayashi).

SCRep. 1152-20 Lower & Higher Education on S.B. No. 2295

The purpose of this measure is to require the Department of Education to implement a service-learning curriculum by the 2023-2024 school year for students in grades nine through twelve.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Healthy Climate Communities, Pono Hawaii Initiative, and seven individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that a service-learning curriculum used in Hawaii's public high schools will engage students in community service volunteer work that will develop student character, values, self-esteem, civic responsibility, and an understanding of local community issues and concerns.

Your Committee has amended this measure by:

- (1) Deleting the specific requirements that the service-learning curriculum must adhere to; and
- (2) Changing its effective date to July 1, 2051.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2295, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2295, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Johanson, D. Kobayashi).

SCRep. 1153-20 Judiciary on S.B. No. 3141

The purpose of this measure is to appropriate funds to the Department of Labor and Industrial Relations' Office of Community Services to contract with nonprofit providers to provide low-income immigrants with legal counsel to assist and represent them in immigration proceedings and provide assistance on immigrant status issues.

Your Committee received testimony in support of this measure from the Department of Human Services, Office of Community Services, Domestic Violence Action Center, Pono Hawaii Initiative, Americans for Democratic Action Hawaii, Filipina Advocacy Network, The Legal Clinic, Filipinos for Affirmative Action, and seven individuals.

Your Committee finds that the Department of Labor and Industrial Relations' Office of Community Services assists Hawaii's low-income immigrant and refugee populations overcome and alleviate workforce barriers to economic self-sufficiency through an array of community-based programs and services. This measure will allow the Office to provide additional services to these populations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3141, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Say, Thielen).

SCRep. 1154-20 Judiciary on S.B. No. 2051

The purpose of this measure is to deter littering by increasing the civil and criminal fines for violations of the State's litter laws.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association.

Your Committee finds that the existing civil and criminal fines are not a sufficient deterrent against littering. Your Committee believes that raising the maximum allowable fines will better deter littering.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2051 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1155-20 Judiciary on S.B. No. 3180

The purpose of this measure is to make an emergency appropriation to the State Public Charter School Commission to provide funds to cover the costs of the claim and settlement amount pursuant to *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K.

Your Committee received testimony in support of this measure from the State Public Charter School Commission.

Your Committee finds that section 4 of Act 99, Session Laws of Hawaii 2019, appropriated general funds from fiscal year 2018-2019, for EDN 600 to pay for the costs of the claim and settlement amount in *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K. However, this would require Waimea Middle Public Conversion Charter School to use funds that were intended for the operation of the charter school and education of its students. To avoid negatively impacting the students and families of the charter school, this measure appropriates funds from the general revenues of the State to the State Public Charter School Commission to cover the costs of the claim and settlement.

Your Committee notes that the Legislature has not yet received a Governor's message requesting the immediate consideration and passage of this measure by the Legislature in accordance with article VII, section 9, of the Hawaii State Constitution.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3180, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Say, Thielen).

SCRep. 1156-20 Judiciary on S.B. No. 2275

The purpose of this measure is to modernize the laws regarding notaries public to bring them into conformity with national standards and current practices. Specifically, this measure:

- (1) Outlines the instances in which notaries public may refuse to perform notarial acts;

- (2) Authorizes notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may perform such notarial acts, including through the use of authorized technologies and electronic stamping;
- (3) Clarifies the validity of notarial acts and the circumstances when notarial acts may not be performed;
- (4) Clarifies the retention of records; and
- (5) Makes various clarifying amendments to conform to national standards and practices.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Commission to Promote Uniform Legislation, Hawaii Land Title Association, First American Title, and Escrow Association of Hawaii. Your Committee received comments on this measure from the Hawaii Bankers Association.

Your Committee finds that notaries public serve an important role in preventing fraud in various types of transactions. Your Committee further finds that the state notaries public laws have not been updated for several years.

Your Committee has amended this measure by:

- (1) Allowing a remote online notary public located in the State to perform a notarial act using communication technology for a remotely located individual located outside the United States if the document involves a transaction with a bank whose deposits are insured by the Federal Deposit Insurance Corporation, including such banks located in the Federated States of Micronesia, Republic of the Marshall Islands, or Republic of Palau, and the act of making the statement or signing the record is not prohibited by the foreign state in which the remotely located individual is located; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2275, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2275, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1157-20 Judiciary on S.B. No. 2047

The purpose of this measure is to require the Judicial Council to conduct a comprehensive review of the Hawaii Penal Code and recommend necessary amendments.

Your Committee received comments on this measure from the Judiciary, Office of Hawaiian Affairs, and Community Alliance on Prisons.

Your Committee finds that the periodic review of the Hawaii Penal Code is essential for ensuring its continued force and effectiveness. Your Committee further finds that the scope of the Judicial Council's review should be narrowed to align with and build upon the recommendations of the Task Force on Prison Reform established pursuant to House Concurrent Resolution No. 85, S.D.1 (2016); Criminal Pretrial Task Force convened pursuant to House Concurrent Resolution No. 134, H.D. 1 (2017); Native Hawaiian Justice Task Force, and several other criminal justice review bodies.

Accordingly, your Committee has amended this measure by:

- (1) Amending the scope of the Judicial Council's review; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2047, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2047, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1158-20 Judiciary on S.B. No. 2480

The purpose of this measure is to establish a Hawaii Hope Card Program within the Department of the Attorney General to issue cards verifying a person's long-term protective order.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that individuals with long-term protective orders are currently required to carry nine-page documents with them at all times in order to prove the existence of a protective order. Your Committee believes that hope cards, which are similar in size and material to a Hawaii state driver's license, are a more convenient method for protected individuals to carry proof of protection on a daily basis.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2480, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2480, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1159-20 Judiciary on S.B. No. 2849

The purpose of this measure is to:

- (1) Clarify the Law Enforcement Standards Board (Board) membership requirements to facilitate participation and representation;

- (2) Enable the Board to consider studies relevant to the Board's objectives and conduct its own study to evaluate how to efficiently and effectively satisfy its duties;
- (3) Establish new deadlines for the completion of the Board's significant responsibilities; and
- (4) Appropriate funds for staff and costs of the Board.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Department of Public Safety, Department of Land and Natural Resources, Hawaii Police Department, and Kauai Police Department.

Your Committee finds that the Board was established by Act 220, Session Laws of Hawaii 2018, for the certification of law enforcement officers. Your Committee further finds that this measure will help the Board better accomplish its mission.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2849, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2849, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1160-20 Judiciary on S.B. No. 2268

The purpose of this measure is to:

- (1) Grant exclusive original jurisdiction in matters of annulment, divorce, and separation and other certain cases to the family court of the circuit in which an applicant is domiciled at the time the application is filed; and
- (2) Remove the time requirement to be physically present in the State to file and complete a divorce in the State.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that this measure clarifies the jurisdiction of the Family Court and enables individuals to file for annulment, divorce, or separation in the State even if they are unable to have been continuously physically present in the State for a certain period of time prior to filing.

Your Committee has amended this measure by:

- (1) Specifying that the family court of the circuit in which an applicant is domiciled at the time the application is filed shall have original jurisdiction in divorce matters only;
- (2) Specifying that the time requirement to be physically present in the State to file and complete a divorce in the State applies to divorce matters only; and
- (3) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2268, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2268, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1161-20 Water, Land, & Hawaiian Affairs on S.B. No. 2077

The purpose of this measure is to establish and appropriate funds for the Hawaii Tree Planting Program to plant at least one million appropriate, non-invasive trees in the State per year.

Your Committee received testimony in support of this measure from the Office of Planning, Hawaii Forest Industry Association, Climate Protectors Coalition, EcoTipping Points Project, and ten individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Conservation Council for Hawaii, and Sierra Club of Hawai'i.

Your Committee finds that planting trees is an important way to address climate change and that trees benefit the environment, ecosystem, and human health by sequestering carbon, purifying the air, cooling streets, shading structures, and slowing evaporation of nearby low vegetation.

Your Committee has amended this measure by:

- (1) Changing the composition of the Hawaii Tree Planting Program partnership to more generally include the Department of Land and Natural Resources and Office of Planning, rather than specifically named programs or divisions;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2077, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2077, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1162-20 Water, Land, & Hawaiian Affairs on S.B. No. 2265

The purpose of this measure is to establish the Micro Enterprise Assistance Program on Hawaiian Home Lands Revolving Fund to provide grants and loans to qualified recipients.

Your Committee received testimony in support of this measure from the Association of Hawaiians for Hawaiian Lands, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of Hawaiian Home Lands; Department of Business, Economic Development, and Tourism; and Department of Budget and Finance.

Your Committee finds that the program established by this measure will promote economic growth and development by providing loans to qualified native Hawaiians, Native Hawaiian community organizations, and native Hawaiian-controlled homestead associations seeking to establish "micro enterprise" businesses.

Your Committee has amended this measure by:

- (1) Establishing the Micro Enterprise Assistance Program on Hawaiian Home Lands Revolving Fund in the Department of Hawaiian Home Lands, rather than in the state treasury;
- (2) Appropriating funds for the Micro Enterprise Assistance Program on Hawaiian Home Lands Revolving Fund from Hawaiian Home Lands Trust Fund, rather than the general fund;
- (3) Changing the effective date to July 1, 2051, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2265, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2265, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1163-20 Water, Land, & Hawaiian Affairs on S.B. No. 2370

The purpose of this measure is to statutorily designate the month of January as "Kalaupapa Month".

Your Committee received testimony in support of this measure from the Department of Health, Ka 'Ohana O Kalaupapa, and numerous individuals.

Your Committee finds that January was the month when the first twelve Hansen's disease patients arrived on the Kalaupapa Peninsula and the birth month of Saint Damien, Saint Marianne, and Ambrose Hutchison, who was the first Kalaupapa superintendent as well as a patient. By designating January as Kalaupapa Month, this measure would recognize the sacrifices many individuals made during the difficult times that occurred in January throughout Hawaii's history and their enduring legacy.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2370, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2370, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1164-20 Water, Land, & Hawaiian Affairs on S.B. No. 70

The purpose of this measure is to appropriate funds for continued pilot test small boat harbor enforcement saturation operations within the Ala Wai and Keehi small boat harbors and development of effective enforcement operations, including the hiring of positions.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that in November 2019, the Department of Land and Natural Resources' Division of Conservation and Resources Enforcement conducted saturation operations during three weekends at the Ala Wai small boat harbor. Your Committee further finds that these saturation operations resulted in five hundred fifty observed violations, one hundred thirty-five citations, and a number of arrests. These operations also helped facilitate the removal of vessels posing potential environmental hazards to ocean waters. This measure extends these saturation operations by appropriating funds to establish two full-time equivalent positions to continue to pilot test small boat harbor enforcement saturation operations within the Ala Wai and Keehi small boat harbors.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 70, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 70, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1165-20 Water, Land, & Hawaiian Affairs on S.B. No. 2303

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources Engineering Division to develop and report to the Legislature prior to the Regular Session of 2022 an emergency intervention plan for the Wahiawa dam and reservoir;

- (2) Require the Department of Land and Natural Resources to study and report to the Legislature prior to the Regular Session of 2021 on the feasibility of the State acquiring the Wahiawa dam and reservoir; and
- (3) Appropriate funds for the Wahiawa dam and reservoir emergency intervention plan and study to determine the feasibility of the State acquiring the Wahiawa dam and reservoir.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Emergency Management and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that climate change increases the risk of drought and sea level rise, making it critical to maintain the State's water storage capabilities and protect downstream communities from flooding. This measure seeks to address those issues with regard to the Wahiawa dam and reservoir, which serves as a major water supply for Central and North Shore Oahu.

Your Committee has amended this measure by:

- (1) Extending the deadline for the report to the Legislature on the feasibility of the State acquiring the Wahiawa dam and reservoir to twenty days prior to the convening of the Regular Session of 2022;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2303, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2303, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1166-20 Water, Land, & Hawaiian Affairs on S.B. No. 2701

The purpose of this measure is to grant county agencies the right to enter property to investigate agricultural buildings, structures, and appurtenances for violations of, and compliance with, building permit and building code exemption requirements.

Your Committee received testimony in support of this measure from the Office of Planning, Office of the Mayor of the County of Hawai'i, Hawaii Cattlemen's Council, and Hawaii Farm Bureau. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that existing law exempts certain types of agricultural buildings, structures, and appurtenances from building permit and building code requirements. However, your Committee also finds that agricultural buildings, structures, and appurtenances are sometimes illegally used for residential purposes. This measure explicitly grants county agencies the authority to exercise their enforcement powers and help prevent the misuse of agricultural buildings, structures, and appurtenances that are exempt from building permit and building code requirements.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2701, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2701, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Lowen).

SCRep. 1167-20 Water, Land, & Hawaiian Affairs on S.B. No. 2417

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to recognize that:
 - (A) Game mammals and game birds can provide a sustainable food source when properly managed in appropriate areas; and
 - (B) The State's unique relationship with the ocean requires careful consideration and management of land and ocean activities that prioritize the public trust responsibilities of the State;
- (2) Require each department, office, or agency of the State to update its rules and policies to integrate the local hunting and fishing industries into any food security or sustainability strategies that the department, office, or agency employs; and
- (3) Require the head of each principal department of the State to submit a report to the Legislature on the progress of that department, and any agency administrative attached to that department, in updating its rules and policies.

Your Committee received testimony in support of this measure from the Hawaii County Game Management Advisory Commission and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, and Hawaii Hunting Association.

Your Committee finds that game mammals and birds are sustainable food resources that provide food, water, and refuge and support hunting and that game populations should be managed to reduce any negative impacts and provide environmental and cultural benefits. Your Committee also finds that the State should carefully consider and manage land and ocean activities that prioritize the State's public trust responsibilities. Your Committee further finds that the Department of Land and Natural Resources should similarly recognize these positions in its management of the State's natural resources.

Your Committee has amended this measure by:

- (1) Clarifying that game mammals and game birds provide a sustainable food source and play a role in native Hawaiian traditional and customary practices and that striking the right balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority; and
- (2) Changing its effective date to July 1, 2051, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2417, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2417, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1168-20 Water, Land, & Hawaiian Affairs on S.B. No. 2191

The purpose of this measure is to authorize the issuance of general obligation bonds for construction costs of a water storage and distribution system on certain agricultural lands in Wahiawa, Oahu, owned by the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Hawaiian Affairs, Hawaii Farm Bureau, Kūpuna for the Mo'opuna, and fourteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the capital improvement project in Wahiawa funded by this measure will allow the Office of Hawaiian Affairs to advance shared objectives of that office and the State in the development of these lands. Your Committee further finds that the project will promote diversified agriculture, enhance food security and climate resiliency, and protect the Kūkaniloko Birthing Stones, which are a culturally significant site.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2191, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2191, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1169-20 Water, Land, & Hawaiian Affairs on S.B. No. 2692

The purpose of this measure is to ensure the preservation of the Na Wai Eha watershed in Wailuku, Maui, by appropriating funds out of the Land Conservation Fund for the purchase of a portion of the Na Wai Eha watershed, subject to matching funds from the County of Maui.

Your Committee received testimony in support of this measure from Department of Land and Natural Resources, Department of Water Supply of the County of Maui, one member of the Maui County Council, and four individuals.

Your Committee finds that the Na Wai Eha watershed represents significant ecological, cultural, and hydrological value to the island of Maui. Your Committee further finds that the land acquisition authorized by this measure will preserve this resource in perpetuity for public recreation and the benefit of the public.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2051, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2692, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2692, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1170-20 Water, Land, & Hawaiian Affairs/Energy & Environmental Protection on S.B. No. 2548

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources' Division of Boating and Ocean Recreation to create a pilot program to encourage the collection and removal of man-made marine debris;
- (2) Appropriate funds for the pilot program; and
- (3) Appropriate funds for the University of Hawaii Water Resources Research Center to research and develop specialized equipment for the effective and efficient removal of plastic debris from state beaches and shorelines.

Your Committees received testimony in support of this measure from the Hawaii Food Industry Association, Beach Environmental Awareness Campaign Hawai'i, Animal Rights Hawai'i, EcoTipping Points Project, Hawaii Reef and Ocean Coalition, one member of the Hawai'i County Council, and eleven individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that this measure complements existing efforts by nonprofit, nongovernmental, and state agencies to remove man-made debris from the State's waters and shorelines by providing incentives for vessel crews to participate in marine debris removal.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2030, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2548, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2548, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Thielen).

SCRep. 1171-20 Water, Land, & Hawaiian Affairs/Tourism & International Affairs on S.B. No. 3011

The purpose of this measure is to appropriate funds for the restoration, repair, operation, and maintenance of Iolani Palace and nearby structures on palace grounds.

Your Committees received testimony in support of this measure from the Hawai'i Tourism Authority, Kamehameha Schools, Bishop Museum, The Queen's Health Systems, Native Hawaiian Chamber of Commerce, Council for Native Hawaiian Advancement, Native Hawaiian Education Council, 'Aha Pūnana Leo, Mālama 'Āina Foundation, Association of Hawaiian Civic Clubs, Partners in Development Foundation, Papa Ola Lōkahi, Ka Lei Pāpahi 'O Kākūhihewa, Friends of Iolani Palace, and four individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources and Department of Budget and Finance.

Your Committees find that Iolani Palace is an important cultural and historical landmark that represents the dignity and unique history of the people of Hawaii. This measure supports Iolani Palace's mission to preserve, restore, interpret, share, and celebrate the unique cultural, historical, and spiritual qualities of Iolani Palace and its grounds for the benefit of Native Hawaiians, Hawaii's residents, and visitors to the State.

Your Committees have amended this measure by:

- (1) Changing the appropriation to support the operations, maintenance, restoration, and repair of Iolani Palace to an unspecified amount;
- (2) Removing specific allocations from the appropriation for restoration, repair, and maintenance of Iolani Palace and nearby structures, in favor of a lump sum appropriation;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Tourism & International Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3011, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3011, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Lowen).

Tourism & International Affairs: Ayes, 6. Noes, none. Excused, 2 (Cabanilla Arakawa, Creagan).

SCRep. 1172-20 Consumer Protection & Commerce on S.B. No. 2512

The purpose of this measure is to:

- (1) Specify that the exemption from licensing as a veterinarian for owners of animals, and the full-time, regular employees of those owners, does not include the performance of any surgical procedures;
- (2) Makes the intentional or knowing performance of surgical procedures on pet animals without a veterinarian license a class C felony; and
- (3) Clarify that certain exemptions from the offense of cruelty to animals in the first degree only apply if performed by a licensed veterinarian.

Your Committee received testimony in support of this measure from the Board of Veterinary Medicine, Animal Welfare Institute, Hawaiian Humane Society, Forgotten Felines, Animal Rights Hawaii, Poi Dogs and Popoki, and ten individuals. Your Committee received testimony in opposition to this measure from the Pacific Pet Alliance, Hawaiian Chinese Shar-Pei Club, Terry Nii Design, and five individuals. Your Committee received comments on this measure from the Hawaii Cattlemen's Council.

Your Committee finds that there are serious dangers and risks to animals when surgical procedures are performed by individuals who have not received the appropriate education and training. This measure would protect animal welfare by ensuring that surgical procedures are performed in a sterile environment with sterile equipment, by an experienced and licensed veterinarian.

Your Committee has amended this measure by:

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

Your Committee notes that concerns were raised at the public hearing before your Committee about whether the imposition of a class C felony penalty is commensurate with the severity or gravity of the targeted acts. Should your Committee on Judiciary consider this measure, your Committee respectfully requests that your Committee on Judiciary examine this concern.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2512, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2512, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har, Kong, Onishi). Noes, none. Excused, 4 (Aquino, Belatti, Mizuno, Matsumoto).

SCRep. 1173-20 Consumer Protection & Commerce on S.B. No. 2876

The purpose of this measure is to make various amendments to the State's insurance laws. Specifically, this measure:

- (1) Institutes certain consumer protections with regard to public adjusters, by:
 - (A) Requiring certain contractual terms and disclosures;
 - (B) Capping the commissions public adjusters may charge; and
 - (C) Specifying that insureds have a right to rescind with certain restrictions;
- (2) Imposes the standard of conduct that is applied to other insurers upon limited lines motor vehicle rental company producers, owners of self-service storage facilities, and vendors of portable electronics;

- (3) Authorizes the Insurance Commissioner to waive or modify, in whole or part, upon a showing of good cause, any or all fees deposited into the Commissioner's Education and Training Fund and Compliance Resolution Fund;
- (4) Mandates the electronic payment of certain fees and taxes and electronic filing of certain reports, and updates the system utilized for electronic filing;
- (5) Corrects an inaccuracy by stating that public adjusters and bill reviewers handle funds, not premiums;
- (6) Reinstates the right to an administrative hearing and appeal from an order that was inadvertently repealed by Act 279, Session Laws of Hawaii 2019;
- (7) Amends the composition and criteria for choosing members of the Hawaii Joint Underwriting Plan Board of Governors; and
- (8) Clarifies that rewards under wellness programs that meet certain criteria do not qualify as prohibited rebates.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Hawaii Public Adjusters, and Hawaii Medical Service Association. Your Committee received testimony in opposition to this measure from the Hawaii Public Insurance Adjusters Association; American Association of Public Insurance Adjusters; Americas Realty; Aloha Public Adjusters, LLC; and six individuals.

Your Committee finds that updating the State's insurance laws is necessary for clarity, to provide greater protections to consumers, and improve the administration and enforcement of regulated entities. With respect to public adjusters, your Committee finds that public adjusters play a vital role in advocating on behalf of consumers in appraising and negotiating insurance claims. However, due to the importance of this relationship, your Committee finds that certain protections must be instituted to ensure that unscrupulous professionals are not taking advantage of consumers. Your Committee notes that, in an effort to protect consumers, a balance must be achieved such that the protections do not overburden fair and honest professionals. To this end, your Committee believes that the eight percent cap on the charges public adjusters may charge for their services, as proposed by this measure, would place an unnecessary financial burden on the adjusters. However, your Committee further believes that a maximum for the amount public adjusters may charge for their services is necessary to protect consumers. To strike this balance, your Committee finds that the Insurance Commissioner is in the best position to determine the reasonableness of a public adjuster's fee and as such, this determination should be left to the Insurance Commissioner's discretion.

Your Committee has amended this measure by:

- (1) Deleting the cap on commissions public adjusters may charge and instead requiring that commissions cannot be unreasonable, as determined by the Insurance Commissioner;
- (2) Deleting the prohibition on a public adjuster receiving a commission in the event an insurer pays or commits to pay the insured the policy limit within seventy-two hours after the date on which the loss is reported to the insurer;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2876, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2876, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Belatti, Matsumoto).

SCRep. 1174-20 Consumer Protection & Commerce on S.B. No. 2513

The purpose of this measure is to include the intentional, knowing, or reckless use of castration bands to neuter dogs, cats, or certain other pet animals under the offense of cruelty to animals in the second degree.

Your Committee received testimony in support of this measure from Animal Rights Hawaii, The Animal Welfare Institute, Hawaii Cattlemen's Council, Hawaiian Humane Society, Poi Dogs and Popoki, and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that castration bands are intended for use on farm animals larger than pet animals. The use of castration bands on pet animals by untrained pet owners can result in physical pain, suffering, and injury to the animals. Your Committee further finds that several service providers in the State provide free or low-cost spay and neuter services performed by licensed veterinarians for pet dogs and cats.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2513, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2513, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Mizuno, Matsumoto).

SCRep. 1175-20 Consumer Protection & Commerce on S.B. No. 2875

The purpose of this measure is to authorize promoters of mixed martial arts events to compensate contestants and their managers in cash.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual.

Your Committee finds that mixed martial arts events are very susceptible to last-minute changes. For example, a contestant could fail to make weight, which occurs the day before a contest, or could be injured. When a change occurs at the last minute, promoters often have insufficient time to go to a financial institution to obtain new cashier's or certified checks, which are the only forms of payment allowed under existing law. This measure would provide promoters with the necessary flexibility to compensate contestants and their managers in a timely manner.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2875, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2875, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Belatti, Matsumoto).

SCRep. 1176-20 Consumer Protection & Commerce on S.B. No. 2647

The purpose of this measure is to:

- (1) Establish the Landlord Incentive Program Special Fund to reimburse land owners who participate in the Section 8 Housing Choice Voucher Program for repair costs of tenant-caused property damage when the repair costs exceed the tenant's security deposit; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Aloha Independent Living Hawaii, and Hawaii Association of REALTORS. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that some landlords in the State are reluctant to lease their units to section 8 voucher holders, leaving many families with no choice but to return the voucher that they waited many years to receive. The landlord incentive fund proposed by this measure will therefore provide some incentive to landlords to provide housing to those persons most in need.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2647, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Aquino, Belatti, Matsumoto).

SCRep. 1177-20 Consumer Protection & Commerce on S.B. No. 2884

The purpose of this measure is to increase the amount of funds that may be retained in the Public Utilities Commission Special Fund at the end of each fiscal year.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Ulupono Initiative. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the current carryover balance of \$1,000,000 in the Public Utilities Commission Special Fund was established in 1994 and has never been modified, even though the Public Utilities Commission has grown significantly in size in terms of responsibilities and operational costs since that time. Your Committee further finds that the main source of revenue for the Public Utilities Commission Special Fund are fees collected on a staggered basis. Since the fees are collected at various times of the year, the \$1,000,000 carryover balance is no longer sufficient to meet the Public Utilities Commission's start-of-year expenses, including statutory obligations and payroll.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2884, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Belatti, Matsumoto).

SCRep. 1178-20 Consumer Protection & Commerce/Judiciary on S.B. No. 2421

The purpose of this measure is to make permanent statutory amendments pertaining to nonjudicial foreclosures on condominium units enacted by Act 195, Session Laws of Hawaii 2018 (Act 195).

Your Committees received testimony in support of this measure from the Hawaii Chapter of the Community Associations Institute Legislative Action Committee, Palehua Townhouse Association, Associa, Kokua Council, Hui Oiaio, Board of Directors of the Honolulu Tower Association of Apartment Owners, and fifteen individuals.

Your Committees find that Act 195 created important and effective rules relating to association foreclosures on condominiums; however, Act 195 is scheduled to sunset on June 30, 2020. These rules help protect condominium owners by, among other things, enabling owners to initiate a dispute over non-essential fees or penalties prior to being forced to pay these assessments. This measure makes permanent the consumer protections contemplated by Act 195 by repealing its sunset date.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2421, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Mizuno, Matsumoto).

Judiciary: Ayes, 8. Noes, none. Excused, 4 (Lowen, McKelvey, Yamane, Thielen).

SCRep. 1179-20 Consumer Protection & Commerce/Judiciary on S.B. No. 2425

The purpose of this measure is to make permanent statutory amendments pertaining to alternative dispute resolutions for disputes between condominium associations and unit owners enacted by Act 196, Session Laws of Hawaii 2018 (Act 196).

Your Committees received testimony in support of this measure from Hawaii Real Estate Commission, Community Associations Institute, Palehua Townhouse Association, Associa, Hawaii Council of Associations of Apartment Owners, and seven individuals.

Your Committees find that Act 196, which created important and effective rules regarding alternative dispute resolution for condominium-related disputes, is scheduled to be repealed on June 30, 2023. Your Committees further find that since the passage of Act 196, condominium associations have had additional remedies available to address dispute resolution between and among condominium owners, board members, and their managing agents and have been able to access the Condominium Education Trust Fund to subsidize those remedies. This measure makes these remedies permanent by repealing the sunset date of Act 196.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2425, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Consumer Protection & Commerce: Ayes, 7. Noes, none. Excused, 4 (Aquino, Belatti, Mizuno, Matsumoto).

Judiciary: Ayes, 8. Noes, none. Excused, 4 (Lowen, McKelvey, Yamane, Thielen).

SCRep. 1180-20 Public Safety, Veterans, & Military Affairs on H.R. No. 32

The purpose of this measure is to request the Department of Public Safety to conduct a study on the effects of felony disenfranchisement, particularly the effects on minority groups, and to submit a report of its findings, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2021.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the requested study will be valuable in informing the Legislature whether changes in policy and practice regarding voting rights for incarcerated persons are warranted.

Your Committee notes that through Act 179, Session Laws of Hawaii 2019, the Legislature established a Criminal Justice Research Institute within the Office of the Chief Justice to examine all aspects of the criminal justice system for the purpose of assisting the State in understanding the system in a more comprehensive way and ensuring the protection of individual rights, increasing efficiencies, and controlling costs. In accordance with this purpose and the authority granted to the Criminal Justice Research Institute, your Committee finds it to be the more appropriate body to conduct the study.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Criminal Justice Research Institute, rather than the Department of Public Safety, to conduct the study and submit a report of its findings, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 32, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.R. No. 32, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1181-20 Public Safety, Veterans, & Military Affairs on H.C.R. No. 47

The purpose of this measure is to request the Department of Public Safety to conduct a study on the effects of felony disenfranchisement, particularly the effects on minority groups, and to submit a report of its findings, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2021.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, American Civil Liberties Union of Hawaii, and six individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the requested study will be valuable in informing the Legislature whether changes in policy and practice regarding voting rights for incarcerated persons are warranted.

Your Committee notes that through Act 179, Session Laws of Hawaii 2019, the Legislature established a Criminal Justice Research Institute within the Office of the Chief Justice to examine all aspects of the criminal justice system for the purpose of assisting the State in understanding the system in a more comprehensive way and ensuring the protection of individual rights, increasing efficiencies, and controlling costs. In accordance with this purpose and the authority granted to the Criminal Justice Research Institute, your Committee finds it to be the more appropriate body to conduct the study.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Criminal Justice Research Institute, rather than the Department of Public Safety, to conduct the study and submit a report of its findings, including any proposed legislation, to the Legislature prior to the convening of the Regular Session of 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 47, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.C.R. No. 47, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1182-20 Public Safety, Veterans, & Military Affairs on H.R. No. 48

The purpose of this measure is to request the establishment of a working group to study the feasibility of building an additional work furlough center on the present site of the Oahu Community Correctional Center (OCCC) once OCCC has been relocated to Halawa.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that the Laumaka Work Furlough Center, located about one block from OCCC, houses inmates who are either actively seeking employment or working in the community, as a means to ease their transition upon release. The Laumaka Work Furlough Center has space for ninety-six inmates, while twice that number are eligible for the work furlough program.

Your Committee also finds that plans for the new OCCC in Halawa Valley call for a separate structure to accommodate eligible work furlough inmates who are unable to be accommodated at the Laumaka Work Furlough Center. Your Committee further finds, however, that the Laumaka Work Furlough Center's location in Kalihi is preferable to the more remote Halawa site because it affords easy access to public transportation and work places for inmates in the work furlough program. With the relocation of OCCC to Halawa, the existing site will be available to be repurposed and could serve as an adjunct to the neighboring Laumaka Work Furlough Center.

Accordingly, your Committee finds that requesting a working group to be established to study the feasibility of building an additional work furlough center on the present site of OCCC once it has been relocated to Halawa is appropriate, with the working group requested to submit a report of its findings and recommendations to the Legislature prior to the convening of the Regular Session of 2021.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 48 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1183-20 Public Safety, Veterans, & Military Affairs on H.C.R. No. 64

The purpose of this measure is to request the establishment of a working group to study the feasibility of building an additional work furlough center on the present site of the Oahu Community Correctional Center (OCCC) once OCCC has been relocated to Halawa.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that the Laumaka Work Furlough Center, located about one block from OCCC, houses inmates who are either actively seeking employment or working in the community, as a means to ease their transition upon release. The Laumaka Work Furlough Center has space for ninety-six inmates, while twice that number are eligible for the work furlough program.

Your Committee also finds that plans for the new OCCC in Halawa Valley call for a separate structure to accommodate eligible work furlough inmates who are unable to be accommodated at the Laumaka Work Furlough Center. Your Committee further finds, however, that the Laumaka Work Furlough Center's location in Kalihi is preferable to the more remote Halawa site because it affords easy access to public transportation and work places for inmates in the work furlough program. With the relocation of OCCC to Halawa, the existing site will be available to be repurposed and could serve as an adjunct to the neighboring Laumaka Work Furlough Center.

Accordingly, your Committee finds that requesting a working group to be established to study the feasibility of building an additional work furlough center on the present site of OCCC once it has been relocated to Halawa is appropriate, with the working group requested to submit a report of its findings and recommendations to the Legislature prior to the convening of the Regular Session of 2021.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 64 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 6. Noes, none. Excused, 1 (Gates).

SCRep. 1184-20 Judiciary/Consumer Protection & Commerce on S.B. No. 2975

The purpose of this measure is to exempt applications for a class 1 liquor license on land designated as agricultural by state or county zoning laws and for which the majority of the agricultural products used in the manufacturing of the liquor are grown and produced in the State by the license holder from the automatic refusal of a liquor license that may be invoked by a majority of nearby voters or real estate owners.

Your Committees received testimony in support of this measure from LBD Coffee, LLC.

Your Committees find that there is a desire to grow and produce agricultural products for the manufacturing of liquor. Your Committees further find that the merits of this measure could support practices that stimulate the local economy.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2975, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 8; Ayes with Reservations (Say). Noes, none. Excused, 4 (Lowen, McKelvey, Yamane, Thielen).
Consumer Protection & Commerce: Ayes, 7; Ayes with Reservations (Har). Noes, none. Excused, 4 (Aquino, Belatti, Mizuno, Matsumoto).

SCRep. 1185-20 Water, Land, & Hawaiian Affairs/Lower & Higher Education on S.B. No. 2061

The purpose of this measure is to promote outdoor education and recreation programs for children in the State by establishing the No Child Left Inside Grant Program within the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from the Hawaii Farm to School Hui, Shaka Tea, and eight individuals. Your Committees received comments on this measure from the Department of Budget and Finance and Department of Land and Natural Resources.

Your Committees find that outdoor education and recreation programs promote the physical and academic well-being of children. This measure supports various entities that provide outdoor education and recreation opportunities to children in the State.

Your Committees have amended this measure by:

- (1) Changing its effective date to July 1, 2051, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Lower & Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2061, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2061, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, none. Excused, 1 (Ward).

Lower & Higher Education: Ayes, 8. Noes, none. Excused, 3 (DeCoite, Johanson, D. Kobayashi).

SCRep. 1186-20 Water, Land, & Hawaiian Affairs on S.B. No. 3035

The purpose of this measure is to establish an ocean sciences research investment tax credit to foster research and development to expand and diversify Hawaii's economy.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of the Attorney General, Natural Energy Laboratory of Hawaii Authority, and Makai Ocean Engineering.

Your Committee finds that encouraging investment in innovation contributes greatly to economic growth. Your Committee further finds that given Hawaii's unique geography, investing in ocean sciences is an intrinsic and essential part of sustainability. This measure promotes economic growth by encouraging investment in research and development in ocean sciences through the provision of an income tax credit.

Your Committee has amended this measure by:

- (1) Clarifying that the amount of the tax credit is a percentage of the investment that is "at-risk";
- (2) Amending the definition of "qualified entity" by:
 - (A) Clarifying the entity must be a small business licensed in Hawaii that employs or owns capital or property, or maintains an office, in the State; and
 - (B) Requiring the entity to actively and continuously conduct research and development in the field of ocean sciences;
- (3) Changing the effective date to July 1, 2051, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3035, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3035, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1187-20 Water, Land, & Hawaiian Affairs on S.B. No. 2249

The purpose of this measure is to make it a civil and administrative violation for any person to engage in certain archaeological activities, or use explosives in land development or land alteration activities that are subject to historic preservation review, without obtaining the required permission or approval from the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Society for Hawaiian Archaeology, Honua Consulting, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that there is a persistent issue involving whether archaeological activities are being conducted in violation of existing law. Your Committee further finds that existing law does not impose civil or administrative penalties for the use of explosives during land alteration or development activities that are subject to historic preservation review. This measure makes it a civil or administrative violation to conduct unpermitted archaeological activities or use explosives during land alteration or development activities that are subject to historic preservation review.

Your Committee has amended this measure by:

- (1) Applying civil and administrative fines to the knowing and intentional taking, appropriation, excavation, injury, destruction, or alteration of any burial site, or the contents thereof, on certain lands, and to the knowing and intentional failure to re-inter human remains discovered on those lands within a certain period of time;
- (2) Deleting language establishing civil and administrative fines for certain types of archaeological activity other than the violation or failure to carry out any agreed upon mitigation condition or commitment;
- (3) Inserting a savings clause;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2249, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2249, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, none.

SCRep. 1188-20 Water, Land, & Hawaiian Affairs on S.B. No. 2828

The purpose of this measure is to:

- (1) Specify in the State Water Code that fire safety use is a beneficial use of fresh water; and

- (2) Require the Department of Land and Natural Resources, in consultation with the Hawaii Emergency Management Agency and Office of Hawaiian Affairs, to cooperate with the counties and reservoir owners to develop protocols and agreements for the use of reservoir waters for fire safety purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Farm Bureau, Maui County Farm Bureau, and three individuals. Your Committee receive testimony in opposition to this measure from the Office of Hawaiian Affairs, Sierra Club of Hawai'i, Sierra Club Maui, Earthjustice, Native Hawaiian Legal Corporation, Hui o Nā Wai 'Ehā, and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that authorizing reservoir water use for fire safety will help to keep communities safe from the devastation and destruction of recent wildfires. This measure requires the cooperation from multiple entities to find ways to enable the use of reservoir water for fire safety while balancing other important water uses.

Your Committee has amended this measure by:

- (1) Removing the Office of Hawaiian Affairs as a consulting agency to cooperate with others to develop protocols and agreements for the use of reservoir waters for fire safety purposes;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2828, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2828, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Lowen). Noes, 1 (Wildberger). Excused, none.

SCRep. 1189-20 Water, Land, & Hawaiian Affairs on S.B. No. 2812

The purpose of this measure is to:

- (1) Clarify that agricultural activities on non-agricultural park lands may include the care and production of pasture lands;
- (2) Require the Department of Land and Natural Resources to transfer certain non-agricultural park lands to the Department of Agriculture as authorized by section 166E-3, Hawaii Revised Statutes;
- (3) Require the Department of Land and Natural Resources to accept and return to its land inventory any parcel, or portion thereof, transferred pursuant to this Act that the Department of Agriculture has determined to be unsuitable or unnecessary for agricultural use; and
- (4) Require reports to the legislature on implementing the land transfers, addressing concerns about stewardship, and complying with the land transfers.

Your Committee received testimony in support of this measure from the Hawaii Forest Industry Association; Hawaii Cattlemen's Council, Inc; Land Use Research Foundation of Hawaii; Hawaii Farm Bureau; Hawaii Meats LLC; Kapapala Ranch; Hawaii Crop Improvement Association; Larry Jeffs Farms, LLC; Meadow Gold Dairies; Maui County Farm Bureau; McCandless Ranch; Ulupono Initiative; Ulupalakua Ranch; Ponoholo Ranch Limited; Local Food Coalition; a petition signed by forty individuals; and ten individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawaii's Thousand Friends, The Nature Conservancy, Sierra Club of Hawai'i, Hawai'i Conservation Alliance Foundation, Ahahui Malama I Ka Lokahi/Hawaiians for the Conservation of Native Ecosystems, Conservation Council for Hawai'i, Animal Rights Hawai'i, and sixteen individuals. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that many farmers and ranchers who hold leases of pasture land under the Department of Land and Natural Resources were informed that their leases would be transferred to the Department of Agriculture pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90). Your Committee further finds that these transfers have not been effectuated, leading to confusion and concern by the leaseholders. This measure addresses those concerns by requiring the transfer of identified non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture.

Your Committee has amended this measure by:

- (1) Amending the tax map keys of non-agricultural park lands to be transferred pursuant to this measure;
- (2) Inserting an appropriation of general revenues for deposit into the Non-Agricultural Park Lands Special Fund;
- (3) Establishing a process to allow the Land Use Commission to determine if lands that may be subject to transfer under Act 90 but were not specifically identified by this measure are bona fide agricultural land, including pasture land, or conservation land;
- (4) Changing the effective date to July 1, 2051, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2812, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2812, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Lowen). Noes, 1 (Wildberger). Excused, none.

SCRep. 1190-20 Water, Land, & Hawaiian Affairs/Energy & Environmental Protection on S.B. No. 2386

The purpose of this measure is to:

- (1) Prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public health and safety; and
- (2) Require no less than a one-half mile buffer zone around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs; Iron Workers Stabilization Fund; ILWU Local 142; Plumbers and Fitters UA, Local 675; International Brotherhood of Electrical Workers Local Union 1186; Hawaii Youth Climate Coalition; Animal Rights Hawai'i; Ke One O Kākuhihewa; Prince Kūhiō Hawaiian Civic Club; Young Progressives Demanding Action; Association of Hawaiian Civic Clubs; Hawaii State Teachers Association; Hawai'i Labor Coalition; LGBT Caucus of the Democratic Party of Hawaii; Sierra Club of Hawai'i; SAG-AFTRA; Pride @ Work – Hawaii; and nine individuals. Your Committees received testimony in opposition to this measure from the Department of Environmental Services of the City and County of Honolulu; Hawaii Bioeconomy Trade Organization; Building Industry Association Hawaii; PVT Land Company, Ltd; West Oahu Aggregate; and Reynolds Recycling. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Health, and one individual.

Your Committees find that conservation districts are protected lands that should not be used for waste disposal facilities. Your Committees further find that persons living near waste or disposal facilities suffer negative health impacts and a lowered quality of life. This measure protects conservation districts and public health by requiring buffer zones around residences, schools, and hospitals for waste or disposal facilities and restricting their placement on conservation lands.

Your Committees have heard the concern of Reynolds Recycling that this measure as written would significantly impact the operation of redemption centers statewide, so much so that the State's Deposit Beverage Container Program would functionally cease to exist.

Your Committees have amended this measure accordingly by:

- (1) Exempting individual, state certified, non-industrial recycling centers from the prohibitions on locating a waste or disposal facility on conservation land;
- (2) Exempting individual, state certified, non-industrial recycling centers from the one-half mile buffer zone requirement;
- (3) Changing the effective date to July 1, 2051, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2386, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2386, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, 1 (Ward). Excused, none.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Thielen).

SCRep. 1191-20 Energy & Environmental Protection/Water, Land, & Hawaiian Affairs on S.B. No. 2060

The purpose of this measure is to amend state coastal zone management laws to further protect the State's coastal areas and resources against the impacts of sea level rise and coastal erosion.

Your Committees received testimony in support of this measure from the City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; County of Kauai Office of Economic Development; Sierra Club of Hawaii; IMUAlliance; Climate Protectors Coalition; Hawaii Youth Climate Coalition; and four individuals. Your Committees received testimony in opposition to this measure from Hawaiian Electric Company, Inc. Your Committees received comments on this measure from the Department of Land and Natural Resources, Office of Planning, Hawaii Climate Change Mitigation and Adaptation Commission, and County of Hawaii Planning Department.

Your Committees find that it is necessary to further strengthen existing policies and regulations to protect beaches and other coastal environments from further degradation and reduce the exposure of shorefront communities to increasing erosion and flooding hazards caused by sea level rise.

Your Committees have amended this measure by:

- (1) Amending coastal zone management objectives for economic uses to broadly ensure that coastal dependent and coastal related development are located, designed, and constructed to minimize exposure to coastal hazards and adverse impacts;
- (2) Reverting to the existing definition of "development", which would define any excluded use, activity, or operation that has a cumulative impact, or a significant environmental or ecological effect on a special management area, as a development;
- (3) Providing that a variance for private facilities or improvements that may artificially fix the shoreline shall not be granted in areas with sand beaches or where artificially fixing the shoreline may interfere with existing recreational and waterline activities unless the granting of the variance is clearly demonstrated to be in the interest of the general public;
- (4) Removing the requirement that the Hawaii Climate Change Mitigation and Adaptation Commission submit a proposal for a state supplemental insurance program for properties subject to climate change impacts; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2060, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2060, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 6. Noes, none. Excused, 1 (Thielen).

Water, Land, & Hawaiian Affairs: Ayes, 6. Noes, 1 (Ward). Excused, none.

SCRep. 1192-20 Finance on S.B. No. 3080

The purpose of this measure is to appropriate supplemental funds for the Judiciary for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021.

Testimony supporting this measure was received from the Judiciary and an individual. The Department of the Attorney General provided comments.

Your Committee on Finance has amended this measure, due to the budget shortfalls anticipated as a result of the 2019 coronavirus pandemic, by:

- (1) Removing all vacant positions and funding. Although funding for vacant judge positions has been reduced, judge positions have not been deleted;
- (2) Including a weekly reporting requirement from the Judiciary regarding the release of inmates pursuant to Supreme Court orders;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3080, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3080, S.D. 3, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1193-20 Finance on S.B. No. 75

The purpose of this measure is to make emergency appropriations to the Department of Health, Department of Transportation, and Department of Defense for the public health response to the Coronavirus Disease 2019 (COVID-19) outbreak.

Your Committee received comments on this measure from the Department of Defense.

Prior to the hearing on this measure, your Committee prepared and made available for public review a proposed H.D. 1, which:

- (1) Deletes the emergency appropriations to the Departments of Health, Transportation, and Defense;
- (2) Appropriates federal funds designated for the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, to:
 - (A) The Counties of Hawaii, Maui, and Kauai;
 - (B) The Departments of Defense, Transportation, Labor and Industrial Relations, Health, and Human Services; and
 - (C) The Office of the Governor,
 for the public health response to the COVID-19 outbreak;
- (3) Deposits the remaining federal funds designated for the State of Hawaii by the CARES Act to the emergency and budget reserve fund; and
- (4) Authorizes the issuance of instruments of indebtedness for the purpose of Municipal Liquidity Facility under section 13(3) of the Federal Reserve Act.

Your Committee received testimony in support of the proposed H.D. 1 from the Mayor of the County of Maui, Mayor of the County of Kauai, two councilmembers from the County Council of Maui, Council Chairperson of the County Council of Kauai, Hawaii State Association of Counties, the Chamber of Commerce of Hawaii, Democratic Party of Hawaii Education Caucus, Hawaii Government Employees Association, IMUAlliance, United Public Workers, and an individual.

Your Committee received comments on the proposed H.D. 1 from the Office of the Governor, Department of Agriculture, Department of Budget and Finance, Department of Health, Department of Labor and Industrial Relations, a councilmember from the County Council of Kauai, Community Alliance on Prisons, Common Cause Hawaii, Hawaii Appleseed Center for Law and Economic Justice, and League of Women Voters of Hawaii.

Your Committee finds that the CARES Act was enacted on March 27, 2020, to address the extensive economic fallout of the COVID-19 pandemic. Your Committee further finds that this measure will appropriate funds received by the State from the CARES Act for the purpose of COVID-19 response activities and provide transparency and accountability for the use of those funds.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending it by:

- (1) Changing the amount appropriated to the Department of Defense from \$100,000,000 to \$40,000,000;
- (2) Deleting the appropriations of CARES Act funds to the Department of Health, Department of Transportation, and Office of the Governor, and instead appropriating funds designated for the State by the Paycheck Protection Program and Health Care Enhancement Act to the Department of Transportation and Department of Health for testing, contact tracing, thermal screening, and other efforts;
- (3) Making an additional appropriation from the funds received by the State from the CARES Act to the Department of Labor and Industrial Relations for information technology, systems, and staffing, and authorizing forty-two full-time equivalent positions;
- (4) Changing the amount appropriated to the Department of Human Services from \$300,000 to \$2,000,000, and clarifying that the appropriation shall be used for information technology and other systems;
- (5) Changing the amount of CARES Act funding to be deposited to the emergency and budget reserve fund from \$555,640,000 to \$635,986,000;
- (6) Removing language providing that certain appropriations shall lapse on June 30, 2021; and
- (7) Making technical nonsubstantive changes for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 75, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 75, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1194-20 Finance on S.B. No. 3139

The purpose of this measure is to amend portions of the budget for the Executive Branch for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021.

Specifically, this measure amends:

- (1) The amounts appropriated and capital improvement projects authorized by Act 40, Session Laws of Hawaii 2019; and
- (2) The amounts appropriated and operating and capital improvement grants authorized by Act 39, Session Laws of Hawaii 2019.

Your Committee received comments on this measure from the Department of Defense and Office of Veterans' Services.

Prior to the hearing on this measure, your Committee made available for public review a proposed H.D. 1, which deletes the measure's contents and inserts language that:

- (1) Replaces certain general fund appropriations with proceeds from general obligation bond authorizations and deposits, or authorizes the transfer of, the replaced general funds into the emergency and budget reserve fund;
- (2) Authorizes the transfer of excess moneys from the mental health and substance abuse special fund to the emergency and budget reserve fund;
- (3) Appropriates savings from the Supplemental Appropriations Act of 2020 to the emergency and budget reserve fund; and
- (4) Changes the effective date to May 29, 2020; provided that the general obligation bond authorization is effective on July 1, 2020.

Your Committee received testimony in support of the proposed H.D. 1 from the Democratic Party of Hawaii Education Caucus, Hawaii Government Employees Association, IMUAlliance, and United Public Workers.

Your Committee received comments on the proposed H.D. 1 from the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation.

Your Committee finds that the coronavirus disease 2019, or COVID-19, has created a severe budget shortfall for the State. Your Committee further finds that by replacing general fund appropriations with general obligation bond funding, where eligible, the replaced general funds can be transferred to the emergency and budget reserve fund to help address the State's financial shortfall.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending it by:

- (1) Providing that the appropriations made from the proceeds of the general obligation bond authorizations shall lapse on June 30, 2022;
- (2) Changing the date on which deposits or transfers are made, or are authorized to be made, to the emergency and budget reserve fund from May 30, 2020, to May 28, 2020;
- (3) Authorizing the Director of Finance to transfer \$8,000,000 from the Hawaii tobacco settlement special fund to the emergency and budget reserve fund on May 28, 2020;
- (4) Changing the amount of savings from the Supplemental Appropriations Act of 2020 transferred to the emergency and budget reserve fund from an unspecified sum to \$432,000,605; and
- (5) Changing the effective date to May 27, 2020; provided that the general obligation bond authorization is effective on July 1, 2020.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3139, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3139, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1195-20 Judiciary on S.B. No. 3119

The purpose of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to Chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors, omissions, or obsolete laws.

Your Committee has amended this measure by making a technical nonsubstantive amendment for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3119, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3119, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Yamane).

SCRep. 1196-20 Energy & Environmental Protection on S.B. No. 2717

The purpose of this measure is to protect sharks by establishing an offense of knowingly capturing, possessing, abusing, entangling, or killing a shark in state marine waters, with certain exemptions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawaii Reef and Ocean Coalition, Aloha Animal Advocates, Friends of Hanauma Bay, The Humane Society of the United States, Humane Society International, Animal Rights Hawaii, Surfrider Foundation Oahu Chapter, Moana Ohana, For the Fishes, and fifteen individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from the University of Hawaii System, Hawaii Institute of Marine Biology, One Ocean Organization, and two individuals.

Your Committee finds that sharks play important ecological roles in the ocean and are valued figures in Hawaiian culture. The benefits of maintaining viable shark populations greatly outweigh any value that would be gained by capturing, abusing, or killing these species.

Your Committee has amended this measure by:

- (1) Amending the exemption for special activity permits or research permits by removing the research oversight and review requirements; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2717, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2717, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1197-20 Energy & Environmental Protection on S.B. No. 2629

The purpose of this measure is to require state agencies to participate in a carbon offset program to offset carbon emissions caused by their employees' air travel.

Your Committee receive comments on this measure from the State Procurement Office.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by deleting its contents and replacing them with language that:

- (1) Prohibits the Public Utilities Commission (PUC) from approving, after June 30, 2020, a new, modified, or renewed power purchase agreement for electricity generated from coal; and
- (2) Prohibits the Department of Health from issuing or renewing, after December 31, 2022, covered source air permits for coal-burning electricity generation facilities.

Your Committee received testimony in support of the proposed H.D. 1 from the Hawaii State Energy Office, Elemental Excelsior, Sierra Club of Hawaii, Blue Planet Foundation, 350Hawaii.org, Hawaii Youth Climate Coalition, IMUAlliance, Kauai Women's Caucus, Young Progressives Demanding Action, Pele Lani Farm LLC, and numerous individuals. Your Committee received comments on the proposed H.D. 1 from the Department of Health; Department of Commerce and Consumer Affairs; Public Utilities Commission; and Hawaiian Electric Company, Inc.

Your Committee finds that while coal is currently used to generate electricity on the island of Oahu, the power purchase agreement between the coal plant and the electric utility is set to expire in 2022. The electric utility has publicly stated that it does not intend to extend the contract with the coal plant beyond 2022. The electric utility has stated that the large power plant, with a relatively inflexible power output, is ill-suited for a small island electricity grid that increasingly relies on renewable energy. Your Committee further finds that coal power, as one of the dirtiest fossil fuels, has no role in Hawaii's clean energy future and that this measure will ensure that the use of coal in Hawaii for electricity production is eliminated.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending it by:

- (1) Specifying that the PUC prohibition on approving a modification of a power purchase agreement applies to coal power purchase agreements that extend the term or increase the amount of generation allowed to be produced under the existing agreement; and
- (2) Making it effective upon approval.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2629, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2629, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1198-20 Judiciary on S.B. No. 2844

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawaii Community Development Authority, Hawaii State Public Library System, and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that the Department of the Attorney General testified that it has advised its client agencies on how to avoid claims such as those included in this measure.

Your Committee has amended this measure by:

- (1) Appropriating \$40,000 in general funds for a settlement in the case of Lau, et al. v. Kenuei, et al., Civil No. 17-1-0209, Third Circuit;
- (2) Appropriating \$350,000 in general funds for a settlement in the case of Firth, et al. v. County of Maui, et al., Civil No. 18-1-0234(4), Second Circuit;
- (3) Appropriating \$55,000 in general funds for a settlement in the case of Carolyn Ward Aki v. City and County of Honolulu, et al., Civil No. 17-1-1861-11 GWBC, First Circuit;
- (4) Appropriating \$143,990 in general funds for a settlement in the case of United States Environmental Protection Agency, Region 9 - Hawaii State Public Library System;
- (5) Appropriating \$71,594.18 in general funds for a judgment in the case of HGEA/AFSCME on Behalf of Ardith Renteria, and Charter Volcano School of Arts and Sciences;
- (6) Appropriating \$2.01 in general funds for a claim by Loretta Beralas;
- (7) Appropriating \$16,000 in general funds for a claim by BVT-CAM Private Equity Global Fund II Beteiligungs GmbH;
- (8) Appropriating \$51,300 in general funds for a claim by CAM Private Equity Verwaltungs GmbH;

- (9) Appropriating \$42,500 in general funds for a claim by CAM Select I Beteiligungs GmbH;
- (10) Appropriating \$23,125 in general funds for a claim by Amanda Jamieson;
- (11) Appropriating \$23,125 in general funds for a claim by Margaret Jamieson;
- (12) Appropriating \$93.93 in general funds for a claim by Nanci J. Merck;
- (13) Appropriating \$1,023.99 in general funds for a claim by Betty Y. Ohigashi;
- (14) Appropriating \$578.40 in general funds for a claim by the Estate of Calvin C. Ontai;
- (15) Appropriating \$1,000 in general funds for a claim by Elaine S. Tanigawa;
- (16) Appropriating \$388.19 in general funds for a claim by Christine Woods;
- (17) Changing the effective date to upon approval; and
- (18) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2844, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2844, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (McKelvey). Excused, 4 (Brower, Creagan, Nakashima, Yamane).

SCRep. 1199-20 Labor & Public Employment on S.B. No. 2193

The purpose of this measure is to limit the convictions that may be used in employment decisions from all convictions in the most recent ten years to felony convictions that occurred in the most recent five years and misdemeanor convictions that occurred in the most recent three years.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Civil Rights Commission, Hawaii State Commission on the Status of Women, Office of the Prosecuting Attorney of the County of Kauai, Hawaii Health & Harm Reduction Center, American Civil Liberties Union of Hawaii, Hawaii Justice Coalition, Common Cause Hawaii, Community Alliance on Prisons, 'Ahahui o Hawai'i Advocates for Native Hawaiian Justice at the William S. Richardson School of Law at the University of Hawaii at Manoa, and numerous individuals. Your Committee received testimony in opposition to this measure from the Society for Human Resource Management Hawaii. Your Committee received comments on this measure from the Department of Human Resources Development, Chamber of Commerce Hawaii, and an individual.

Your Committee finds that existing law allows employers to inquire about and consider the conviction records of prospective employees for a period up to the most recent ten years. Your Committee further finds that the stigma and bias of a criminal record can negatively affect an individual's ability to find employment, even for those who have demonstrated years of lawful behavior. Your Committee also finds that reducing the ten-year "lookback period" will broaden opportunities for formerly incarcerated individuals to obtain employment that, in turn, will better enable them to obtain and maintain housing and health care, support themselves and their families, and integrate back into the community as productive citizens. At the same time however, your Committee does recognize employers' concerns that a "lookback period" of five years for felonies and three years for misdemeanors may not provide enough time for meaningful rehabilitation.

Accordingly, your Committee has amended this measure by:

- (1) Changing the conviction period that may be used in employment decisions:
 - (A) From the most recent five years to the most recent seven years for felony convictions; and
 - (B) From the most recent three years to the most recent five years for misdemeanor convictions;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2193, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2193, H.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1200-20 Labor & Public Employment on S.B. No. 2866

The purpose of this measure is to require newly retired employees and their surviving employee-beneficiaries to:

- (1) Pay their share of health benefits premiums through monthly electronic deductions from the Employees' Retirement System (ERS) pension or their financial institution; and
- (2) Pay monthly contributions not electronically withheld, deducted, or transmitted, directly to the ERS Fund by the first day of each month

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that payment from retired employees and surviving employee-beneficiaries for their share of health benefits premiums through monthly electronic deductions from their ERS pension or financial institution, as opposed to checks, improves operational efficiency, reduces banking fees, and ensures that retired employees and surviving employee-beneficiaries do not miss any monthly payments and possibly lose their health benefits.

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

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2866, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2866, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1201-20 Labor & Public Employment on S.B. No. 2940

The purpose of this measure is to support redevelopment of the Stadium Development District by:

- (1) Establishing the stadium development special fund;
- (2) Establishing general development guidance policies governing the Stadium Authority's actions in the Stadium Development District;
- (3) Requiring the Stadium Authority to submit to the Legislature an annual comprehensive status report on the progress of development within the Stadium Development District;
- (4) Expanding the powers and duties of the Stadium Authority to include acquiring and holding title to real property;
- (5) Exempting lands to which the Stadium Authority holds title from the definition of "public lands";
- (6) Requiring the Stadium Authority to obtain legislative approval of the sale or gift of lands to which the Stadium Authority holds title;
- (7) Transferring authority to issue leases of lands within the Stadium Development District from the Hawaii Community Development Authority (HCDA) to the Stadium Authority;
- (8) Authorizing the Stadium Authority, with approval from the Governor, to delegate to other state agencies the implementation of capital improvement projects under certain conditions;
- (9) Repealing part IX, chapter 206E, Hawaii Revised Statutes, relating to the Stadium Development District;
- (10) Transferring expending agency authority from HCDA to the Stadium Authority for the expenditure of general fund appropriations and revenue bond and general obligation bond proceeds provided in Act 268, Session Laws of Hawaii (SLH) 2019; and
- (11) Appropriating \$1,000,000 in general funds for fiscal year 2020-2021 for the Stadium Authority.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Hawaii Community Development Authority, and Stadium Authority. Your Committee received comments on this measure from the Department of Land and Natural Resources (DLNR); PVT Land Company, Ltd.; and League of Women Voters of Hawaii.

Your Committee finds that in addition to the general funds appropriated in this measure, Act 268, SLH 2019, provided fiscal support for the development of stadium authority property through \$20,000,000 in general funds, up to \$180,000,000 in revenue bonds, and up to \$150,000,000 in general obligation bonds. Recognizing the emergency fiscal situation and economic needs of the State due to the COVID-19 pandemic, your Committee recognizes the need for further flexibility in developing the Stadium Development District for public use.

Your Committee has amended this measure by:

- (1) Adding definitions of "district" and "stadium development district" to chapter 109, Hawaii Revised Statutes;
- (2) Specifying that should lands that are exempt from the public lands definition and to which the Stadium Authority holds title are no longer needed for stadium and related purposes, those lands shall be returned to the public land trust administered by DLNR;
- (3) Broadening the representation of the Stadium Authority by adding two members to consist of one resident each for the areas broadly encompassing:
 - (A) Aiea and Halawa; and
 - (B) Foster Village, Crosspointe, and Alii Plantation;
- (4) Changing the appropriation to an unspecified amount;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the amendments to the composition of the Stadium Authority reflect the contents of H.B. No. 2217, H.D. 1, which was previously heard by your Committee and passed out of the House of Representatives during the Regular Session of 2020.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2940, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2940, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, none.

SCRep. 1202-20 Energy & Environmental Protection on S.B. No. 2820

The purpose of this measure is to increase the cap amount of the renewable energy technologies income tax credit for solar energy systems for multi-family residential properties from \$350 to \$750.

Your Committee received testimony in support of this measure from 350Hawaii.org, ADON, Blue Planet Foundation, Pele Lani Farm LLC, Kauai Women's Caucus, and twenty individuals. Your Committee received comments on this measure from the Department of Taxation, Hawaii State Energy Office, Hawaii Clean Power Alliance, 174 Power Global, and Tax Foundation of Hawaii.

Your Committee finds that the State must continue to support utility-scale renewable energy projects that benefit residents and ratepayers in order to realize the goal of one hundred percent renewable energy by 2045. Your Committee further finds that greater certainty of the financial incentives available to these projects supports their stability and long-term financial viability.

Your Committee has amended this measure by:

- (1) Removing its preamble;

- (2) Removing the increase of the cap amount of the renewable energy technologies income tax credit for solar energy systems for multi-family residential properties;
- (3) Repealing the renewable energy technologies income tax credit for certain solar energy systems while grandfathering in some of those systems;
- (4) Specifying that the renewable energy technologies income tax credit shall not apply to taxable years beginning after December 31, 2045;
- (5) Making it effective upon approval and applicable to taxable years beginning after December 31, 2019; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2820, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2820, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1203-20 Energy & Environmental Protection on S.B. No. 3084

The purpose of this measure is to establish a solid waste management goal of reducing the State's solid waste stream prior to disposal by seventy percent by 2030.

Your Committee received testimony in support of this measure from the Department of Health, Kahana Foundation, and Pono Hawaii Initiative. Your Committee received comments on this measure from PVT Land Company.

Your Committee finds that codifying the Aloha+ Challenge's goal of achieving a seventy percent reduction in the State's solid waste stream prior to disposal will help to accomplish the Challenge's overall goal of making the State's economy more secure, sustainable, and resilient by 2030.

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

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

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1204-20 Energy & Environmental Protection on S.B. No. 2781

The purpose of this measure is to prohibit the intentional release of balloons inflated with gas that is lighter than air.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Reef and Ocean Coalition, Friends of Hanauma Bay, Beach Environmental Awareness Campaign Hawaii, Animal Rights Hawaii, and over 1,400 individuals.

Your Committee finds that the intentional release of balloons inflated with lighter-than-air gas poses a danger and nuisance to native wildlife and coastal communities. Balloon releases contribute to debris that can cause harm to wildlife and marine animals, including severe injury, starvation, or death from ingestion or entanglement with the soft plastic or ribbon attached to the balloons. Your Committee notes that there are other, ecologically friendly options to celebrate or commemorate events. This measure will prohibit the intentional release of certain balloons in order to improve the safety of wildlife and marine animals and protect the environment.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2781 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1205-20 Consumer Protection & Commerce on S.B. No. 2120

The purpose of this measure is to clarify that county-issued stored-value cards are not subject to the State's law that outlines unfair and deceptive practices with respect to gift certificates.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Transportation Services.

Your Committee finds counties are modernizing the methods of payment for services they provide through the use of reloadable cards. Your Committee further finds that this measure clarifies the requirements for gift certificates under the State's unfair or deceptive acts or practices law to explicitly disapply that law to these county-issued stored-value cards.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2120 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1206-20 Consumer Protection & Commerce on S.B. No. 2881

The purpose of this measure is to clarify the criteria used by the Board of Public Accountancy (Board) in selecting members to serve on the Board's Peer Review Oversight Committee.

Your Committee received testimony in support of this measure from the Board of Public Accountancy.

Your Committee finds that the accountancy profession's standards of review change frequently. With recent changes, the duties of the Board's Peer Review Oversight Committee are expected to substantially increase. Your Committee further finds that it is necessary for the Board to have flexibility and discretion in selecting members who have the ability and aptitude to serve on its Peer Review Oversight Committee.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2881 and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1207-20 Consumer Protection & Commerce on S.B. No. 2130

The purpose of this measure is to require that the State Fire Code be adopted pursuant to meetings under the Sunshine Law instead of public hearings pursuant to the Hawaii Administrative Procedure Act.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Hawaii Fire Department, Maui Fire Department, Kauai Fire Department, and one individual. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii.

Your Committee finds that the State Fire Code is one of several codes considered and adopted by the State Building Code Council. While other codes considered by the State Building Code Council need only be adopted pursuant to the State's Sunshine Law, the State Fire Code must go through the public hearing procedures in the Hawaii Administrative Procedure Act. This measure would remove that inconsistency.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2130, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1208-20 Consumer Protection & Commerce on S.B. No. 3008

The purpose of this measure is to exempt hydrogen fuels from measurement requirements for petroleum products.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Alliance for Automotive Innovation, Servco Pacific Inc., and Hawaii Automobile Dealers' Association.

Your Committee finds that hydrogen, as a renewable fuel, offers great promise for Hawaii. Your Committee further finds that the existing measurement standards law implies that hydrogen must be sold on the basis of measure; however, the State currently does not have a means to measure and certify hydrogen dispensers. This measure will assist the State in utilizing other forms of renewable fuels by explicitly exempting hydrogen from measurement standards relating to fuel.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3008, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 3008, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1209-20 Consumer Protection & Commerce on S.B. No. 2424

The purpose of this measure is to clarify the definition of the practice of medicine to provide uniformity of practice for medical physicians and osteopathic physicians.

Your Committee received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawaii Medical Board, Kaiser Permanente Hawaii, and Hawaii Medical Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the definition of "practice of medicine" was amended in 2008 by adding a separate, distinct definition of "osteopathic medicine." Since medical physicians and osteopathic physicians receive the same training, this distinction is unnecessary. This measure therefore brings the definition of the practice of medicine to parity with the existing practice of medicine and provides uniformity for medical physicians and osteopathic physicians.

Your Committee further finds that the existing practice of medicine includes the treatment of disease and includes additional services that are now commonplace in the practice of modern medicine. Accordingly, this measure also expands the scope of practice of medicine beyond merely treating disease, which will provide the Regulated Industries Complaints Office with tangible grounds for evaluating physician compliance with licensure laws and enable the Office to better target and enjoin unlicensed practices and behaviors.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2424, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2424, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1210-20 Consumer Protection & Commerce on S.B. No. 2878

The purpose of this measure is to institute certain consumer protections with regard to massage therapy by:

- (1) Requiring the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repealing the penalty for unlicensed practice of massage therapy in favor of existing law that treats unlicensed activity as a misdemeanor; and
- (3) Increasing the fines for violations of the laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association – Hawaii Chapter, IMUAlliance, and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in October 2018, the sanitation rules for massage therapy establishments under the Department of Health were repealed. Since then, massage therapy establishments have not been required to comply with any sanitation requirements. Your Committee further finds that the Board of Massage Therapy lacks the statutory authority to adopt and enforce sanitation rules. This measure protects the public by granting rulemaking authority to and clarifying the enforcement powers of the Board of Massage Therapy.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2878, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1211-20 Consumer Protection & Commerce on S.B. No. 2281

The purpose of this measure is to:

- (1) Make permanent the statutory framework for the regulation of the practice of applied behavior analysis and behavior analysts; and
- (2) Exempt the Behavior Analysts Licensing Program from the Auditor's sunset analysis requirement.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii Disability Rights Center, Autism Behavior Consulting Group Hawaii, Hawaii Association for Behavior Analysis, and seven individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Education.

Your Committee finds that the practice of applied behavior analysis includes the empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis, including the use of motivating operations, positive reinforcement, and other methods to help people develop positive behaviors. Your Committee further finds that Act 199, Session Laws of Hawaii 2015 (Act 199), established the statutory framework for the regulation of the practice of applied behavior analysis and behavior analysts. Since the enactment of Act 199, licensed behavior analysts have provided vital applied behavior analysis services to persons with autism. This measure makes permanent the licensure program for behavior analysts, which will promote public health and safety and ensure that persons who provide these vital applied behavior analysis services are properly qualified.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2281, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2281, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1212-20 Consumer Protection & Commerce on S.B. No. 2877

The purpose of this measure is to clarify the qualifications for licensure as a mental health counselor in the State by:

- (1) Clarifying that the practicum internship experience requirement is part of the course work in counseling requirement, rather than a standalone requirement;
- (2) Clarifying that the supervised mental health practicum intern experience requirement is a total of three hundred hours of supervised client contact across two academic terms; and
- (3) Permitting applicants to fulfill their face-to-face clinical supervision requirement, in whole or in part, through a videoconference service.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, University of Hawaii at Hilo, Democratic Party of Hawaii, and six individuals.

Your Committee finds that the State's Mental Health Counselor Licensing Program does not align with other jurisdictions with regard to the hours required of course work in counseling. Under existing law, applicants for a mental health counselor license in Hawaii must provide fifty-four semester hours or eighty-two quarter hours of course work training. However, under the national standard, applicants need only to provide forty-eight semester hours or seventy-two quarter hours of course work training. This measure aligns the licensing requirement standards under state law to the national standard.

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

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2877, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2877, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1213-20 Consumer Protection & Commerce on S.B. No. 2871

The purpose of this measure is to grant the Contractors License Board (Board) and Real Estate Commission (Commission) the authority to adjust recovery fund and education fund fees paid to the Board and Commission so as to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Real Estate Commission, and Contractors License Board.

Your Committee finds that some funds administered by the Board and Commission that were used for compensating certain injuries or providing education had high balances compared to the amount of services actually being provided from those funds. In reaction to this, Act 29, Session Laws of Hawaii 2019, placed caps on those funds and required that the Board and Commission cease accepting fees for deposit into those funds. As an alternative, this measure provides the Board and Commission with flexibility to adjust the fees to maintain a balance sufficient to cover the costs of services rendered, rather than continuously charging fees and accumulating monies in excess of the amounts needed to cover the costs of services rendered.

Your Committee has amended this measure by:

- (1) Clarifying that the Board and Commission are to determine the caps for their respective funds on a biennial, rather than biannual, basis;
- (2) Changing its effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2871, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2871, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Aquino, Belatti, Cabanilla Arakawa, Har, Mizuno).

SCRep. 1214-20 Lower & Higher Education on S.B. No. 2486

The purpose of this measure is to:

- (1) Require the Department of Education to establish a standardized data collection process for public schools, including public charter schools, and complex areas to maintain records and report data to the Department;
- (2) Collect and analyze data relating to, among other things, student discipline, school climate, and student achievement; and
- (3) Annually report certain information to the Board of Education, Legislature, and public.

Your Committee received testimony in support of this measure from the Department of Education; Common Cause Hawaii; Hawaii Children's Action Network Speaks!; Hui for Excellence in Education Coalition; American Civil Liberties Union of Hawaii; Hawaii Women's Coalition; American Association of University Women of Hawaii; Planned Parenthood Votes Northwest and Hawaii; Hawaii Disability Rights Center; Special Education Advisory Council; and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the data collection, analysis, and reporting required by this measure is intended, in part, to preserve protections that may soon be lost if the United States Department of Education acts on its proposal, published on September 19, 2019, in the Federal Register, to cease collecting certain types of data from public schools and public charter schools for the Department's mandatory civil rights data collection. Your Committee further finds that this measure will allow school system personnel and the Board of Education to determine interventions necessary to encourage student success based on accurate data on indicators of student performance.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2486, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

SCRep. 1215-20 Lower & Higher Education on S.B. No. 3103

The purpose of this measure is to improve the development, planning, and construction of public schools by:

- (1) Establishing the School Facilities Agency (Agency) to be responsible for public school development, planning, and construction related to capital improvement projects assigned by the Legislature, Governor, or Board of Education;
- (2) Establishing the School Facilities Board to oversee the Agency; and
- (3) Transferring to the Agency certain Department of Education functions related to construction.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education Coalition; Hawaii Institute for Public Affairs; Pacific Resource Partnership; Bank of Hawaii; Chamber of Commerce Hawaii; American Council of Engineering Companies of Hawaii; Hawaii Executive Collaborative; Hawaiian Electric Company, Inc.; and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; State Procurement Office; Common Cause Hawaii; Young Progressives Demanding Action; UPW/AFSCME Local, 646 AFL-CIO; Civil Beat Law Center for the Public Interest; Sierra Club of Hawaii; Conservation Council for Hawaii; Society of Professional Journalists Hawaii Chapter; Spoehr Foundation; Maui Tomorrow Foundation, Inc.; and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Education; Board of Education; Hawaii State Ethics Commission; Hawaii State Public Library System; Office of Information Practices; Disability and Communication Access Board; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers; Architectural Metal Glassworkers Local Union 1889 ALF-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; Gordian; Democratic Party of Hawaii Labor Caucus; and Hawaii State Teachers Association.

Your Committee finds that the upkeep and development of the State's public school facilities is imperative to providing students and school communities with optimal learning and teaching environments. Establishing an organization to oversee the development and capital improvement of school facilities that

is separate from the Department of Education will help improve the efficiency of school construction while more directly addressing the educational needs of students.

Your Committee recognizes the concerns raised by many of the testifiers.

Accordingly, your Committee has amended this measure by:

- (1) Removing the exemptions from chapters 6E, 37, 76, 103, 103D, and 343, Hawaii Revised Statutes, and all county ordinances for the projects of the Agency;
- (2) Clarifying the bidding process by the Agency for a construction contracts, including requiring the Agency to give preference to construction bids submitted by a contractor or subcontractor domiciled within the State;
- (3) Clarifying the membership of the School Facilities Board and requiring that a member of the Hawaii Construction Alliance be included in the School Facilities Board;
- (4) Providing that the disbursement of any donation, grant, bequest, and devise of money from any private institution, person, firm, or corporation by the Governor to fund the salaries of the Executive Director and any officers, agents, and employees of the Agency are subject to chapter 84, Hawaii Revised Statutes, relating to standards of conduct;
- (5) Requiring the establishment of seven full-time equivalent (7.0 FTE) administrative positions, exempt from chapter 76, Hawaii Revised Statutes, for the Agency;
- (6) Changing the appropriation for the Agency to an unspecified amount;
- (7) Changing its effective date to July 1, 2051; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$1,500,000 for the School Facilities Agency.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3103, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3103, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Tokioka). Noes, none. Excused, none.

SCRep. 1216-20 Economic Development & Business on S.B. No. 1443

The purpose of this measure is to prohibit any company from being awarded a grant in consecutive years under the Manufacturing Development Program of the Hawaii Technology Development Corporation.

Your Committee received comments on this measure from the Hawaii Technology Development Corporation.

Your Committee finds that continued support for manufacturing is important to Hawaii's economy. Your Committee further finds that limiting a company from receiving grants from the Manufacturing Development Program in consecutive years will enable more companies to benefit from the Program's grants.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1443, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1217-20 Economic Development & Business on S.B. No. 3007

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to make public disclosures identifying:

- (1) The names of taxpayers receiving tax credits relating to motion picture, digital media, and film production; research activities; and state enterprise zones; and
- (2) The total amount of the tax credit received by each of those taxpayers.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; and Tax Foundation of Hawaii.

Your Committee finds that this measure will improve transparency in the use of public funds by informing the public of the taxpayers who are receiving certain tax credits and the amount received from each of those tax credits.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3007, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 1 (Quinlan).

SCRep. 1218-20 Economic Development & Business/Energy & Environmental Protection on S.B. No. 2561

The purpose of this measure is to require retailers of household appliances to conspicuously display available energy efficiency rebates and state-specific energy operation costs for operation.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Public Utilities Commission, and Blue Planet Foundation. Your Committees received testimony in opposition to this measure from the Association of Home Appliance Manufacturers and Retail Merchants of Hawaii. Your Committees received comments on this measure from Hawaii Energy.

Your Committees find that supplying information about available energy efficiency rebates and energy costs for household appliances in Hawaii will present accurate information on savings available to households and how much households in the State can realistically expect to spend in operating those appliances, which will enable consumers to make more informed choices and choose products that yield long-term savings as opposed to lowest initial cost.

Your Committees have amended this measure by:

- (1) Deleting the font size requirement for the required signage or text on household appliances;
- (2) Clarifying that the signage or text on household appliances shall inform consumers of available energy efficiency rebates funded by the public benefits fee and of Hawaii-specific energy costs for operation based on a statewide average residential electricity cost for the prior calendar year;
- (3) Applying the requirements for the signage or text to only those household appliances that appear on a retailer's showroom floor and that are required, as of October 1, 2020, to display the Federal Trade Commission's EnergyGuide label;
- (4) Requiring the displayed signage or text to be updated at a minimum of once every five years;
- (5) Requiring new household appliances entering the Hawaii market within the five-year update cycle to be appropriately labeled with the required signage or text upon appearance on a retailer's showroom floor;
- (6) Requiring the public benefits fee administrator to create a template for the displayed signage or text and make the template available to retailers no later than July 1, 2021, and at least once every five years thereafter, with retailers to display the required signage or text by January 1 of the following calendar year; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2561, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2561, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 8. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1219-20 Housing on S.B. No. 2206

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for capital improvement projects consistent with the purposes of the Rental Housing Revolving Fund.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which deletes the contents of this measure and inserts language to authorize the Board of Land and Natural Resources to issue month to month revocable permits to be used for temporary emergency sheltering of and facilities for homeless persons on state lands.

Your Committee received testimony in support of the proposed H.D. 1 from the Democratic Party of Hawaii, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Hawaii Kai Homeless Task Force, Hui Mahi'ai Aina, Aloha Hawaii Onipaa, YouthBuild Waimanalo, and nine individuals. Your Committee received comments on the proposed H.D. 1 from the Governor's Coordinator on Homelessness, Department of Land and Natural Resources, and Department of Agriculture.

Your Committee finds that the COVID-19 pandemic is taking a monumental toll on lives around the world and throughout the State, where COVID-19 continues to pose enormous health, economic, environmental, and social challenges. Your Committee also finds that the proposed H.D. 1 underscores the importance of homeless shelters and services to homeless individuals, particularly during the COVID-19 pandemic. The proposed H.D.1 authorizes the use of month to month revocable permits for the temporary emergency sheltering of and facilities for homeless persons, which could potentially increase the number of parcels of state land available for unsheltered homeless individuals to exercise social distancing, undergo quarantine and isolation, and have access to hygiene facilities.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Specifying that a month to month revocable permit issued by the Board of Land and Natural Resources may not be issued for lands under the control or management of the Department of Agriculture without the prior agreement of the Department of Agriculture; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2206, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2206, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Matayoshi, Woodson, McDermott).

SCRep. 1220-20 Judiciary on S.B. No. 2329

The purpose of this measure is to reduce incidents of driving under the influence of an intoxicant by:

- (1) Requiring proof of compliance with ignition interlock laws to be eligible for a driver's license;
- (2) Requiring persons operating a vehicle with an ignition interlock device to have valid government-issued photo identification in their immediate possession;
- (3) Amending the sentencing requirements for:

- (A) Operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; and
- (B) Circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; and
- (4) Prohibiting a person who is restricted to driving a vehicle equipped with an ignition interlock device from knowingly obscuring a camera lens associated with the device.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Hawaii Office of the Prosecuting Attorney, Smart Start LLC, Traffic Injury Research Foundation, FAAR, Casanova Powell Consulting, Mothers Against Drunk Driving Hawaii, and Hawaii Strategic Highway Safety Plan. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that one way to stop an intoxicated driver from continuing to drive while intoxicated is to strengthen the laws relating to ignition interlock devices. This measure seeks to close loopholes in existing laws identified by the Department of Transportation's Hawaii Drug and Alcohol Intoxicated Driving Working Group.

Your Committee has amended this measure by:

- (1) Specifying the time periods in which an ignition interlock device shall be installed as ninety days for the first within a ten-year period and one hundred-eighty days for a second violation within a ten-year period;
- (2) Changing the effective date to July 1, 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2329, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2329, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Brower, Thielen).

SCRep. 1221-20 Judiciary on S.B. No. 2313

The purpose of this measure is to prohibit employers from:

- (1) Requiring employees to enter into, as a condition of employment, a nondisclosure agreement preventing the employee from disclosing or discussing sexual harassment or sexual assault in the workplace, at work-related events, between employees, or between an employer and an employee; and
- (2) Retaliating against employees for disclosing or discussing sexual harassment or sexual assault.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission; Planned Parenthood Votes Northwest and Hawaii; American Association of University Women of Hawaii; Hawaii Women's Coalition; Hawaii Women Lawyers; United Public Workers, AFSCME, Local 646, AFL-CIO; and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from The Queen's Health Systems.

Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault are important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work environment and retaliating against employees for disclosure provides enhanced protections and supports a safe and positive work environment for all individuals.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2313, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2313, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Brower, Thielen).

SCRep. 1222-20 Judiciary on S.B. No. 2794

The purpose of this measure is to make various housekeeping amendments to clarify and improve the administration of the elections by mail law.

Your Committee received testimony in support of this measure from the Office of Elections, County of Kauai Office of the County Clerk, Common Cause Hawaii, League of Women Voters, Pono Hawaii Initiative, Democratic Party of Hawaii, and three individuals. Your Committee received comments on this measure from the City and County of Honolulu Office of the City Clerk and County of Hawaii Office of the County Clerk.

Your Committee finds that this measure is necessary to effectively implement the administration of all elections conducted by mail in the upcoming 2020 primary election pursuant to Act 136, Session Laws of Hawaii 2019. Your Committee further finds that this measure will help address the future needs of voters in certain areas where no service centers would have been established due to the lack of facilities or personnel to support the operation of a voter service center as required by law.

Your Committee also finds that the date of the primary election was recently advanced approximately one month from September to August, but the deadline to file nomination papers to run for office was not similarly adjusted. A deadline to file nomination papers that is closer to an election limits the exposure of candidates to the public. By restoring the deadline to file nomination papers to approximately three months before the primary election, the public will have additional time to learn about the candidates running to represent them.

Your Committee additionally finds that removing barriers to criminal prosecution of election law violations will promote greater accountability within the election system. To better ensure the integrity of state elections, your Committee believes that agents of a candidate for any office listed on the ballot should also be prohibited from providing voting assistance.

Your Committee has amended this measure by:

- (1) Requiring at least eight voter service centers and thirty places of deposit for each election to be apportioned between the counties by the Chief Elections Officer, while also granting the county clerks authority to add additional places of deposit;
- (2) Changing the deadline to file nomination papers to the first Tuesday in May;
- (3) Inserting the language from S.B. No. 2609, S.D. 1, which prohibits agents of a candidate for any office listed on the ballot from providing voting assistance;
- (4) Inserting the language from S.B. No. 840, which:
 - (A) Allows the Elections Commission to refer a complaint to the Attorney General or a county prosecutor in addition to any administrative determination and without the requirement that the Commission believes the respondent recklessly, knowingly, or intentionally committed a violation;
 - (B) Increases the disqualification period for a person convicted of certain criminal election offenses from holding elective public office from four years to ten years; and
 - (C) Repeals language excluding any person who has paid or agreed to pay fines related to report filing and advertisement violations before the commencement of criminal proceedings from criminal prosecution; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the clerks of each county are currently planning on establishing at least eight voter service centers and thirty places of deposit for the 2020 primary election. Your Committee would like to expand the number of voter service centers and places of deposit, however, due to the 2020 primary election occurring immediately after this measure is to be signed into law, this measure is not the appropriate means to do so. Rather, there is a large amount of federal money from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to be used for elections that has yet to be allocated. Your Committee Chair and the Chair of the Senate Committee on Judiciary sent a letter to the Chief Election Officer requesting that the CARES Act money be used for voter service centers, for places of deposit, and to educate the public about vote by mail. The Chief Election Officer informed your Committee that the Chief Election Officer has made funds available to the clerks of each county to increase the number of voter service centers and places of deposit, and has encouraged them to establish additional locations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2794, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2794, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 4 (Brower, Creagan, Nakashima, Yamane).

SCRep. 1223-20 Economic Development & Business/Energy & Environmental Protection on S.B. No. 2500

The purpose of this measure is to:

- (1) Appropriate funds to the Hawaii Technology Development Corporation for the Hawaii Small Business Innovation Research Program, Manufacturing Assistance Program, and Excelerator Program; provided that the Hawaii Technology Development Corporation has encumbered certain previously appropriated funds; and
- (2) Establish and appropriate funds for a working group to develop a strategic plan for a climate innovation technology park to be located at Coconut Island and to recommend other opportunities for the State to invest in technology to combat climate change.

Your Committees received testimony in support of this measure from the Hawaii Technology Development Corporation, Chamber of Commerce Hawaii, and Elemental Excelerator.

Your Committees find that manufacturing is critical to the State's economy. Your Committees further find that the Hawaii Technology Development Corporation is a key state agency in the development and support of Hawaii's manufacturing industry. The Small Business Innovation Research Program, Manufacturing Assistance Program, and Excelerator Program were created by the Legislature and have been very successful in supporting the manufacturing industry and providing jobs in the State. This measure appropriates funds to continue to support these programs.

Your Committees further find that with the decimation of the visitor market because of COVID-19, many island manufacturing businesses were able to hold on due to their ability to generate internet sales and export to out-of-state markets. As such, further aggressive investment into these programs will help to make these resources available to more of the State's manufacturing businesses in their efforts to expand their market beyond the in-state visitor market.

Your Committees additionally find that climate change will continue to have serious impacts on Hawaii's environment and on environments around the world. The establishment of a working group to develop a strategic plan for a climate innovation technology park at Coconut Island will move Hawaii to the forefront in combating climate change.

Your Committees have amended this measure by:

- (1) Rearranging the members of the working group to clarify the mandatory members and invited members of the working group;
- (2) Requiring the working group to submit its strategic plan and other recommended opportunities for the State to invest in technology to combat climate change, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2021; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2500, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2500, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 8. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 4. Noes, none. Excused, 3 (Har, Yamane, Thielen).

SCRep. 1224-20 Economic Development & Business/Intrastate Commerce on S.B. No. 2527

The purpose of this measure is to establish the Broadband Infrastructure Grant Program within the Department of Business, Economic Development, and Tourism to award grants to applicants to extend the deployment of facilities used to provide broadband service to unserved and underserved areas of Hawaii.

Your Committees received testimony in support of this measure from Kamehameha Schools, Transform Hawaii Government, Charter Communications, and one individual. Your Committees received testimony in opposition to this measure from KeepYourPower.org; Seeds of Truth; Soil to Soul Solutions; Hawaii Family and Conscious Connection Movement; Holistic Learning Center of Maui, LLC; We Are One Ministries; 5G Free Santa Barbara; and over 100 individuals. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; and Hawaiian Telcom.

Your Committees find that increased demand for broadband internet service has created greater disparities between remote and rural communities and densely populated areas of the State. Your Committees further find that public-private partnerships are proving to be critical to closing the digital divide in unserved low-density areas and for creating incentives for broadband providers to spend capital to build a new network in such areas. This measure establishes a grant program to provide applicants of the program with grants to extend deployment of facilities used to provide broadband service in unserved and underserved areas of Hawaii.

Your Committees note that this measure is intended to provide the framework for the expansion of wired fiber broadband infrastructure and is neither connected to the use of 5G wireless technology nor intended to be used to facilitate 5G wireless technology.

Your Committees have amended this measure by:

- (1) Clarifying that the definition of "broadband service" does not include wireless network infrastructure or facilities used to provide wireless services over licensed spectrum;
- (2) Specifying that grants are applicable to wired fiber buildout only;
- (3) Requiring applicants to commit to paying a minimum of thirty, rather than twenty, percent of the total project costs out of the applicant's own funds in order to be eligible for a grant and removing the provision that no portion of these funds shall be derived from federal or state government grants, loans, or subsidies;
- (4) Allowing any non-governmental entity with demonstrated experience in providing broadband service, broadband infrastructure, or other communication services to residential customers, rather than only entities with experience providing these services within the State, to be eligible for a grant;
- (5) Deleting the requirement for an applicant to commit to complying with net neutrality principles as defined by Executive Order No. 18-02 in order to be eligible for a grant;
- (6) Clarifying that applications shall include a certification that no portion of the matching funds is derived from state government grants, loans, or subsidies and a list of all expected government authorizations, permits, and other approvals required for the project;
- (7) Allowing a broadband service provider to submit a written challenge to any application attesting that the application's project may jeopardize the eligibility of federal funding for the challenging provider;
- (8) Removing the provision giving highest weight or priority in the scoring system for awarding grants to applicants with more experience and technical ability to successfully deploy and provide broadband service and more financial resources available to finance the project;
- (9) Authorizing the Department of Business, Economic Development, and Tourism to deny or cancel a project if the Department finds the project will impact federal funding opportunities;
- (10) Requiring the Department of Business, Economic Development, and Tourism to adopt rules to implement the Broadband Infrastructure Grant Program within eighteen months, rather than one hundred eighty days, of the approval date of this measure;
- (11) Amending its preamble to reflect the intent of the measure to provide the framework for the expansion of wired fiber broadband infrastructure and state that is neither connected to the use of 5G wireless technology nor intended to be used to facilitate 5G wireless technology; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Economic Development & Business and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2527, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2527, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Economic Development & Business: Ayes, 8. Noes, none. Excused, none.

Intrastate Commerce: Ayes, 7. Noes, none. Excused, none.

SCRep. 1225-20 Economic Development & Business on S.B. No. 2697

The purpose of this measure is to disallow dividends paid deductions for real estate investment trusts, except those that provide affordable housing in the State, for taxable years beginning January 1, 2021, through December 31, 2023.

Your Committee received testimony in support of this measure from Fergus & Company, MRC West Inc., Hawaii Appleseed Center for Law & Economic Justice, Young Progressives Demanding Action, Faith Action for Community Equity, IMUAlliance, Hawaii State Teachers Association, UNITE HERE Local 5, Housing Now Coalition, OPTrust, Free Access Coalition, Americans for Democratic Action, Hawaii Alliance for Community-Based Economic Development, League of Women Voters of Hawaii, Democratic Party of Hawaii Education Caucus, Kauai Women's Caucus, First Unitarian Church of Honolulu, and numerous individuals. Your Committee received testimony in opposition to this measure from Kauai Island Brewing Company; Extra Space Storage Inc.; Park Hotels & Resorts Inc.; NAIOP Hawaii; Simon Property Group; Taubman Centers; The RMR Group LLC; Brookfield Property REIT; Douglas Emmett, Inc.; Public Storage; Land Use Research Foundation; Pacific Resource Partnership; Maui Chamber of Commerce; Chamber of Commerce Hawaii; Nareit Hawaii; Alexander & Baldwin; Hawaii Laborers-Employers Cooperation and Education Trust; Hawaii Laborer's Union Local 368; Hawaii Association of REALTORS; Hawaii Construction Alliance; Sunstone Hotel Investors, Inc.; and two individuals. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; Church of the Crossroads; Tax Foundation of Hawaii; and three individuals.

Your Committee finds that real estate investment trusts in Hawaii own real estate assets of about \$17 billion, generating an annual income of \$1 billion, which, if taxed at the current corporate rate assessed on all other corporations, would generate Hawaii tax revenue of \$65 million per year. Your Committee further finds that while real estate investment trusts own more real estate in Hawaii per capita than in any other state, Hawaii ranks fortieth in the nation for the number of real estate investment trust shareholders as a percentage of the population, resulting in many real estate investment trusts and their shareholders paying a mere fraction of the Hawaii state income tax compared to what other corporations pay. Your Committee also finds that the COVID-19 pandemic has decimated all types of Hawaii businesses and corporations, many of whom are now desperate for tax relief from the State. As a matter of equity, it is unfair for the State to continue to grant certain off-shore entities tax exemptions while locally-based companies face mounting tax bills with no revenue to speak of. Your Committee therefore finds that it would be more equitable to decouple from the federal system in this regard so that corporations and other business entities doing business in Hawaii pay a fair tax burden, commensurate with the substantial privileges and resources in Hawaii that were used to generate their profits.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2697, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Quinlan). Noes, none. Excused, none.

SCRep. 1226-20 Economic Development & Business on S.B. No. 3088

The purpose of this measure is to appropriate funds to the Department of Business, Economic Development, and Tourism to support the State's international sister state relations.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii United Okinawa Association; and three individuals.

Your Committee has amended this measure by deleting its contents and inserting language that:

- (1) Appropriates funds for various positions in the Creative Industries Division of the Department of Business, Economic Development, and Tourism for fiscal year 2020-2021;
- (2) Makes a housekeeping, technical amendment relating to the Hawaii Film and Creative Industries Development Special Fund (Special Fund); and
- (3) Appropriates funds out of the Special Fund.

Your Committee finds that this measure, as amended, will provide funding for positions in the Creative Industries Division to continue developing strategic initiatives to support Hawaii's creative entrepreneurs. Additionally, the measure, as amended, appropriates funds out of the Special Fund so that any grants or contributions received by the Department of Business, Economic Development, and Tourism from other sources that are deposited into the Special Fund may be expended.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3088, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3088, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, none.

SCRep. 1227-20 Judiciary on S.B. No. 2638

The purpose of this measure is to establish a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:

- (1) Establishing a petty misdemeanor offense of abuse of family or household members;
- (2) Allowing a deferred acceptance of guilty plea or no contest plea in cases involving misdemeanor and petty misdemeanor abuse of family or household members offenses, if certain conditions are met; and
- (3) Requiring the Judiciary to submit annual reports to the Legislature on the number and outcome of abuse of family or household members cases.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Commission on the Status of Women, American Association of University Women of Hawaii, Planned Parenthood Votes Northwest and Hawaii, Hawaii Women's Coalition, Domestic Violence Action Center, Rainbow Family 808, and seven individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, County of Maui Department of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, and Honolulu Police Department. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the dynamics of domestic violence are complicated, and a more flexible approach may be necessary in sentencing defendants in cases involving abuse of family or household member. This measure seeks to provide this flexibility while still holding defendants accountable for their actions.

Your Committee also finds that victims of domestic or sexual violence may be discouraged from seeking assistance under Hawaii law due to the varying statutory requirements for documentation of victim status. Your Committee believes that establishing conformity regarding the documents accepted as proof of domestic or sexual violence victim status under Hawaii law will ease the paperwork burden and stress for these victims when seeking essential services and assistance.

Your Committee has amended this measure by:

- (1) Removing language that would have included coercive control under the petty misdemeanor offense of abuse of a family or household member;
- (2) Requiring courts who grant a motion for deferred acceptance of guilty plea to require offenders to complete domestic violence intervention programs or parenting classes, if applicable;
- (3) Removing language that would have enabled a person charged with a misdemeanor or petty misdemeanor offense of abuse of a family or household member to plead no contest;

- (4) Clarifying the courts authorization to accept deferred acceptance of guilty pleas applies only if the defendant has no prior conviction or has not been previously granted a deferred acceptance of guilty plea for any offense of abuse of family or household member charged in family court, regardless of the final plea;
- (5) Standardizing the types of documents accepted as proof of domestic or sexual violence victim status;
- (6) Specifying that certified or exemplified restraining orders, rather than valid restraining orders and records or files of a court or government agency, are documents that will be accepted as proof of domestic or sexual violence victim status;
- (7) Changing the effective date to January 1, 2021; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2638, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2638, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Say). Excused, 2 (Brower, Thielen).

SCRep. 1228-20 Judiciary on S.B. No. 2038

The purpose of this measure is to permit two or more board members to attend a State of the City, State of the County, State of the State, or State of the Judiciary address without violating Hawaii's Sunshine Law regarding open meetings.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by authorizing, until June 30, 2021, boards to hold meetings by interactive conference technology and bar members of the public from joining board members at the meeting locations where the board members are physically present, subject to certain conditions, when the Governor declares a state of emergency is in effect for a contagious illness.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Commerce and Consumer Affairs, Department of Agriculture, Office of Information Practices, Executive Office on Aging, Hawaii State Council on Developmental Disabilities, Board of Regents of the University of Hawaii, three members of the Maui County Council, and one individual. Your Committee received testimony in opposition to the proposed H.D. 1 from the Civil Beat Law Center for the Public Interest and one individual. Your Committee received comments on the proposed H.D.1 from the Department of Accounting and General Services, Hawaii Civil Rights Commission, and Common Cause Hawaii.

Your Committee finds that given the highly public and ceremonial nature of State of the City, State of the County, State of the State, and State of the Judiciary addresses, it is appropriate for board members to jointly attend and participate in these events.

Your Committee further finds that due to the COVID-19 pandemic, boards should be allowed to waive certain requirements under Hawaii's Sunshine Law that require boards to provide the public with physical access to board meetings held remotely or via streaming. This measure will temporarily allow boards subject to the Sunshine Law to provide public access to meetings via interactive conference technology, which will help reduce the risk of exposure to COVID-19.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Further clarifying the notice requirements for holding meetings by interactive conference technology during and after a state of emergency due to a contagious illness;
- (2) Authorizing a board to require members of the public attending a meeting in person to provide their names and contact information for the purpose of contact tracing if the board reasonably believes doing so is necessary due to the contagious illness;
- (3) Requiring a board to recess, rather than terminate, a meeting held by interactive conference technology when audio communication cannot be maintained; provided that the meeting may reconvene if audio communication is reestablished; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2038, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2038, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1229-20 Judiciary/Public Safety, Veterans, & Military Affairs on S.B. No. 2635

The purpose of this measure is to:

- (1) Prohibit any person from selling ammunition or shell casings for any firearm unless the purchaser first demonstrates that they are the registered owner of the firearm for which the ammunition or shell casings are to be purchased or have been designated by the registered owner of the firearm as an alternate for ammunition purchases;
- (2) Authorize registered owners of firearms to designate a person as an alternate on the firearm registration only for the purpose of purchasing ammunition;
- (3) Require licensure of sellers of ammunition;
- (4) Regulate ammunition in the same manner as firearms; and
- (5) Require the Attorney General to update firearm registration forms.

Your Committees received testimony in support of this measure from the Honolulu Police Department and sixteen individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association, Hawaii Rifle Association, Schofield Rod & Gun Club, Hawaii Firearms Coalition, Kaupo Wildlife Club-MUI, Young Guns, and over one hundred individuals.

Your Committees find that requiring firearm owners to show their firearm registrations and identification in order to be able to purchase ammunition will limit the ability of those who possess firearms illegally to get ammunition.

Your Committees have amended this measure by:

- (1) Exempting ammunition purchases by persons from a firing range business or target shooting business from the proof of registration and identification requirements;
- (2) Deleting language authorizing the police departments of the county of registration to designate on the firearm registration form whether the firearm can be converted to a different caliber or gauge and to indicate on the registration form the types of ammunition for each caliber or gauge of ammunition that the firearm may lawfully use;
- (3) Requiring a scanned copy of an online purchaser's registration and identification instead of receipt of a scanned copy;
- (4) Requiring firearm registration forms to include a place for the registrant to designate an alternate person to purchase ammunition;
- (5) Authorizing a registered owner of a firearm to designate an alternate person to purchase ammunition for up to three years at a time, unless the alternate person is prohibited from ownership or possession of a firearm;
- (6) Allowing a registered owner of a firearm to obtain a permit, for up to three years at a time, to purchase ammunition of a caliber that is not the caliber listed on the registered firearm if the owner demonstrates to the police that the firearm is capable of firing a caliber of ammunition that is not the caliber listed on the registration of the firearm;
- (7) Changing the effective date to July 1, 2021; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Public Safety, Veterans, & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2635, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2635, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 10; Ayes with Reservations (San Buenaventura, Yamane, Thielen). Noes, 1 (Say). Excused, 1 (Nakashima).

Public Safety, Veterans, & Military Affairs: Ayes, 5. Noes, 2 (Kong, McDermott). Excused, none.

SCRep. 1230-20 Judiciary on S.B. No. 2701

The purpose of this measure is to grant county agencies the right to enter property to investigate agricultural buildings for violations of, and compliance with, building permit and building code exemption requirements.

Your Committee received testimony in support of this measure from the Office of Planning, Department of Agriculture, Hawaii Farm Bureau, and Hawaii Cattlemen's Council. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that existing law exempts certain types of agricultural buildings from building permit and building code requirements. However, your Committee also finds that agricultural buildings are sometimes illegally used for residential purposes. This measure explicitly grants county agencies the authority to exercise their enforcement powers and help prevent the misuse of agricultural buildings that are exempt from building permit and building code requirements.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2701, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2701, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (Brower, Thielen).

SCRep. 1231-20 Public Safety, Veterans, & Military Affairs/Judiciary on S.B. No. 3054

The purpose of this measure is to require every person who permanently moves firearms out of the State to contact the county police department where the firearms are registered to provide notice that the firearms have been moved out of State within five days of their removal from the State.

Your Committees received testimony in support of this measure from the Honolulu Police Department and two individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association of America, Hawaii Rifle Association, Young Guns, Hawaii Firearms Coalition, and over one hundred individuals.

Based on a December 2018 report by the Legislative Reference Bureau on statistical data relating to firearms, your Committees find that accurate data on the number of firearms in the State is lacking. This measure will improve data collection and accuracy of registration information on firearms. Your Committees also find that a fine of \$100, rather than \$250, will still provide an adequate incentive for timely notification.

Your Committees have amended this measure by:

- (1) Reducing the fine from \$250 to \$100 per firearm; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Veterans, & Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3054, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3054, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Public Safety, Veterans, & Military Affairs: Ayes, 5. Noes, 2 (Kong, McDermott). Excused, none.

Judiciary: Ayes, 9; Ayes with Reservations (San Buenaventura, McKelvey). Noes, 2 (Say, Yamane). Excused, 1 (Nakashima).

SCRep. 1232-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 20

The purpose of this measure is to approve the transfer of the leased fee interest in a portion of 610 Cooke Street, Honolulu, Hawaii, to the City and County of Honolulu.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; and SSFM International, Inc.

Your Committee finds that the Hawaii Housing Finance and Development Corporation (HHFDC) has an interest in transferring a portion of the parcel located at 610 Cooke Street to the City and County of Honolulu as part of a land exchange to facilitate the roadway access to a planned mixed-use development at 690 Pohukaina Street. Your Committee further finds that HHFDC did not receive any public comments objecting to the proposed transfer when HHFDC conducted a public informational briefing in July 2019.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 20, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as H.C.R. No. 20, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1233-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 24

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of the state submerged lands at Kaalawai, Honolulu, Oahu, for the existing seawall, and for use, repair, and maintenance of existing improvements constructed on the seawall.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a portion of an existing seawall fronting private property located in Kaalawai was built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owner to resolve the issue by granting a 55-year non-exclusive easement for the seawall and the grantees have paid the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive agreement for the portion of identified state submerged lands in Kaalawai that have been encroached upon by the seawall.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 24 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1234-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 25

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of the state submerged lands at Waimanalo, Koolau, Oahu, for the existing pier, seawall, and steps, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a revocable month-to-month lease permit was issued to a private property owner for an existing pier located in Waimanalo that was placed on state submerged lands. Your Committee further finds that when this revocable permit was converted into a non-exclusive easement, the authorization granted by House Concurrent Resolution No. 27, Senate Draft 1, 2017, only covered the existing pier. However, your Committee finds that a subsequent survey showed additional areas of encroachment, including a seawall and steps. This measure authorizes the issuance of a term, non-exclusive easement covering the areas encroached on by the pier, seawall, and steps.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 25 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1235-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 26

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of the state submerged lands at Kaneohe, Koolau, Oahu, for the existing pier, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and University of Hawaii System.

Your Committee finds that in 2004, the University of Hawaii was awarded a contract for repair work on a parcel of land in Kaneohe that was fronted by an existing pier that was placed on state submerged lands, and that a shoreline certification and resolution of the pier encroachment were necessary prior to the issuance of a building permit. Your Committee further finds that although a direct lease was approved to resolve the pier encroachment issue, this lease was never consummated, and it was subsequently determined that the Department of Land and Natural Resources should issue a non-exclusive easement to resolve the issue. However, the Legislature must grant prior authorization before state lands can be leased. This measure authorizes the granting of a term, non-exclusive agreement for the portion of identified state submerged lands in Kaneohe that have been encroached upon by the pier.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 26 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1236-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 27

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive agreement covering a portion of state submerged lands at Maunalua, Honolulu, Oahu, for the existing storm drain, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing storm drain fronting property in Maunalua were placed on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the City and County of Honolulu to resolve this issue by granting a perpetual non-exclusive easement for the storm drain encroachment. However, the Legislature must grant prior authorization before state lands can be leased. This measure authorizes the granting of a perpetual, non-exclusive agreement for the portions of identified state submerged lands in Maunalua that have been encroached upon by the storm drain.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 27 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1237-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 28

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive agreement covering a portion of state submerged lands at Kaneohe, Koolauloko, Oahu, for the existing storm drain, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that portions of an existing storm drain fronting property in Kaneohe were placed on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the City and County of Honolulu to resolve this issue by granting a perpetual non-exclusive easement for the storm drain encroachment. However, the Legislature must grant prior authorization before state lands can be leased. This measure authorizes the granting of a perpetual, non-exclusive agreement for the portions of identified state submerged lands in Kaneohe that have been encroached upon by the storm drain.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 28 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1238-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 29

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of state submerged lands at Napili 2 and 3, Lahaina, Maui, for an existing walkway, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that when the Board of Land and Natural Resources issued a 65-year term, non-exclusive easement to Napili Kai, Ltd., for an existing walkway in 2010, the state lands affected by the easement had not been identified as state submerged lands. When Napili Kai, Ltd., submitted an application for a shoreline certification in 2016, it was discovered that a portion of the walkway was on state submerged lands outside of the encroachment area covered by the existing easement, and it was therefore necessary to increase the encroachment area. Your Committee finds that an independent survey and appraisal have been conducted of the new area, and Napili Kai, Ltd., has paid the fair market value of the easement for the additional encroachment area. This measure authorizes the granting of a term, non-exclusive agreement for the portions of identified state submerged lands in Napili 2 and 3 that have been encroached upon by the walkway.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1239-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 30

The purpose of this measure is to authorize the issuance of term, non-exclusive easements covering a portion of state submerged lands at Waiohuli-Keokea, Wailuku, Maui, for the existing seawall, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that in 2015, a term, non-exclusive easement was issued to a private property owner for an existing seawall located in Waiohuli-Keokea that was placed on state submerged lands. Your Committee further finds it was later discovered that there were additional portions of the seawall that encroached upon state submerged lands that were not covered by the 2015 easement and the existing easement must be amended to include these newly identified portions of the seawall. This measure authorizes the amendment of the existing easement for the identified state submerged lands in Waiohuli-Keokea to cover the additional areas encroached on by portions of the seawall.

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

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 30, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 30, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1240-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 31

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for an existing seawall, rock revetment, and concrete steps, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a portion of an existing seawall, rock revetment, and concrete steps fronting private property located in Waiohuli-Keokea Homesteads was built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owners to resolve the issue by granting a 55-year non-exclusive easement for the encroaching seawall, rock revetment, and concrete steps, and the grantees have agreed to pay the fair market value of the easement. However, the Legislature must grant prior authorization before state lands can be leased. This measure authorizes the granting of a term, non-exclusive agreement for the portion of identified state submerged lands in Waiohuli-Keokea Homesteads that have been encroached upon by the seawall, rock revetment, and concrete steps.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 31 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1241-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 32

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads and Beach Lots, Kihei, Maui, for an existing seawall and rock revetment, and for use, repair, and maintenance of existing improvements constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that a portion of an existing seawall, rock revetment, and concrete steps fronting private property located in Waiohuli-Keokea Homesteads was built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owners to resolve the issue by granting a 55-year non-exclusive easement for the encroaching seawall and rock revetment, and the grantees have paid the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands can be leased. This measure authorizes the granting of a term, non-exclusive agreement for the portion of identified state submerged lands in Waiohuli-Keokea Homesteads and Beach Lots that have been encroached upon by the seawall, rock revetment, and concrete steps.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 32 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 1 (Wildberger). Excused, 3 (Har, Lowen, Ward).

SCRep. 1242-20 Water, Land, & Hawaiian Affairs on H.R. No. 127

The purpose of this measure is to urge the Board of Land and Natural Resources to dispose of the long-term water leases for Hawaiian Electric's non-consumptive water use along the Wailuku River by direct negotiation and provide guidance on determining the value of the annual water lease rent.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Hawaiian Home Lands.

Your Committee finds that although the Department of Land and Natural Resources' Revocable Permit Task Force recommended the conversion of revocable permits to water leases by the end of 2019, no conversion has been made at this time, and it is difficult for the Board of Land and Natural Resources to dispose of long-term water rights because the lease process has not yet been fully defined. Your Committee further finds that Hawaiian Electric manages Puueo Hydro and Waiau Hydro, which are hydroelectric generating plants along the Wailuku River; that its use of that water is non-consumptive; and that Hawaiian Electric is the only entity qualified to bid on a water lease to increase the capacity of Waiau Hydro. Disposing of Hawaiian Electric's non-consumptive long-term water leases by direct negotiation and clarifying the lease process will enable Hawaiian Electric to make necessary repairs and upgrades to its hydroelectric facilities.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 127 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1243-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 147

The purpose of this measure is to urge the Board of Land and Natural Resources to dispose of the long-term water leases for Hawaiian Electric's non-consumptive water use along the Wailuku River by direct negotiation and provide guidance on determining the value of the annual water lease rent.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Hawaiian Home Lands.

Your Committee finds that although the Department of Land and Natural Resources' Revocable Permit Task Force recommended the conversion of revocable permits to water leases by the end of 2019, no conversion has been made at this time, and it is difficult for the Board of Land and Natural Resources to dispose of long-term water rights because the lease process has not yet been fully defined. Your Committee further finds that Hawaiian Electric manages Puueo Hydro and Waiau Hydro, which are hydroelectric generating plants along the Wailuku River; that its use of that water is non-consumptive; and that Hawaiian Electric is the only entity qualified to bid on a water lease to increase the capacity of Waiau Hydro. Disposing of Hawaiian Electric's non-consumptive long-term water leases by direct negotiation and clarifying the lease process will enable Hawaiian Electric to make necessary repairs and upgrades to its hydroelectric facilities.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 147 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1244-20 Water, Land, & Hawaiian Affairs on H.R. No. 146

The purpose of this measure is to recognize the unique language and contributions to the Hawaiian culture of the Niihau community.

Your Committee received testimony in support of this measure from the Center for Hawaiian Sovereignty Studies and eight individuals.

Your Committee finds that the Niihau community, in addition to being the last intact community of Native Hawaiian speakers who maintain Hawaiian as the primary language of the home, has made invaluable cultural and linguistic contributions to Hawaiian culture and society. Your Committee further finds that recognition and support of the Niihau variety of Hawaiian language will help preserve and carry that unique variety into the future.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 146 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1245-20 Water, Land, & Hawaiian Affairs on H.C.R. No. 167

The purpose of this measure is to recognize the unique language and contributions to the Hawaiian culture of the Niihau community.

Your Committee received testimony in support of this measure from the Center for Hawaiian Sovereignty Studies and eight individuals.

Your Committee finds that the Niihau community, in addition to being the last intact community of Native Hawaiian speakers who maintain Hawaiian as the primary language of the home, has made invaluable cultural and linguistic contributions to Hawaiian culture and society. Your Committee further finds that recognition and support of the Niihau variety of Hawaiian language will help preserve and carry that unique variety into the future.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 167 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Lowen, Ward).

SCRep. 1246-20 Finance on S.B. No. 2920

The purpose of this measure is to conform Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code, as amended as of December 31, 2019.

Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this annual conformity measure is submitted by the Department of Taxation in compliance with section 235-2.5, Hawaii Revised Statutes, which requires the Department to annually submit a measure to maintain state income tax conformity with the federal Internal Revenue Code. This measure is also intended to comply with section 236E-4, Hawaii Revised Statutes, which requires the Department to annually submit a measure to maintain state estate and generation-skipping transfer tax conformity with the federal Internal Revenue Code. This measure updates state tax laws to conform with and adopt changes made to the federal Internal Revenue Code during the past year that are appropriate for Hawaii law.

Your Committee has amended this measure by:

- (1) Incorporating amendments provided by the Department of Taxation, which conforms state law to parts of federal Public Law 116-136, the Coronavirus Aid, Relief, and Economic Security Act, which took effect on March 27, 2020; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2920, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2920, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1247-20 Finance on S.B. No. 2425

The purpose of this measure is to make permanent statutory amendments pertaining to alternative dispute resolutions for disputes between condominium associations and unit owners enacted by Act 196, Session Laws of Hawaii 2018.

Your Committee received testimony in support of this measure from the Real Estate Commission, Hawaii Council of Associations of Apartment Owners, Palehua Townhouse Association, Associa, Community Associations Institute, and seven individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2425, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1248-20 Finance on S.B. No. 2878

The purpose of this measure is to institute certain consumer protections with regard to massage therapy by:

- (1) Requiring the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repealing the penalty for unlicensed practice of massage therapy in favor of existing law that treats unlicensed activity as a misdemeanor; and
- (3) Increasing the fines for violations of the laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy and Hawaii Chapter of the American Massage Therapy Association.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1249-20 Finance on S.B. No. 2877

The purpose of this measure is to clarify the qualifications for licensure as a mental health counselor in the State by:

- (1) Clarifying that the practicum internship experience requirement is part of the course work in counseling requirement, rather than a standalone requirement;
- (2) Clarifying that the supervised mental health practicum intern experience requirement is a total of three hundred hours of supervised client contact across two academic terms; and
- (3) Permitting applicants to fulfill their face-to-face clinical supervision requirement, in whole or in part, through a videoconference service.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Democratic Party of Hawaii. Your Committee received comments on this measure from the University of Hawaii at Hilo and three individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2877, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 14; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Matayoshi).

SCRep. 1250-20 Finance on S.B. No. 2629

The purpose of this measure is to ensure that the use of coal in Hawaii for electricity production is eliminated by:

- (1) Prohibiting the Public Utilities Commission (PUC) from approving, after June 30, 2020, a new, modified, or renewed power purchase agreement for electricity generated from coal; and
- (2) Prohibiting the Department of Health from issuing or renewing, after December 31, 2022, covered source air permits for coal-burning electricity generation facilities.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Young Progressives Demanding Action, Climate Protectors Coalition, Blue Planet Foundation, Sierra Club of Hawaii, 350Hawaii.org, Americans for Democratic Action, Elemental Excelsior, and six individuals. Your Committee received testimony in opposition to this measure from the League of Women Voters. Your Committee received comments on this measure from the Department of Health; Department of Commerce and Consumer Affairs; Public Utilities Commission; and Hawaiian Electric Company, Inc.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2629, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 13. Noes, none. Excused, 2 (Matayoshi, McDermott).

SCRep. 1251-20 Judiciary on S.B. No. 2260

The purpose of this measure is to repeal the minimum age for minors to obtain a state civil identification card.

Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that under existing law, a minor under the age of ten cannot obtain a state civil identification card. Your Committee believes that minors should be allowed to obtain a state civil identification card regardless of age.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2260 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Say, Thielen).

SCRep. 1252-20 Judiciary on S.B. No. 2188

The purpose of this measure is to provide that all animal parts, products, or items containing animal parts or products involved in the commission of wildlife tracking or certain hunting offenses shall be considered contraband and subject to forfeiture and disposal by the State.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Department of the Prosecuting Attorney of the City and County of Honolulu; Animal Rights Hawaii; Hawaiian Humane Society; Animal Welfare Institute, Pono Advocacy; and two individuals.

Your Committee finds that requiring the forfeiture and disposal of contraband involved in the commission of certain wildlife offenses will further deter future criminal activity and prevent wildlife trafficking.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2188, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1253-20 Judiciary on S.B. No. 2612

The purpose of this measure is to allow a court to enjoin a defendant convicted of certain assault or terroristic threatening offenses from attending certain sports events for a period of up to twelve months if the victim of the offense is a sports official engaged in the lawful discharge of the sports official's duties.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii Scholastic Soccer Federation. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that there is a shortage of sports officials in Hawaii. Your Committee further finds that unruly spectators and fans are a contributing factor to this shortage, especially when there are threats of bodily harm and assault against sports officials. This measure will deter these kinds of threats and assault against sports officials.

Your Committee has amended this measure by:

- (1) Allowing a court to enjoin a defendant for life for a second or subsequent offense; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2612, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2612, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, 1 (Thielen).

SCRep. 1254-20 Judiciary on S.B. No. 2185

The purpose of this measure is to exclude violations of privacy in the first degree and certain violations of privacy in the second degree, from qualifying for deferred acceptance of a guilty plea or nolo contendere plea.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by adding language to limit the government's use of face surveillance.

Your Committee received testimony in support of the proposed H.D. 1 from one individual. Your Committee received comments on the proposed H.D. 1 from the Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, American Civil Liberties Union of Hawaii, Community Alliance on Prisons, Hawaii Bankers Association, and Hawaii Credit Union League.

Your Committee finds that due to the serious nature of certain privacy violations involving other people's intimate activities, private communications, or intimate areas of the body, without consent, such offenders should not be eligible for deferred pleas.

Your Committee further finds that the unregulated use of face surveillance poses a unique and significant threat to the civil rights and liberties of residents and visitors of Hawaii.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Specifying that the use of face surveillance by the government or a government official at states airports may only be for purposes of identifying an individual whom there is reason to believe, based on thermal scanning technology, could be infected with a communicable or dangerous disease; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that concerns were raised about the impact of this measure on financial institutions, such as banks, that utilize camera systems for security purposes. This measure specifically limits the government's use of face surveillance and is not intended to impact financial institutions.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2185, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2185, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 1255-20 Judiciary on S.B. No. 2139

The purpose of this measure is to amend the filing deadlines for candidates attempting to fill vacant state Senate seats.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that under existing law if a vacancy occurs after the close of candidate filing, a candidate who has already filed for a seat will find themselves in a situation where they cannot withdraw and file for the special vacancy election because the ability for a candidate to withdraw for any reason is limited to the day immediately following the close of filing. This measure amends filing deadlines to coincide with the close of candidate filing. This measure also enables a single special election to be held in conjunction with the general election in certain circumstances and conforms deadlines to the federal requirements of the Uniformed and Overseas Citizens Absentee Voting Act.

Your Committee has amended this measure by:

- (1) Allowing any candidate to withdraw after the close of filing but no later than the seventy-fifth day before the next general election to fill a state legislative vacancy;
- (2) Making it effective retroactively to comply with federal law; and

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2139, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Say).

SCRep. 1256-20 Finance on S.B. No. 2421

The purpose of this measure is to make permanent statutory amendments pertaining to nonjudicial foreclosures on condominium units enacted by Act 195, Session Laws of Hawaii 2018.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners, Hawaii Chapter of the Community Associations Institute Legislative Action Committee, Palehua Townhouse Association, Associa, Hui Oiaio, Kokua Council, Honolulu Tower Association of Apartment Owners, and nine individuals. Your Committee received comments on this measure from one individual.

Your Committee has amended this measure by making it effective retroactively to June 29, 2020.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2421, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2421, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1257-20 Finance on S.B. No. 3119

The purpose of this measure is to amend or repeal various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions.

Your Committee received written comments in support of this measure from the Legislative Reference Bureau.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to Chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors, omissions, or obsolete laws.

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3119, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3119, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1258-20 Finance on S.B. No. 2275

The purpose of this measure is to modernize the laws regarding notaries public to bring the laws into conformity with national standards and current practices. Specifically, this measure:

- (1) Outlines the instances in which notaries public may refuse to perform notarial acts;
- (2) Authorizes notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may perform such notarial acts, including through the use of authorized technologies and electronic stamping;
- (3) Clarifies the validity of notarial acts and the circumstances when notarial acts may not be performed;
- (4) Clarifies the retention of records; and
- (5) Makes various clarifying amendments to conform to national standards and practices.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawaii Bankers Association, Mortgage Bankers Association of Hawaii, and Hawaii Credit Union League. Your Committee received comments on this measure from the State of Hawaii Commission to Promote Uniform Legislation and First American Title Insurance Company.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2021; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2275, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2275, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1259-20 Finance on S.B. No. 2844

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Community Development Authority, Hawaii State Public Library System, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee has amended this measure by:

- (1) Incorporating the claim and settlement amount from S.B. No. 3180, S.D. 1, which provided funds for the State Public Charter School Commission pursuant to *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K;
- (2) Adding an additional claim of \$40,000 pursuant to the settlement of *Lana v. State of Hawaii, et al.*, Civil No. 13-1-2365-08, to be paid from operating funds from the Department of Public Safety;
- (3) Specifying that funds appropriated by Act 5, Session Laws of Hawaii 2019, to the programs referenced in this measure that are not expended or encumbered for the specific purposes described in this measure as of June 30, 2021, shall lapse;
- (4) Specifying that the measure shall take effective retroactively to June 30, 2020; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2844, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2844, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1260-20 Finance on S.B. No. 2871

The purpose of this measure is to grant the Contractors License Board (Board) and Real Estate Commission (Commission) the authority to adjust recovery fund and education fund fees paid to the Board and Commission so as to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Real Estate Commission, Contractors License Board, and Hawaii Chapter of the Community Associations Institute Legislative Action Committee.

Your Committee has amended this measure by:

- (1) Specifying that this measure shall be effective retroactively to July 1, 2020; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2871, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2871, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1261-20 Finance on S.B. No. 2893

The purpose of this measure is to align the State's definition of "chronically homeless individual" with the federal definition established by the United States Department of Housing and Urban Development, to reduce confusion among service providers, communities, and private partners.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness. Your Committee received comments on this measure from the Department of Human Services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2893, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2893, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1262-20 Finance on S.B. No. 2894

The purpose of this measure is to clarify certain requirements regarding licensure of child care facilities, including exemptions from licensure, health and safety standards, and investigations of violations.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2894, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2894, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1263-20 Finance on S.B. No. 3117

The purpose of this measure is to:

- (1) Extend the Emergency Department Homelessness Assessment Pilot Program and Medical Respite Pilot Program (Pilot Programs) to December 31, 2021; and
- (2) Appropriate funds to continue the Pilot Programs, subject to certain conditions.

Your Committee received testimony in support of this measure from The Queen's Health Systems. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Human Services.

Your Committee has amended this measure by:

- (1) Limiting the extension of the Pilot Programs to June 30, 2021, rather than December 31, 2021;
- (2) Deleting the appropriations for fiscal year 2020-2021 for the Pilot Programs;
- (3) Specifying that funds appropriated for the Pilot Programs pursuant to Act 209, Session Laws of Hawaii 2018, that were not expended or encumbered by June 30, 2019, shall lapse on June 30, 2021;
- (4) Making it effective retroactively to June 29, 2019; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3117, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3117, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1264-20 Finance on S.B. No. 2206

The purpose of this measure is to authorize the Board of Land and Natural Resources (Board) to issue month-to-month revocable permits for the temporary emergency sheltering of and facilities for homeless persons on state lands, under certain conditions.

Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Specifying that the Board must obtain the prior written agreement of the Department of Agriculture (DOA) before a revocable permit may be issued for lands under the control or management of the DOA;
- (2) Repealing this measure 90 days after the last day of the disaster emergency relief period specified in the Governor's final Supplementary Proclamation relating to the COVID-19 emergency, irrespective of any separate proclamation terminating the disaster emergency relief period in the Governor's final Supplementary Proclamation relating to the COVID-19 emergency; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2206, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2206, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1265-20 Finance on S.B. No. 2329

The purpose of this measure is to reduce incidents of driving under the influence of an intoxicant by:

- (1) Requiring proof of compliance with ignition interlock laws to be eligible for a driver's license;
- (2) Requiring persons operating a vehicle with an ignition interlock device to have valid government-issued photo identification in their immediate possession;
- (3) Amending the sentencing requirements for:
 - (A) Operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; and
 - (B) Circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; and
- (4) Prohibiting a person who is restricted to driving a vehicle equipped with an ignition interlock device from knowingly obscuring a camera lens associated with the device.

Your Committee received testimony in support of this measure from the Foundation for Advancing Alcohol Responsibility, Traffic Injury Research Foundation, Smart Start LLC, and Casanova Powell Consulting. Your Committee received comments on this measure from the Department of Transportation and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee has amended this measure by:

- (1) Inserting a savings clause; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2329, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2329, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1266-20 Judiciary on S.B. No. 3158

The purpose of this measure is to prohibit intentionally or knowingly:

- (1) Manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale any counterfeit supplemental restraint system component, nonfunctional air bag, or air bag that does not meet federal safety requirements, with the intent of replacing an air bag in any motor vehicle, with:
 - (A) A counterfeit supplemental restraint system component;
 - (B) A nonfunctional air bag; or
 - (C) An air bag that does not meet federal safety requirements; and
- (2) Selling, offering for sale, installing, or reinstalling in a motor vehicle any device that causes the motor vehicle's diagnostic systems to fail to warn that the motor vehicle is equipped with a counterfeit supplemental restraint system component, nonfunctional air bag, or air bag that does not meet federal safety requirements, or that no air bag is installed, as applicable.

Your Committee received testimony in support of this measure from the Department of Transportation; Alliance for Automotive Innovation; American Honda Motor Company; Automotive Anti-Counterfeiting Council, Inc; and National Insurance Crime Bureau. Your Committee received comments on this measure from the City and County of Honolulu Department of the Prosecuting Attorney.

Your Committee finds that air bags are a critical component of vehicle safety systems and are responsible for saving lives. Your Committee further finds that counterfeit air bags compromise these vehicle safety systems. Counterfeit air bags may be filled with sawdust, newspaper, or nothing at all, which can endanger unknowing consumers. This measure is necessary for the protection of Hawaii consumers and aligns the State with twenty-two other states that have enacted similar legislation.

Your Committee has amended this measure by:

- (1) Changing the definition of "motor vehicle" to "air-bag-required motor vehicle";
- (2) Clarifying that the prohibition against intentionally or knowingly manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale any counterfeit supplemental restraint system component, nonfunctional air bag, or air bag that does not meet federal safety requirements applies only to persons who do so with the intent that such device replace an air bag in any air-bag-required motor vehicle; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3158, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3158, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Say).

SCRep. 1267-20 Judiciary on S.B. No. 2993

The purpose of this measure to align the State's commercial driver's license qualification standards with federal regulations by repealing provisions related to medical waivers due to diabetes.

Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that an amendment to federal regulations removed the requirement for commercial driver's license holders who are treating diabetes mellitus with insulin to obtain a medical waiver in addition to their periodic medical examination. According to the Department of Transportation, rather than continue to require a waiver, the medical examiner who examines the driver will confer with the driver's treating clinician, evaluate the driver's medical records, and determine whether the driver's medical condition will have an adverse effect on the driver's ability to drive safely. If the driver satisfies the medical requirements, a medical examiner's certificate with no indication of a waiver will be issued to the driver. However, if the driver does not meet the requirements, a certificate will not be issued. This measure will align state law with existing federal regulations and expedite the certification process for commercial driver's license holders who are treating diabetes with insulin.

Your Committee has amended this measure by making it effective on September 1, 2020.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2993, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2993, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 3 (Creagan, Lowen, Say).

SCRep. 1268-20 Judiciary on S.B. No. 2384

The purpose of this measure is to:

- (1) Allow any vehicle involved in a motor vehicle accident that cannot be moved under its own power or is otherwise disabled, including a vehicle which constitutes an obstruction or hazard to traffic, to be towed away at the expense of the registered owner;
- (2) Specify the applicable towing and storage fees for a motor vehicle that is involved in an accident and cannot be moved under its own power or is otherwise disabled and constitutes an obstruction or hazard to traffic, but has not been ordered to be towed by the police; and

- (3) Exempt automobile clubs or towing companies operating under a contract with an automobile club, insurer, or motor vehicle manufacture from motor vehicle towing and storage requirements.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs Office of Consumer Protection, Hawaii Insurers Council, American Property Casualty Insurance Association, GEICO, and National Insurance Crime Bureau.

Your Committee finds that currently, charges and fees for tows authorized by county police for the removal of motor vehicles for traffic violations are specified by law, while charges and fees for disabled motor vehicles due to an accident are not. In addition, some towing companies, when towing motor vehicles involved in an accident, misrepresent that they were sent by police dispatch and then deliberately overcharge consumers for towing services, expecting either the registered owner or the owner's insurance company to pay an exorbitant amount in order to retrieve the vehicle. This measure seeks to prevent such abuse without confusing consumers and possibly binding insurers to pay unreasonably high expenses.

Your Committee has amended this measure by:

- (1) Changing its effective date to September 1, 2020; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2384, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2384, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 1269-20 Judiciary on S.B. No. 2130

The purpose of this measure is to require that the State Fire Code be adopted pursuant to meetings under the Sunshine Law instead of public hearings pursuant to the Hawaii Administrative Procedure Act.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Hawaii Fire Department, and Kauai Fire Department.

Your Committee finds that the State Fire Code is one of several codes considered and adopted by the State Building Code Council. While other codes considered by the State Building Code Council need only be adopted pursuant to the State's Sunshine Law, the State Fire Code must go through the public hearing procedures under the Hawaii Administrative Procedure Act. This measure removes that inconsistency.

Your Committee has amended this measure by:

- (1) Explicitly exempting the State Fire Council from the requirements of the Hawaii Administrative Procedure Act when adopting the State Fire Code; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2130, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2130, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 1270-20 Judiciary on S.B. No. 2193

The purpose of this measure is to reduce the number of years that an employer is authorized to inquire about an employee's or prospective employee's criminal history when they have been convicted of a felony or misdemeanor.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Human Resources Development; Drug Policy Forum of Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Kauai Women's Caucus; Common Cause Hawaii; Hawaii Friends of Restorative Justice; ACLU Smart Justice; We Are One, Inc.; American Civil Liberties Union of Hawaii; LGBT Student Services, UH Manoa; Pride at Work – Hawaii; Young Progressives Demanding Action; Hawaii Health & Harm Reduction Center; and numerous individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Society for Human Resource Management Hawaii. Your Committee received comments on this measure from the Hawaii Civil Rights Commission, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Chamber of Commerce Hawaii, and Community Alliance on Prisons.

Your Committee finds that existing law allows employers to inquire into the criminal history of existing employee's and consider the conviction records of prospective employees for the most recent ten years. Your Committee further finds that the stigma and bias of a criminal record can negatively affect an individual's ability to find employment, even for those who have demonstrated years of lawful behavior. Your Committee also finds that reducing the ten-year "lookback" period will broaden opportunities for formerly incarcerated individuals to obtain employment that, in turn, will better enable them to obtain and maintain housing and health care, support themselves and their families, and integrate back into the community as productive citizens.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2193, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2193, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 2 (Creagan, Say).

SCRep. 1271-20 Finance on S.B. No. 2866

The purpose of this measure is to require newly retired employees and their surviving employee-beneficiaries to:

- (1) Pay their share of health benefits premiums through monthly electronic deductions from the Employees' Retirement System (ERS) pension or their financial institution; and
- (2) Pay monthly contributions not electronically withheld, deducted, or transmitted, directly to the ERS Fund by the first day of each month.

Your Committee received testimony in support of this measure from the Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2866, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2866, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1272-20 Finance on S.B. No. 2820

The purpose of this measure is to continue the support of utility-scale renewable energy projects that benefit residents and ratepayers and further the goal of one hundred percent renewable energy by 2045 by:

- (1) Repealing the renewable energy technologies income tax credit for certain solar energy systems while grandfathering in other solar energy systems; and
- (2) Making the renewable energy technologies income tax credit inapplicable to taxable years beginning after December 31, 2045.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Kauai Island Utility Cooperative, 174 Power Global, Hawaii Clean Power Alliance, Hawaii Solar Energy Association, AES Distributed Energy, and Clearway Energy Group. Your Committee received comments on this measure from the Department of Taxation; Hawaiian Electric Company, Inc.; Blue Planet Foundation; and Adon Renewables.

Your Committee has amended this measure by:

- (1) Deleting language making the renewable energy technologies income tax credit inapplicable for taxable years beginning after December 31, 2045; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2820, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2820, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1273-20 Finance on S.B. No. 2386

The purpose of this measure is to:

- (1) Prohibit any waste or disposal facility from being located in a conservation district except in emergency circumstances to mitigate significant risks to public safety and health;
- (2) Require no less than a one-half mile buffer zone around residences, schools, and hospitals for the construction, modification, or expansion of a waste or disposal facility; and
- (3) Specify that "waste or disposal facility" excludes individual, state certified, non-industrial redemption centers.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Ke One O Kakuhihewa; Democratic Party of Hawaii Labor Caucus; ILWU Local 142; Association of Hawaiian Civic Clubs; Kalihi Palama Hawaiian Civic Club; Prince Kuhio Hawaiian Civic Club; Hawaii State Teachers Association; Hawaii Labor Coalition; Young Progressives Demanding Action; Iron Workers Stabilization Fund; United Food & Commercial Workers Union Local 480; IATSE Local 665; Pride at Work-Hawaii; LGBT Caucus of the Democratic Party of Hawaii; Hawaii Teamsters & Allied Workers Local 996; Sierra Club of Hawaii; Waialua Hawaiian Civic Club; SAG-AFTRA; Reynolds Recycling, Inc.; Association of Hawaiian Civic Clubs – Hawaii Council; Koolauloa Hawaiian Civic Club; Moku o Manokalanipo; The Kauai Council of the Association of Hawaiian Civic Clubs; International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; Na Hono Ao Piilani, Maui Council of the Association of Hawaiian Civic Clubs; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of the Mayor of the County of Maui; County of Kauai Department of Public Works; PVT Land Company, Ltd; Building Industry Association-Hawaii; Pacific Research Partnership; General Contractors Association of Hawaii; West Oahu Aggregate Co. Inc.; Penhall Co. dba Concrete Coring Company of Hawaii; Tajiri Demolition and Disposal; RHS Lee Inc.; Hawaii Association of Environmental Contractors; Clean Energy Solutions; Enviro Services and Training Center; CHFour LLC dba BANAGAS PACIFIC; Waianae Coast Community Foundation; Hawaii BioEconomy Trade Organization; Healy Tibbitts Builders, Inc.; Ralph S. Inouye Co, Ltd; Pacific Commercial Services LLC; Rainbow Waste Services; Island Hauling Inc.; Henry's Equipment Rental & Sales, Inc.; Jayar Construction, Inc.; Paling & Sons Trucking and Equipment Rentals LLC; and two individuals. Your Committee received comments on this measure from the Department of Health and Koolau Foundation.

Your Committee has amended this measure by:

- (1) Making inapplicable to federal agencies the prohibition on construction, operation, modification, expansion, or closure of a municipal solid waste landfill unit without first obtaining a permit from the Director of Health;

- (2) Making inapplicable to federal agencies the prohibition on construction, modification, or expansion of a waste or disposal facility or construction and demolition landfill unit without a one-half mile buffer zone around residences, schools, and hospitals;
- (3) Making it effective upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2386, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2386, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1274-20 Finance on S.B. No. 2486

The purpose of this measure is to require the Department of Education to establish a standardized data collection process; collect and analyze data relating to, among other things, student discipline, school climate, and student achievement; and annually report certain information to the Board of Education, Legislature, and the public.

Your Committee received testimony in support of this measure from the Department of Education, American Civil Liberties Union of Hawaii, AAUW of Hawaii, Common Cause Hawaii, Hawaii Women's Coalition, Hui for Excellence in Education, Hawaii Children's Action Network Speaks!, Planned Parenthood Votes Northwest and Hawaii, and three individuals.

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

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2486, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2486, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1275-20 Finance on S.B. No. 2262

The purpose of this measure is to amend the powers and duties of the Hawaii Teacher Standards Board to authorize the issuance of certificates for teachers at private schools.

Your Committee received testimony in support of this measure from the Hawaii Teacher Standards Board.

Your Committee has amended this measure by:

- (1) Providing the Board of Education, upon declaration of a state of emergency pursuant to section 127A-14, Hawaii Revised Statutes, with the power to extend the expiration date of any license, certificate, or permit until June 30 of the following school year;
- (2) Allowing the Department of Education and charter schools to employ emergency hires for more than three years if, due to the declaration of a state of emergency, the three-year period is extended by the Hawaii Teacher Standards Board;
- (3) Changing its effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2262, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2262, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1276-20 Finance on S.B. No. 3103

The purpose of this measure is to improve the development, planning, and construction of public schools by:

- (1) Establishing the School Facilities Agency to be responsible for public school development, planning, and construction related to capital improvement projects assigned by the Legislature, Governor, or Board of Education;
- (2) Establishing the School Facilities Board to oversee the School Facilities Agency; and
- (3) Transferring to the School Facilities Agency certain Department of Education functions related to construction.

Your Committee received testimony in support of this measure from the Hawaii Institute for Public Affairs; American Council of Engineering Companies of Hawaii; Bank of Hawaii; Hui for Excellence in Education; Hawaiian Electric Company Inc.; and Chamber of Commerce Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance; Board of Education; Department of Education; Office of Hawaiian Affairs; Hawaii State Ethics Commission; Office of Information Practices; Department of the Attorney General; Hawaii State Public Library System; Hawaii State Teachers Association; Democratic Party of Hawaii Labor Caucus; Pacific Resource Partnership; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers; Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund; Young Progressives Demanding Action; and United Public Workers AFSCME, Local 646, AFL-CIO.

Your Committee has amended this measure by:

- (1) Removing the School Facilities Agency's authority to, through its Executive Director, appoint officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries, without regard to chapter 76, Hawaii Revised Statutes;

- (2) Removing the Superintendent of Education and a member of the Board of Education as ex officio, non-voting members, of the School Facilities Board;
- (3) Requiring the School Facilities Board to include one member representing the construction industry rather than one member of the Hawaii Construction Alliance;
- (4) Removing the appropriation for the establishment of the School Facilities Agency;
- (5) Changing its effective date to upon approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3103, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3103, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1277-20 Finance on S.B. No. 2523

The purpose of this measure is to amend reporting requirements for the Department of Public Safety regarding correctional facilities and community correctional centers. Specifically, this measure:

- (1) Authorizes the Director of Public Safety (Director) to withhold certain information regarding deaths at any correctional facility or community correctional center;
- (2) Requires the Director's report submitted to the Governor to include the decedent's name and a description of the circumstances and cause of death of the individual; and
- (3) Requires the Director to cite any state and federal laws prohibiting disclosure of any information withheld.

Prior to decision making on this measure, your Committee made available for public review a proposed H.D. 2, which amends this measure by removing its contents and inserting language to:

- (1) Require the Department of Public Safety to expend certain appropriated funds from the fiscal year 2020-2021 budget solely for the community-based work furlough program for female inmates; and
- (2) Make it effective retroactively to June 30, 2020.

Your Committee received testimony in support of the proposed H.D. 2 from the Department of Public Safety, Hawaii State Commission on the Status of Women, Hawaii Children's Action Network Speaks!, Hawaii Appleseed Center for Law and Economic Justice, YWCA Oahu, ACLU of Hawaii, Domestic Violence Action Center, and four individuals. Your Committee received comments on the proposed H.D. 2 from three individuals.

Your Committee has amended this measure by adopting the proposed H.D. 2.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2523, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2523, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1278-20 Finance on S.B. No. 2638

The purpose of this measure is to:

- (1) Establish a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:
 - (A) Establishing a petty misdemeanor offense of abuse of family or household members;
 - (B) Clarifying the penalties for violations; and
 - (C) Allowing a deferred acceptance of guilty plea for misdemeanor and petty misdemeanor abuse of family or household members offenses;
- (2) Make consistent the types of documents accepted as proof of domestic or sexual violence victim status; and
- (3) Require the Judiciary to submit annual reports on the number and outcome of abuse cases.

Your Committee received testimony in support of this measure from the Judiciary, AAUW of Hawaii, Planned Parenthood Votes Northwest and Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department. Your Committee received comments on this measure from the Department of the Attorney General, Domestic Violence Action Center, and one individual.

Your Committee has amended this measure by:

- (1) Allowing courts to impose a one-year probationary period for a petty misdemeanor of abuse of family or household members, to ensure that defendants placed on probation will have sufficient time to complete mandatory terms imposed by courts and that the probationary time is equal to that of defendants placed on a period of deferral; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2638, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2638, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Matayoshi).

SCRep. 1279-20 Finance on S.B. No. 2940

The purpose of this measure is to support redevelopment of the Stadium Development District by:

- (1) Establishing the Stadium Development Special Fund;
- (2) Establishing general development guidance policies governing the Stadium Authority's actions in the Stadium Development District;
- (3) Requiring the Stadium Authority to submit annual comprehensive status reports to the Legislature on the progress of development within the Stadium Development District;
- (4) Adding definitions of "district" and "stadium development district" to chapter 109, Hawaii Revised Statutes (HRS);
- (5) Expanding the Stadium Authority's powers and duties to include developing the stadium, stadium-related facilities, and real property held by the Stadium Authority, and acquiring and holding title to real property;
- (6) Authorizing the Stadium Authority to hire more than one deputy manager;
- (7) Exempting lands to which the Stadium Authority holds title from the definition of "public lands" and returning any excess land not used for the stadium to the public land trust administered by the Department of Land and Natural Resources;
- (8) Requiring the Stadium Authority to obtain legislative approval of the sale or gift of lands to which the Stadium Authority holds title;
- (9) Broadening the representation of the Stadium Authority by adding two members to consist of one resident each for the areas broadly encompassing: Aiea and Halawa; and Foster Village, Crosspointe, and Alii Plantation;
- (10) Transferring the authority to issue leases of lands within the Stadium Development District from the Hawaii Community Development Authority (HCDA) to the Stadium Authority;
- (11) Authorizing the Stadium Authority, with approval from the Governor, to delegate to other state agencies the implementation of capital improvement projects under certain conditions;
- (12) Repealing part IX of chapter 206E, HRS, relating to the Stadium Development District;
- (13) Transferring expending agency authority from HCDA to the Stadium Authority for the expenditure of general fund appropriations and revenue bond and general obligation bond proceeds provided in Act 268, Session Laws of Hawaii 2019; and
- (14) Appropriating general funds for fiscal year 2020-2021 for the Stadium Authority.

Your Committee received testimony in support of this measure from the Stadium Authority and Hawaii Community Development Authority. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Accounting and General Services; Office of Planning; and PVT Land Company, Ltd.

Your Committee has amended this measure by:

- (1) Allowing the deposit of proceeds from general obligation bonds and reimbursable general obligation bonds for the Stadium Authority into the Stadium Development Special Fund;
- (2) Specifying that Stadium Development Special Fund expenses are to be used for the development and operations of the stadium property related to repairs to the existing stadium and the development and operations of the stadium property, including contractual payments;
- (3) Specifying on-site repairs in the planning, design, and construction activities of the Stadium Authority;
- (4) Broadening the Stadium Authority's power and duties to include redeveloping the Stadium, including repairs;
- (5) Making the financial disclosures of members of the Stadium Authority public records pursuant to section 84-17(d), HRS;
- (6) Deleting the general fund appropriation for fiscal year 2020-2021 for the Stadium Authority;
- (7) Changing the effective date to upon approval; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2940, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2940, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1280-20 Finance on S.B. No. 2060

The purpose of this measure is to amend state coastal zone management laws to further protect the State's coastal areas and resources against the impacts of sea level rise and coastal erosion.

Your Committee received testimony in support of this measure from the Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Sierra Club of Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from the American Institute of Architects and Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the State Office of Planning.

Your Committee has amended this measure by:

- (1) Repealing the definition of "authority" from section 205A-22, Hawaii Revised Statutes (HRS), and adding the definition to section 205A-1, HRS, so that the definition applies to the entire chapter, rather than only part II of chapter 205A, HRS;
- (2) Adding a definition of "department" from part II of chapter 205A, HRS, to section 205A-41, HRS, in order to apply that same definition to part III of chapter 205A, HRS;

- (3) Making it effective upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2060, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2060, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

SCRep. 1281-20 Finance on S.B. No. 2794

The purpose of this measure is to:

- (1) Make various housekeeping amendments to clarify and improve the administration of elections by mail in Hawaii, including restoring the previous usage of precincts instead of districts, extending registration deadlines, and requiring additional voter service centers on election day;
- (2) Increases the fine applicable to people registering to vote who provide false information;
- (3) Prohibit agents of a candidate for any office listed on the ballot from providing voting assistance;
- (4) Allow the Elections Commission to refer a complaint to the Attorney General or a county prosecutor in addition to any administrative determination;
- (5) Repeal the requirement that the Elections Commission must believe that the respondent recklessly, knowingly, or intentionally committed a violation before the Commission may make the aforementioned referral to the Attorney General or county prosecutor;
- (6) Increase the disqualification period for a person convicted of certain criminal election offenses from holding elective public office from four years to ten years;
- (7) Repeal language exempting from criminal prosecution any person who has paid or agreed to pay fines related to report filing and advertisement violations before the commencement of criminal proceedings; and
- (8) Change the deadline to file nomination papers to the first Tuesday in May.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Community Alliance on Prisons, Americans for Democratic Action Hawaii, AARP Hawaii, Sierra Club of Hawaii, and nine individuals. Your Committee received comments on this measure from the Office of Elections, League of Women Voters of Hawaii County, Hawaii Health & Harm Reduction Center, Indivisible Hawaii, Common Cause Hawaii, Democratic Party of Hawaii-Hawaii County Committee, and eight individuals.

Your Committee has amended this measure by:

- (1) Changing the defined term "ballot marking device" to "ballot marking system" and amending the definition;
- (2) Clarifying the definition of "ballot" to include a ballot summary that is produced by a voter using a web-based ballot or similarly accessible ballot marking system;
- (3) Changing the effective date to January 1, 2021; provided that the complaint referral, disqualification period for criminal offenses, and criminal prosecution provisions shall remain effective upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2794, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2794, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 14. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 1-20 on S.B. No. 126

The purpose of this measure is to make an appropriation to the Office of the Governor.

Your Committee on Conference has amended this measure by:

- (1) Providing adjustments to the Supplemental Appropriations Act of 2020, the Judiciary Supplemental Appropriations Act of 2020, and the Supplemental Improvements Act of 2020;
- (2) Making changes to Senate Bill No. 75 S.D. 2, H.D. 1, and Senate Bill No. 3139 S.D. 1, H.D. 1, passed by the legislature on May 21, 2020;
- (3) Deploying the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, funds received by the State and transferred to the emergency and budget reserve fund;
- (4) Appropriating balances in the emergency and budget reserve fund to support critical needs and services during the coronavirus disease 2019, or COVID-19, pandemic; and
- (5) Providing the Governor with access to amounts in the Hawaii hurricane relief fund to support critical needs and services during the COVID-19 pandemic.

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. 126, 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. 126, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Cullen, and McDermott.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Senators Dela Cruz, Keith-Agaran, and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 2-20 on S.B. No. 785

The purpose and intent of this measure is to require the scope of collective bargaining negotiations to include benefits related to the Hawaii Employer-Union Health Benefits Trust Fund. The measure also allows employers and exclusive representatives to resolve disputes over health benefits and contribution amounts through binding arbitration.

Your Committee on Conference finds that appropriations are needed for public employers to comply with the terms of the agreement negotiated between public employers and collective bargaining units (2), (3), (4), (7), (8), (9), (13), and (14) and their excluded counterparts, including the cost of salary adjustments, for fiscal biennium 2019-2021.

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

- (1) Deleting its contents and replacing them with provisions to:
 - (A) Make appropriations for collective bargaining cost items for the members of collective bargaining units (2), (3), (4), (7), (8), (9), (13), and (14) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative, for fiscal biennium 2019-2021; and
 - (B) Appropriate moneys to meet collective bargaining requirements under emergency medical services contracts; and
- (2) Changing the effective date to take effect upon approval and to apply retroactively to June 30, 2020.

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. 785, 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. 785, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Luke, and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Senators Taniguchi, Dela Cruz, Keith-Agaran, and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 3-20 on H.B. No. 285

The purpose of this measure is to:

- (1) Require the chief of each county police department to disclose to the Legislature the identity of a police officer upon the suspension or discharge of the officer, beginning with the annual report due no later than January 31, 2021; and
- (2) Amend the Uniform Information Practices Act to allow for the disclosure of employment misconduct information that results in the suspension of a county police officer when the suspension occurs after March 1, 2020.

Your Committee on Conference finds that requiring disclosure of the identities of suspended or discharged county police officers to the Legislature will improve oversight of police departments in cases of severe misconduct. While existing law allows for disclosure of information on discharged county police officers, treating information requests for police officers similarly to other civil servants who are suspended or discharged is consistent and fair and furthers transparency in law enforcement. In addition, to be consistent with all requests for information under the Uniform Information Practices Act, your Committee

on Conference believes that a requestor should have the ability to request such information retroactively if the information is available and the request otherwise meets the requirements for disclosure under the Uniform Information Practices Act.

Your Committee on Conference further finds that requiring the Law Enforcement Standards Board to review and recommend statewide policies and procedures for law enforcement, including the use of force, will promote uniformity and public trust in this critical public service. Additionally, while the Law Enforcement Standards Board has the authority to certify law enforcement officers, it lacks the express authority to revoke certifications. Your Committee on Conference finds that authorizing the Board to revoke certifications when warranted provides a logical and necessary enforcement mechanism that complements the Board's powers to certify and investigate.

Your Committee on Conference has amended this measure by:

- (1) Removing the specific reference to the report due to the Legislature no later than January 31, 2021;
- (2) Removing the time limitation under the Uniform Information Practices Act for disclosure of information related to employment misconduct that results in a county police department officer's suspension;
- (3) Empowering the Law Enforcement Standards Board to establish uniform statewide standards for law enforcement, including the use of force;
- (4) Explicitly allowing the Law Enforcement Standards Board to revoke the certification of law enforcement officers for misconduct or failure to meet qualifying standards as warranted;
- (5) Allowing the Law Enforcement Standards Board until December 31, 2021, to finalize its standards and certification process;
- (6) Updating the purpose section;
- (7) Making this measure effective upon approval; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee on Conference notes that this measure, in conjunction with section 52D-3.5(a), Hawaii Revised Statutes, will require that the report due to the Legislature on January 31, 2021, include the identity of any police officer suspended or discharged during the period of January 1, 2020, through December 31, 2020.

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. 285, 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. 285, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Lee, and Thielen.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Senators K. Rhoads, Nishihara, Baker, and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, 1 (Fevella). Excused, none.