

CONFERENCE COMMITTEE REPORTS

Conf. Com. Rep. 1-22 on S.B. No. 2752

The purpose of this measure is to:

- (1) Establish an income tax credit for taxpayers who are required to seal abandoned wells;
- (2) Clarify the definition of the term "abandoned well";
- (3) Require abandoned well owners to seal the well at their expense; and
- (4) Appropriate funds for positions under the Commission on Water Resource Management.

Your Committee on Conference finds that wells in a state of disuse or disrepair can become conduits for contaminants to be introduced into ground water. Your Committee on Conference further finds that abandoned wells can also become receptacles for the disposal of waste, potentially resulting in additional contamination and associated risk to public health and the environment.

Your Committee on Conference has amended this measure by:

- (1) Deleting the creation of a new section in statute that establishes the abandoned well income tax credit;
- (2) Deleting the appropriation for positions within the Commission on Water Resource Management;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2752, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2752, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Kanuha, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Nakashima, Branco and McDermott.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 2-22 on S.B. No. 2163

The purpose of this measure is to elevate the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

Your Committee on Conference finds that existing penalties need to be addressed to deter drivers from repeatedly operating their vehicles under the influence of drugs and alcohol or at increased blood or breath alcohol levels. This measure will prevent traffic fatalities and save lives by elevating the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

Your Committee on Conference has amended this measure by increasing the lookback period for convictions for operating a vehicle under the influence from ten years within the instant offense to fifteen years within the instant offense.

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. 2163, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2163, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Nakashima, Matayoshi and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 3-22 on S.B. No. 204

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to use in-lieu fee mitigation to restore, create, enhance, preserve, or any combination thereof, aquatic habitats or resources as compensatory mitigation.

Your Committee on Conference finds that natural resource agencies prefer compensatory mitigation mechanisms such as in-lieu fee mitigation as in-lieu fee sponsors are often entities with more experience, scientific expertise, and a long-term interest in natural resource conservation. Providing the Department of Land and Natural Resources with an additional mechanism to improve stewardship of aquatic public trust habitats and resources, increased accountability for aquatic resource damage, and a higher quality of restitution for the damaged resource will improve aquatic resource management.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 204, 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. 204, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Rhoads, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Nakashima, Branco, LoPresti and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 2 (Nakashima, McDermott).

Conf. Com. Rep. 4-22 on S.B. No. 3077

The purpose of this measure is to:

- (1) Add and update definitions to satisfy current industry practice needs;
- (2) Align and remedy inconsistencies between statutory chapters on barbering and beauty culture;
- (3) Remove the five-year license requirement for barber and beauty operator board of barbering and cosmetology member seats; and
- (4) Raise fees for penalties and disciplinary actions and remove medical clearance requirements.

Your Committee on Conference finds that existing law contains various inconsistencies between the two separate statutory chapters that regulate barbering and cosmetology, which have created a number of undue complexities. This measure repeals chapters 438 and 439, Hawaii Revised Statutes, and creates a new chapter to align the regulatory structure for barbering and cosmetology, correct inconsistencies, and update certain provisions to address evolving industry concerns and needs.

Your Committee on Conference has amended this measure by:

- (1) Amending the definition of “beauty instructor”;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3077, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3077, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Chang, DeCoite and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Kitagawa, Matayoshi, Todd, LoPresti and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 5-22 on S.B. No. 2685

The purpose of this measure is to:

- (1) Establish requirements for cumulative voting and the removal of directors of planned community associations;
- (2) Exempt planned community associations from certain requirements regarding cumulative voting for and the removal of directors under the Hawaii Nonprofit Corporations Act; and
- (3) Require boards of directors of planned community associations, when planning to distribute proxies without the use of association funds, to post notices of their intent to distribute written notices for association meetings at least twenty-one days before distributing the written notices.

Your Committee on Conference finds that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act can be easily manipulated by planned community association boards of directors to prevent minority groups from attaining representation by simply omitting cumulative voting from the notice. This measure clarifies that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act do not apply to planned community associations governed by the State’s planned community association laws and establishes provisions specific to planned community associations.

Your Committee on Conference has amended this measure by making it effective January 1, 2023.

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. 2685, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2685, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Gabbard, Chang and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Kitagawa and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 6-22 on S.B. No. 2808

The purpose of this measure is to appropriate funds to the Hawaii Technology Development Corporation for the State Small Business Credit Initiative Program.

Your Committee on Conference finds that the State Small Business Credit Initiative Program is a program that will provide federal funds in three tranches over the next seven years for states to expand and develop certain programs to provide access to capital for small businesses. Your Committee on Conference further finds that this measure is essential for small businesses to not only recover from the economic effects of the coronavirus disease 2019 pandemic, but to grow and expand within the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$500,000; and
- (2) Making it effective on July 1, 2022.

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. 2808, 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. 2808, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Kanuha, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Quinlan, Holt, B. Kobayashi and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (B. Kobayashi).

Conf. Com. Rep. 7-22 on H.B. No. 2111

The purpose of this measure is to update and improve existing provisions in the Insurance Code and promote consumer protection by:

- (1) Adopting the revised National Association of Insurance Commissioners Suitability in Annuity Transactions Model Regulation to:
 - (A) Require producers to act in the best interest of the consumer when making a recommendation of an annuity; and
 - (B) Require insurers to establish and maintain a system to supervise recommendations;
- (2) Amending the Insurance Commissioner's authority to issue limited licenses to persons selling travel insurance to be inclusive of other general travel insurance products;
- (3) Removing references to outdated and obsolete limited lines product offerings; and
- (4) Amending the regulation of third party administrators by:
 - (A) Excluding dental insurers and dental service corporations; and
 - (B) Requiring third party administrators to include renewal certificates for surety bonds and audited financial statements in their annual reports.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date for the provisions adopting the revised National Association of Insurance Commissioners Suitability in Annuity Transactions Model Regulation to January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2111, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2111, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Chang, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

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

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 8-22 on H.B. No. 2272

The purpose of this measure is to:

- (1) Specify that a condominium declaration may be amended at any time by the vote or written consent of unit owners representing at least sixty-seven percent of the common interest;
- (2) Require the developer's public report to include annual reserve contributions based on a reserve study as part of the breakdown of the annual maintenance fees;
- (3) Clarify time and date requirements for petitions to amend bylaws and calls for special meetings; time frame for approval of minutes; and board meeting participation;
- (4) Clarify the conditions for use of electronic voting devices;
- (5) Specify that the use of electronic meetings and electronic, machine, or mail voting are to be at the sole discretion of the board of directors and expand the circumstances under which such use is authorized;
- (6) Specify that a board of directors may make rules for owner participation at board meetings available on the association's website;
- (7) Require that the reserve study be performed by an independent, certified reserve study preparer who shall not be affiliated with the managing agent of the association and require that the reserve study be prepared or updated at least every three years; and
- (8) Specify that an association's cash flow plan be based on thirty-year projections.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the declaration may be amended by at least sixty-seven percent of unit owners, unless the declaration is amended by the unit owners to require a higher percentage;
- (2) Specifying that the reserve study must be reviewed by an independent reserve study preparer and reviewed or updated at least every 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 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. 2272, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2272, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Riviere, San Buenaventura and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Kitagawa and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 9-22 on H.B. No. 137

The purpose of this measure is to:

- (1) Remove the authority of county liquor commissions to investigate violations of the liquor tax law and require that such violations be referred to the Director of Taxation for investigation;
- (2) Require applications for liquor licenses to be notarized, rather than verified by oath; and
- (3) Repeal the requirement that investigative reports to the county liquor commissions include whether an applicant is a fit and proper person for licensure and any and all matters that are relevant to the application or license in the judgment of the investigator.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 137, 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. 137, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Rhoads, Keith-Agaran and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Kitagawa, Todd, B. Kobayashi, Morikawa and Matsumoto.

Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 10-22 on H.B. No. 2307

The purpose of this measure is to ensure the continued viability of the State's sea salt manufacturing industry by appropriating funds to provide education and support to businesses in the State regarding the United States Food and Drug Administration's industry guidance on colored sea salt.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000 to provide education and support to businesses in the State regarding federal industry guidance on colored sea salt; and
- (2) Changing its effective date to July 1, 2022.

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. 2307, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2307, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Kanuha, Wakai and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Perruso, Matayoshi and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 11-22 on H.B. No. 1768

The purpose of this measure is to:

- (1) Exempt the instream use of water for traditional and customary kalo cultivation practices from the existing process for disposition of water rights;
- (2) Clarify that the powers and duties of the Commission on Water Resource Management to determine appurtenant water rights include the specification of the water course or the means of access and delivery entitled to by that right;
- (3) Clarify that nothing in chapter 174C, part IV, Hawaii Revised Statutes, relating to the regulation of water use, shall be construed to deny the exercise of an appurtenant right, including access by the holder to conduct activities necessary to assure the use, delivery, and quality of water, that shall not be unreasonably withheld; and
- (4) Clarify that the appurtenant water rights of kuleana and taro lands include access by the holder to conduct activities necessary to assure the use, delivery, and quality of water, that shall not be unreasonably withheld.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1768, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1768, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Gabbard, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 3; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Gabbard).

Representatives Hashem, Tarnas, Nakashima, Branco, Perruso and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 12-22 on H.B. No. 2280

The purpose of this measure is to prohibit planned community associations from prohibiting or unreasonably restricting the use of a unit owner's enclosed yard area for personal agriculture; provided the use is not in violation of the planned community association's existing master landscape plan or other restrictive covenants applicable to the unit.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2280, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2280, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Baker, Nishihara and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Nishihara).

Representatives Hashem, Johanson, Perruso and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 13-22 on H.B. No. 2169

The purpose of this measure is to:

- (1) Clarify that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in obtaining civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than issue civil identification cards; and
- (2) Require that any form the Department of Public Safety provides in connection with this assistance be in the inmate's primary language.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2022.

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. 2169, 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. 2169, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, Matayoshi, Ganaden, B. Kobayashi and McDermott.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 14-22 on H.B. No. 2312

The purpose of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission within the Judiciary to ensure implementation of the recommendations from the Final Report of the House Concurrent Resolution No. 85 (2016) Task Force on Prison Reform, to develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system;
- (2) Require the Women's Corrections Implementation Commission to review existing local resources and programs focused on women in the justice system for their effectiveness and capacity for expansion; and
- (3) Require the Women's Corrections Implementation Commission to consider model programs including residential, in-person and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$10,000; and
- (2) Changing the effective date to July 1, 2022.

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. 2312, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2312, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Rhoads, Shimabukuro, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 2 (Rhoads, Fevella).

Representatives Ohno, Ichiyama, B. Kobayashi, Ganaden, Morikawa and McDermott.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 15-22 on H.B. No. 1787

The purpose of this measure is to:

- (1) Establish "employment first" as a policy of the State and counties;
- (2) Define "employment first" as the competitive employment and full inclusion of persons with a disability in an integrated setting as a first and preferred option for employment services;
- (3) Require state and county agencies to implement this policy in hiring practices and all programs and services administered or funded by the State or counties; and
- (4) Require the Department of Human Services to apply employment first principles to Medicaid home and community-based services programs.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2022; provided that the requirement that the Department of Human Services apply employment first principles to Medicaid home and community-based services programs shall not take effect until June 30, 2023.

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. 1787, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1787, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Ihara, Taniguchi, Acasio, Keith-Agaran and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Nakashima, Sayama, Belatti, LoPresti and Okimoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 16-22 on H.B. No. 1436

The purpose of this measure is to allow the counties to transfer development rights within a comprehensive planning program to protect from development lands at risk from sea level rise, coastal erosion, storm surge, or flooding associated with climate change.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1436, 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. 1436, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Moriwaki, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Kitagawa, Branco, B. Kobayashi, Kong and McDermott.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 2 (Kitagawa, McDermott).

Conf. Com. Rep. 17-22 on H.B. No. 1872

The purpose of this measure is to require:

- (1) The Department of Land and Natural Resources to recognize that:
 - (A) Game mammals and game birds provide a sustainable food source that merits appropriate resource management to support viable populations sufficient for hunting;
 - (B) Proper management of game populations in appropriate areas minimizes their impacts and provides important benefits; and
 - (C) 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; and
- (2) 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.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1872, 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. 1872, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Gabbard, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Branco, B. Kobayashi, Kong and McDermott.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 18-22 on H.B. No. 956

The purpose of this measure is to:

- (1) Establish a Statewide Interoperable Communications Executive Committee and Subcommittee for public safety communications; and
- (2) Establish the Statewide Interoperable Communications Coordinator.

Your Committee has amended this measure by:

- (1) Clarifying that the Statewide Interoperable Communications Coordinator shall coordinate governing body activities to maximize integration and collaboration across the emergency communications landscape;
- (2) Changing the effective date to January 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 956, 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. 956, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Moriwaki, Kanuha, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Eli, Takayama, Perruso, Clark, Costales, Ichiyama and Ward.

Managers on the part of the House.

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

Conf. Com. Rep. 19-22 on H.B. No. 1588

The purpose of this measure is to:

- (1) Establish the Resilient Hawaii Revolving Loan Fund to make low- or no-interest loans to local governments and nonprofit organizations to conduct hazard mitigation and resiliency projects, using funds anticipated to be available under the federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act; and
- (2) Appropriate funds to administer the Resilient Hawaii Revolving Loan Fund and for positions to administer the Resilient Hawaii Revolving Loan Fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 into and out of the Resilient Hawaii Revolving Loan Fund;
- (2) Changing the effective date to July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1588, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1588, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Eli, Perruso, Costales, Ichiyama, Mizuno and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, 1 (Mizuno).

Conf. Com. Rep. 20-22 on H.B. No. 1412

The purpose of this measure is to require:

- (1) The counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment; and
- (2) That, before a vehicle can be classified as being abandoned, notice be provided that the vehicle must be moved the specified distance within the specified timeframe or be subject to removal.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1412, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1412, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Moriwaki, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Moriwaki).

Representatives Aquino, Kitagawa, Ilagan, Nishimoto and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Nishimoto).

Conf. Com. Rep. 21-22 on H.B. No. 1413

The purpose of this measure is to:

- (1) Allow the Director of Finance of a county to require payment of outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle within the county by the registered owner of the abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and
- (2) Require the Director of Finance of a county to notify the appropriate county examiner of drivers of individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1413, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1413, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Moriwaki, Acasio, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Representatives Aquino, Kitagawa, Ilagan, Clark and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 22-22 on H.B. No. 1414

The purpose of this measure is to hold a person who is the registered owner of a vehicle that was deemed abandoned or derelict liable and subject to a tiered fine system.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2022.

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. 1414, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1414, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Acasio, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Aquino, Nakashima, Ilagan, Clark and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 23-22 on H.B. No. 1688

The purpose of this measure is to:

- (1) Subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles;
- (2) Amend the maximum amount that a county may charge for an additional motor vehicle registration fee; and
- (3) Authorize the counties to use certain motor vehicle registration fees to mitigate and address the impacts of tourism-related traffic congestion.

Your Committee on Conference has amended this measure by:

- (1) Restoring language that authorized each county, by ordinance, to increase the additional motor vehicle registration fee to a maximum of \$10; and
- (2) Changing the effective date to January 1, 2023.

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. 1688, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1688, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Moriwaki, Wakai and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Aquino, Kitagawa, Ilagan, Clark and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 24-22 on H.B. No. 2416

The purpose of this measure is to inform the public of the sources of campaign spending contributions by:

- (1) Permitting 501(c)(4) nonprofit organizations to use donations for electioneering communications, independent expenditures, or contributions only upon receipt of written consent from the donor to use such donations for these purposes and requiring nonprofit organizations to provide certain written notice to donors;
- (2) Requiring 501(c)(4) nonprofit organizations to disclose the name and address of each donor who donates an aggregate of more than \$10,000, with certain exceptions; and
- (3) Specifying that the disclosure date of an electioneering communication and only subsequent electioneering communications is the first date the original or subsequent electioneering communication is made.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the consent, notice, disclosure, and reporting requirement under this measure are applicable to 501(c)(4) nonprofit organizations that are subject to Chapter 11, Hawaii Revised Statutes, relating to elections, and are operating as noncandidate committees;
- (2) Exempting election advertisements published by electronic means and candidate debates or forums made by or on behalf of an organization sponsoring the debate or forum from being considered electioneering communications;
- (3) Requiring the disclosure by 501(c)(4) nonprofit organizations of the name and address of each donor making a donation individually or aggregating more than \$10,000;
- (4) Requiring disclosure of an electioneering communication and subsequent electioneering communication on the first date the electioneering communication or subsequent electioneering communication is publicly distributed, rather than on the first date these electioneering communications are made;
- (5) Clarifying that the disclosure date for mailers means the date the mailers are first mailed;
- (6) Changing the effective date to January 1, 2023; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2416, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2416, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Matayoshi, Kitagawa, Nakashima and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Nakashima).

Conf. Com. Rep. 25-22 on H.B. No. 1475

The purpose of this measure is to require:

- (1) Legislators and certain state employees whose financial disclosure statements are public record to complete a live ethics training course administered by the State Ethics Commission within ninety days of taking office and at least once every four years thereafter;
- (2) All other state employees to complete either a live or an online ethics training course administered by the State Ethics Commission within ninety days of the start of employment and at least once every four years thereafter; and
- (3) Existing state legislators and employees who have not received ethics training within the immediately preceding three years of the effective date of this measure to complete a live or an online ethics training course within twelve months of this measure's effective date and at least once every four years thereafter.

Your Committee on Conference finds that, in light of the COVID-19 pandemic, there should be flexibility given to the State Ethics Commission to do virtual ethics training with a virtual video platform of the Commission's choice. Furthermore, ethics training done in this manner should be considered to fulfill the live ethics training course requirements provided in this measure. Your Committee on Conference notes the concerns of the public that a penalty for state employees who choose not to complete the required ethics training should be included in this measure. However, your Committee on Conference also notes that the State Ethics Commission already has powers to address instances of blatant noncompliance and as such feel there is no need to include any remediation of actions within this measure.

Your Committee on Conference has amended this measure by:

- (1) Allowing the implementation of the online ethics training course to include previously recorded ethics training courses originally conducted either in person or via videoconference and any other prerecorded material authorized by the State Ethics Commission;

- (2) Requiring state agencies to assist the State Ethics Commission by providing technical support as needed for the ethics training courses;
- (3) Changing the effective date to January 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1475, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1475, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives McKelvey, Nakashima, Costales, Mizuno and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 26-22 on S.B. No. 2457

The purpose of this measure is to appropriate funds to the Department of Labor and Industrial Relations' Office of Community Services to restore funding for Immigrant Resource Centers for the purpose of providing staff and resources to assist immigrant and refugee populations throughout the State; provided that the Office includes an outreach component in the services it provides.

Your Committee on Conference finds that despite being vital members of the community and workforce in Hawaii, many immigrants face barriers to success, including discrimination, cultural misunderstanding, and language access to government information and services. Your Committee on Conference also finds that from fiscal years 2014 through 2017, the Office of Community Services maintained Immigrant Resource Centers in all four counties to provide low-income immigrants with the needed support services; however, the centers are no longer operating due to the lack of funding. This measure will restore funds for the Immigrant Resource Centers to provide the immigrant and refugee populations the necessary support to transition into life in Hawaii and increase opportunities to make civic and economic contributions to the community.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2457, 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. 2457, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Taniguchi, Shimabukuro, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama, Aquino and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 27-22 on S.B. No. 152

The purpose of this measure is to:

- (1) Amend requirements for the restraint of child passengers;
- (2) Require a rear-facing child passenger restraint system with a harness for children under two years of age;
- (3) Repeal exceptions for compliance; and
- (4) Raise certain fines for violations.

Your Committee on Conference finds that child safety requirements in motor vehicles need to be improved. Your Committee on Conference further finds that some exceptions for safety compliance should be repealed, and that fines for violations should be increased to encourage compliance with legal requirements.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 152, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 152, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Gabbard, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Aquino, Ilagan, Clark, Takumi and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Takumi).

Conf. Com. Rep. 28-22 on S.B. No. 2118

The purpose of this measure is to require the driver of a moped to be in immediate possession of a valid driver's license or instruction permit at all times.

Your Committee on Conference finds that existing law governing moped licenses can create confusion and difficulty in law enforcement. The statutes require a moped operator to have a license but do not specify that this license must be on the operator's person when operating a moped. This measure clarifies that when operating a moped, the driver must have their moped license on their person.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2118, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2118, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Rhoads, Inouye and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Aquino, Matayoshi, Clark, Ilagan, D. Kobayashi and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 29-22 on S.B. No. 2059

The purpose of this measure is to designate the 'ōhi'a lehua as the state endemic tree.

Your Committee on Conference finds that the 'ōhi'a lehua is an endemic plant species found only in the Hawaiian Islands that has unique cultural, ecological, and economic value to the people of Hawaii. Your Committee on Conference also finds that the existence of the 'ōhi'a lehua is currently under threat, including from diseases such as a fungal pathogen known as rapid 'ōhi'a death. Your Committee on Conference believes that this measure will not only allow the people of Hawaii to recognize the 'ōhi'a lehua's cultural and ecological importance to the State, but also raise awareness of the critical threats the endemic plant species is currently facing and prompt effective conservation and expansion of its habitat in the State.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2022.

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. 2059, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2059, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Keohokalole and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Gates, Nakashima, Kapela and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 30-22 on S.B. No. 2202

The purpose of this measure is to designate the month of April of each year as Volunteer Month in Hawaii.

Your Committee on Conference finds that volunteers play a critical and irreplaceable role in providing essential support to the community. Your Committee on Conference also finds that, on a national level, April has long been dedicated to the recognition of the services volunteers provide in their communities. By designating the month of April of each year as the State's Volunteer Month, this measure honors the good deeds performed by volunteers in the community and encourages participation in service projects throughout the month.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2022.

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. 2202, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2202, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Ihara and Fevella.

Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Ihara).

Representatives Gates, Nakashima, Har and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 31-22 on S.B. No. 2960

The purpose of this measure is to:

- (1) Require the Department of Agriculture to partner with Hawaii's agricultural community to establish and implement a food safety certification training program to help small- to medium-sized farms comply with federal food safety certification mandates; and
- (2) Appropriate funds.

Your Committee on Conference finds that compliance with federal food safety requirements can be challenging for Hawaii's small farms due to a lack of resources and knowledge of food safety requirements. Additional education and support for Hawaii's small farmers are necessary to ensure the continued productivity and viability of the State's agricultural industry. Accordingly, this measure requires the Department of Agriculture to partner with Hawaii's agricultural community to implement a food safety certification training program for small- and medium-sized farms.

Your Committee on Conference has amended this measure by inserting an appropriation amount of \$265,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2960, 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. 2960, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Shimabukuro, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Hashem, Quinlan, Perruso, Matayoshi and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 32-22 on S.B. No. 2990

The purpose of this measure is to:

- (1) Establish a cover crop reimbursement pilot program to provide up to seventy-five percent cost reimbursement to farming operations in the State for the acquisition of cover crop seeds, green manure, or compost;
- (2) Require the convening of a review panel to screen and rate applicants on the quality of their cover crop, green manure, and composting practices;
- (3) Establish a cover crop reimbursement pilot program manager position within the department of agriculture to administer the program;
- (4) Require reports to the legislature; and
- (5) Appropriate funds.

Your Committee on Conference finds that the use of cover crops significantly increases agricultural productivity, which is essential to the State's food security and self-sufficiency goals. A cover crop program would incentivize beneficial and sustainable use of cover crops by agricultural producers in the State. Accordingly, this measure establishes and funds a cover crop pilot program to be administered by the Department of Agriculture.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000;
- (2) Deleting the proviso limiting expenses allowed for administrative costs; and
- (3) Inserting an effective date of July 1, 2022.

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. 2990, 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. 2990, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Shimabukuro, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Hashem, Perruso and Matsumoto.
Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 33-22 on S.B. No. 339

The purpose of this measure is to extend the period during which the important agricultural land qualified agricultural cost tax credit is available.

Your Committee on Conference finds that the important agricultural land qualified tax credit is crucial to the State's food security and self-sufficiency objectives. However, the Department of Agriculture is not able to certify tax credits for taxable years beginning after December 31, 2021. This measure extends the period during which the important agricultural land qualified tax credit is available until December 31, 2030.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2022.

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. 339, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 339, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Shimabukuro and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Hashem, Perruso, Morikawa and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 34-22 on S.B. No. 1411

The purpose of this measure is to:

- (1) Define "pre-contact historic property";
- (2) Clarify that the Historic Preservation Program includes providing consultation to counties and public and private agencies involved in historic presentation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board;
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements; and
- (5) Hold violators liable for costs associated with mitigation or preservation measures.

Your Committee on Conference finds that the State continues to strike a balance between the preservation and existence of Native Hawaiian traditional and cultural practices amidst construction, development, and modernization. Clarifying the responsibilities of several key programs and organizations, including the Hawaii Preservation Program, Hawaii Historic Places Review Board, and the community at-large, will continue to ensure the preservation and protection of Native Hawaiian culture and traditions.

Your Committee on Conference has amended this measure by:

- (1) Deleting the proposed definition of "pre-contact historic property";
- (2) Deleting the requirement that the comprehensive historic preservation program develop, publish, and distribute certain informational materials;
- (3) Deleting changes to the review board membership and duties;
- (4) Deleting language that would have imposed a fine of no more than \$30,000 on a violator who directly or indirectly causes damage to any pre-contact historic property as determined by the Department of Land and Natural Resources in consultation with the Office of Hawaiian Affairs;
- (5) Requiring any landowner or developer responsible for projects where a violation is found to execute any mitigation and preservation measures as ordered by the Department of Land and Natural Resources and be jointly and severally liable for associated costs;
- (6) Making it effective upon its approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1411, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1411, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Acasio, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Lowen, Branco and McDermott.

Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 35-22 on S.B. No. 2767

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the deployment, replacement, and maintenance of fish aggregation devices.

Your Committee on Conference finds that the State's system of fish aggregation devices, or FADs, maintained by the Hawaii Institute of Marine Biology provides enhanced fishing opportunities for island fishers. Maintenance of the FAD program is labor-intensive as the devices are prone to breaking off and frequently need to be replaced or recovered and re-deployed, resulting in less fish for personal or community consumption and increased operational costs. Sufficient and timely upkeep and replacement of FADs may minimize the length of time off-station and the resulting lost fishing opportunities.

Your Committee on Conference has amended this measure by inserting an appropriation of \$350,000 to support the Fish Aggregation Device Program.

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. 2767, 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. 2767, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Taniguchi, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Branco and McDermott.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 36-22 on S.B. No. 3329

The purpose of this measure is to repeal chapter 634F, Hawaii Revised Statutes, the Citizen Participation in Government Act, and enact the Hawaii Public Expression Protection Act in its place

Your Committee on Conference finds that the enactment in 2002 of Hawaii's Citizen Participation in Government Act was intended to promote the rights of citizens to participate in government and to protect citizens from the chilling effect of retributive strategic lawsuits against public participation, or SLAPP suits. Your Committee on Conference further finds that, due to narrow and confusing provisions under the Act, courts often decline to apply its procedural protections. Your Committee on Conference additionally finds that this measure modernizes the State's anti-SLAPP laws by adopting the Uniform Public Expression Protection Act, which establishes procedural protections for all parties and clearer instructions for courts to fairly and expeditiously dispose of SLAPP claims.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3329, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3329, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives McKelvey, Nakashima, Wildberger, Matayoshi and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 37-22 on S.B. No. 1211

The purpose of this measure is to repeal the exemption for certain vehicles used by farmers from the motor carrier safety law.

Your Committee on Conference finds that section 286-208, Hawaii Revised Statutes, is superseded by new federal regulations and is thus outdated. This measure repeals the outdated statute as its existence could disqualify the State from receiving certain federal funding.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1211, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1211, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Rhoads and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Kitagawa, Nakashima, LoPresti and Matsumoto.

Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 38-22 on S.B. No. 3335

The purpose of this measure is to appropriate funds to support the operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee on Conference finds that the Hawaii Wing of the Civil Air Patrol provides invaluable assistance in emergency and disaster response efforts in the State. This measure will ensure the safety of the State's visitors and residents by appropriating funds for operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$150,000 to fund the operational expenses of the Hawaii Wing of the Civil Air Patrol; and
- (2) Changing the effective date to July 1, 2022.

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. 3335, 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. 3335, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Keith-Agaran and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Ichiyama, Eli and Ward.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 39-22 on S.B. No. 3140

The purpose of this measure is to:

- (1) Require the holder of a controlled substances registration to immediately and verbally report to the Administrator of the Narcotics Enforcement Division of the Department of Public Safety any suspected theft, embezzlement, fraud, or diversion of a controlled substance in the holder's inventory, and to subsequently submit a written report; and
- (2) Establish a misdemeanor penalty for a person who knowingly prevents another from reporting any suspected theft, embezzlement, fraud, or diversion, or who knowingly fails to provide required information to the Administrator.

Your Committee on Conference finds that the theft, embezzlement, fraud, and diversion of controlled substances threaten public health and safety and suspected incidents of such are often not being reported in a timely matter to the Department of Public Safety for various reasons, making it substantially more difficult for the Department of Public Safety to enforce the Uniform Controlled Substances Act. This measure will assist the Department of Public Safety in enforcing the Uniform Controlled Substances Act.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3140, 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. 3140, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Kitagawa, Matayoshi, Mizuno and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Mizuno).

Conf. Com. Rep. 40-22 on S.B. No. 3141

The purpose of this measure is to update the Uniform Controlled Substances Act to make it consistent with the federal Controlled Substances Act.

Your Committee on Conference finds that existing law requires that if a substance is added, deleted, or rescheduled by an emergency scheduling action taken by the Department of Public Safety, or under federal law, then the Department is required to recommend that the Legislature make corresponding changes to state law. Your Committee on Conference further finds that if the Legislature does not make the Department of Public Safety's temporary designation of new controlled substances permanent, the Department's temporary designations will be nullified. This measure eliminates the differences between federal and state law and avoids nullification of controlled substances that were temporarily designated in 2021.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3141, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3141, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Kitagawa, Matayoshi, Har and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 41-22 on S.B. No. 3085

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces while not in federal service; and
- (2) Repeal the existing Hawaii Code of Military Justice.

Your Committee on Conference finds that the existing Hawaii Code of Military Justice fails to provide for effective and efficient good order and discipline in the state military forces because it lacks the necessary disciplinary options. This measure will address those issues, further develop confidence in an independent military justice system, and bring the military justice process in line with the Uniform Code of Military Justice by repealing the existing Hawaii Code of Military Justice and replacing it with a new chapter that sets forth military judicial procedures, which apply to all members of the State's military forces while not in federal service.

Your Committee on Conference has amended this measure by changing the effective date to January 1, 2023.

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. 3085, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3085, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Rhoads and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, Matayoshi, B. Kobayashi, Ganaden, Morikawa and McDermott.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 42-22 on S.B. No. 3165

The purpose of this measure is to:

- (1) Amend the driver's license revocation period for first-time offenders convicted of operating a vehicle under the influence of an intoxicant and persons who do not install an ignition interlock device;
- (2) Allow for the early termination of a driver's license revocation;
- (3) Require any person operating a vehicle with an ignition interlock device to have government-issued identification in their immediate possession;
- (4) Amend the lookback period and sentencing requirements for violations of operating a vehicle after license and privilege have been suspended or revoked; and
- (5) Amend the offense of circumventing or tampering with an ignition interlock device to include obscuring the camera lens or failing to provide a picture of the driver, and extend the lookback period.

Your Committee on Conference finds that operating a vehicle while under the influence of alcohol and drugs continues to be a serious problem on Hawaii's roads. An ignition interlock device is an effective tool to prevent a person under the influence of alcohol from driving. This measure helps strengthen the State's ignition interlock device laws.

Your Committee on Conference has amended this measure by changing its effective date to January 1, 2023.

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. 3165, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3165, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Riviere, Rhoads and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Nakashima, Matayoshi and Ward.

Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 43-22 on S.B. No. 2091

The purpose of this measure is to establish a comprehensive application process for executive pardons.

Your Committee on Conference finds that county prosecutors and crime victims in the State do not receive advance notice of applications for executive pardons, creating a situation where neither prosecutors nor the victims are able to provide any input for the Governor's consideration, as they do for furlough and parole prior to an offender's conviction or sentencing. This measure will allow the Governor to make more informed decisions by establishing a consistent and reliable means for prosecutors and victims to be able to provide input on all applications for pardon.

Your Committee on Conference has amended this measure by:

- (1) Inserting language requiring the Hawaii Paroling Authority to transmit application information to the prosecuting attorney within forty-five days from receiving the application for pardon; and
- (2) Changing the effective date to January 1, 2023.

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. 2091, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2091, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keohokalole and Fevella.
Managers on the part of the Senate.
Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Representatives Ohno, Matayoshi, Ganaden and McDermott.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 44-22 on S.B. No. 3041

The purpose of this measure is to appropriate funds for the payment of claims against the State, its officers, or its employees.

Your Committee on Conference finds that the timely passage of this measure will minimize the State's obligation to pay interest on those claim amounts.

Your Committee on Conference takes note of the six claims settled against the Department of Public Safety for a total of \$6,365,540.00. These claims resulted from egregious incidents that the State should ensure are not repeated. Your Committee expects the Department of the Attorney General to provide thorough corrective guidance and oversight to the Department of Public Safety to eliminate or mitigate the factors that contributed to the State's negligence.

Your Committee on Conference has amended this measure by:

- (1) Including various general fund appropriations to the Department of the Attorney General for the purpose of satisfying claims for legislative relief;
- (2) Increasing the total general fund appropriation from \$1,779,889.75 to \$335,577,607.93 to settle eleven additional claims totaling \$333,797,718.18, as follows:
 - (A) \$47,718.18 for six miscellaneous claims;
 - (B) \$225,000.00 to fund the settlement of Gallagher v. Lanihuli Community Development Corporation;
 - (C) \$4,000,000.00 to fund the settlement of Mueller v. Department of Public Safety;
 - (D) \$1,375,000.00 to satisfy the judgment in O'Malley v. State of Hawaii;
 - (E) \$150,000.00 to satisfy the judgment in Roe v. State of Hawaii; and
 - (F) \$328,000,000.00 to fund the settlement of Kalima v. State of Hawaii;
- (3) Appropriating \$138,000.00 from the state highway fund to settle one additional claim by Markel American Insurance Company (Maui Oil Company);
- (4) Clarifying that the claims against the Agribusiness Development Corporation, Department of Land and Natural Resources, Department of Public Safety, and Hawaii State Public Charter School Commission shall be paid from general funds;
- (5) Making the measure effective upon its approval; and
- (6) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3041, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3041, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keith-Agaran, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Nakashima, Luke, Matayoshi and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 45-22 on S.B. No. 3298

The purpose of this measure is to:

- (1) Establish a working group to determine potential locations and requirements for a shooting facility on the island of Hawaii; and
- (2) Appropriate funds to establish a shooting facility in the County of Hawaii; provided that the County of Hawaii provides matching funds on a dollar-to-dollar basis.

Your Committee on Conference finds that the establishment of a multi-use public shooting range on the island of Hawaii is necessary to provide a safe and organized facility to allow law enforcement agencies and the public to train and maintain their firearms skills. This measure will lay the foundation to provide a safe training area for the residents of the County of Hawaii by establishing a working group to determine potential locations and requirements for a shooting facility on the island of Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have appropriated funds to establish the shooting facility in the County of Hawaii;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3298, 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. 3298, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Inouye, Kanuha, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Branco and McDermott.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 46-22 on S.B. No. 665

The purpose of this measure is to:

- (1) Make intentionally providing false information concerning the name or address of a person paying for a campaign advertisement a class C felony;
- (2) Authorize criminal prosecution for campaign finance law violations in addition to administrative fines;
- (3) Increase the period during which a person convicted for a criminal violation of campaign finance law is disqualified from holding elective office; and
- (4) Authorize the Attorney General or Prosecuting Attorney to commence prosecution of campaign finance law violations.

Your Committee on Conference finds that campaign advertisements that contain false information regarding who is paying for the advertisement impairs public transparency in the electoral process. This measure promotes greater accountability within the election system by increasing the penalties for, and removing barriers to criminal prosecution of campaign finance law violations.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 665, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 665, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Matayoshi, Wildberger and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 47-22 on S.B. No. 2017

The purpose of this measure is to repeal existing law that limits licensure as an Emergency Medical Technician 1 to individuals whose practice is performed in a county with a population of five hundred thousand or greater.

Your Committee on Conference finds that Act 119, Session Laws of Hawaii 2021, limited the new licensure category for emergency medical technicians who only have a National Registry Emergency Medical Technician certification to individuals practicing in counties with a population of five hundred thousand or greater, which excluded persons who meet the criteria for licensure in non-qualifying counties. This measure will eliminate the geographic restriction and expand licensure to all National Registry of Emergency Medical Technicians throughout the State.

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

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

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Keohokalole, Baker, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Yamane, Kitagawa, Tam and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 48-22 on S.B. No. 3089

The purpose of this measure is to:

- (1) Clarify that powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Provide parameters for the duration of the suspension of laws and require justification for the suspension;
- (3) Authorize the Governor to require counties to obtain the approval of the Governor or Director of the Hawaii Emergency Management Agency before issuing any emergency order, rule, or proclamation;
- (4) Clarify the legal framework governing the extension and termination of emergency periods;
- (5) Authorize the Legislature and county councils to terminate, in part or in whole, a state of emergency or local state of emergency, as applicable, by an affirmative two-thirds vote;
- (6) Clarify that the Governor and mayors may re-declare a state of emergency or local state of emergency, as applicable, that has been terminated; and
- (7) Specify when certain prohibitions during an emergency or severe warning expire.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic has highlighted the importance of clear legal frameworks for state emergency management to ensure that the State is ready for any type of emergency. This measure will protect the health, safety, and welfare of residents by clarifying state emergency management authority, ensuring effective and adaptable emergency responses, and furthering the goals of transparency and democratic accountability inherent within the Hawaii State Constitution.

Your Committee on Conference has amended this measure by:

- (1) Inserting language making public records generated during or containing information from the time of the suspension subject to disclosure requests made after the suspension has terminated;
- (2) Removing language that would have allowed the county councils to terminate a local state of emergency;
- (3) Removing language that would have allowed a mayor to redeclare a local state of emergency that has been terminated;
- (4) Clarifying that if certain prohibitions during a severe warning are continued then the types of commodities affected must be identified in the proclamation or any supplementary proclamation;
- (5) Changing the effective date to upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3089, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3089, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Ichiyama, Matayoshi, Eli and Ward.

Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 49-22 on S.B. No. 2869

The purpose of this measure is to allow a spouse or former spouse to enforce an order for spousal support or maintenance under the State's attachment and execution, garnishment, or garnishment of government benefits laws, rather than through an assignment made to the clerk of the family court on income due or future income.

Your Committee on Conference finds that currently spousal support orders are enforced by the clerk of the court and the Child Support Enforcement Agency in cases where there is an order for both spousal and child support, resulting in a process that is often complicated and slow. This measure will make it faster and easier for an obligee to receive spousal support by allowing an obligee to elect to enforce an order for spousal support by garnishment through the obligor's employer, rather than through the clerk of the court.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2869, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2869, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Kim).

Representatives Yamane, Ichiyama, Tam and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 50-22 on H.B. No. 1991

The purpose of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported as stolen and listed on a publicly available online stolen bicycle database;
- (2) Require the police department or other designated agency in counties with a population of five hundred thousand or more to establish the publicly available online stolen bicycle database; and
- (3) Update the recordkeeping and retention requirements for businesses that buy previously owned articles.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1991, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1991, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Baker, Gabbard and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Gabbard).

Representatives Nakashima, Kitagawa, Marten and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 51-22 on H.B. No. 2197

The purpose of this measure is to amend:

- (1) The requisite state of mind for promoting gambling in the first and second degree to recklessness and negligence, respectively;
- (2) The offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively; and
- (3) The definition of "advance gambling activity" to repeal playing or participating in any form of gambling activity.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made the offense of promoting gambling in the second degree subject to repeat offender sentencing provisions;
- (2) Amending the offense of gambling to repeal advancing any gambling activity;
- (3) Excluding the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea; and

- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2197, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2197, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Matayoshi, Kitagawa and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 52-22 on H.B. No. 1567

The purpose of this measure is to:

- (1) Eliminate the use of monetary bail and require defendants to be released on their own recognizance for traffic offenses, violations, nonviolent petty misdemeanor offenses, nonviolent misdemeanor offenses, or nonviolent class C felony offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee on Conference has amended this measure by:

- (1) Excluding the class C felony offenses of promoting a dangerous drug in the third degree and habitual property crime from eligibility for mandatory release without bail;
- (2) Deleting language that required the Director of Public Safety to release certain defendants who are unable to post bail in the amount of \$99 or less;
- (3) Changing the 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 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. 1567, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1567, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Rhoads and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Matayoshi, Holt and Sayama.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 53-22 on H.B. No. 2075

The purpose of this measure is to:

- (1) Increase the time frame that a permit to acquire a pistol or revolver can be used from ten days to thirty days; and
- (2) Eliminate physical inspection of firearms generally, except for firearms brought into the State, firearms involved in private sales or transfers, and firearms and firearm receivers with engraved or embedded registration numbers.

Your Committee on Conference has amended this measure by:

- (1) Amending the preamble;
- (2) Deleting language that would have increased the time frame that a permit to acquire a pistol or revolver can be used from ten days to thirty days;
- (3) Inserting a severability clause;
- (4) Changing the effective date to upon approval;
- (5) Inserting a sunset date of June 30, 2025; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2075, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2075, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keohokalole, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, 1 (Fevella). Excused, 1 (Keohokalole).

Representatives Nakashima, Matayoshi and Matsumoto.
Managers on the part of the House.
Ayes, 3; Ayes with Reservations (Matsumoto). Noes, none. Excused, none.

Conf. Com. Rep. 54-22 on S.B. No. 3172

The purpose of this measure is to repeal the option for boards to provide recorded minutes accompanied by written summaries as an alternative to written minutes of board meetings.

Your Committee on Conference finds that public scrutiny and participation in the governmental process is important to protect the public's interests. Your Committee on Conference further finds that requiring electronic audio or video recordings of public meetings to be kept as a public record will encourage transparency and help ensure the public has access to and information regarding these meetings.

Your Committee on Conference has amended this measure by:

- (1) Requiring boards to maintain any electronic audio or video recording of a board meeting as a public record, regardless of whether the written minutes of the board meeting have been posted;
- (2) Amending the information that must be included as part of the written minutes of board meetings;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of October 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3172, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3172, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Nakashima, Wildberger and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 55-22 on S.B. No. 2065

The purpose of this measure is to prohibit the possession or use of unmanned aerial vehicles on, in, or near state marine waters for purposes of fishing, unless permitted by the Department of Land and Natural Resources.

Your Committee on Conference finds that unmanned aerial vehicles are increasingly used in the fishing industry for a variety of purposes, including the deployment of fishing hooks further offshore than traditional fishing methods. While such methods increase fishing efficiency, they also present new risks to marine ecosystems. This measure prohibits unpermitted use of unmanned aerial vehicles for fishing purposes to better preserve marine wildlife and prevent environmental damage.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2065, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2065, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Inouye, Rhoads and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Nakashima, Branco and McDermott.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 56-22 on S.B. No. 3219

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting applies only to the disclosure of the names of adults, and not minors, who are physically with the board member at a nonpublic location, unless the minor has a private interest with any issue before the board.

Your Committee on Conference finds that the Sunshine Law's newly effective remote meetings provision requires a board member participating from a nonpublic location to state who, if anyone, is present at the same location. Your Committee on Conference further

finds that there are times when a board member may have their minor children with them during a remote board meeting. This measure will protect the privacy and identity of minors that are with a board member during a meeting.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the mandatory disclosure of the names of minors present with a board member in a nonpublic location during a meeting of the board who have a private interest with any issue before the board applies to minors with a personal business, property, or financial interest; and
- (2) Inserting an effective date of July 1, 2022.

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. 3219, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3219, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Nakashima, Wildberger and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 57-22 on S.B. No. 2398

The purpose of this measure is to:

- (1) Create the Pulehunui Community Development District to allow for planning, development, and maintenance of public lands in Pulehunui, Maui; and
- (2) Amend the Hawaii Community Development Authority membership to include the Director of Business, Economic Development, and Tourism; Chairperson of the Board of Land and Natural Resources; and director of the department of planning and permitting of each county, or their respective designees, in which a community development district is located.

Your Committee on Conference finds that establishing a dedicated development district will allow the governing board to access various forms of federal funding to develop lands within the district. Your Committee on Conference further finds that the public lands in Pulehunui, Maui, are relatively underdeveloped and afford strong potential for growth and development to meet community needs. Accordingly, this measure will facilitate community-oriented development by establishing the Pulehunui Community Development District and by amending the composition of the Hawaii Community Development Authority.

Your Committee on Conference has amended this measure by:

- (1) Deleting the rulemaking authorization from the new part added by this measure to chapter 206E, Hawaii Revised Statutes; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2398, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2398, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Wakai, Inouye, Kanuha, Kim and Fevella.

Managers on the part of the Senate.

Ayes, 6. Noes, none. Excused, none.

Representatives Tarnas, Yamashita, Branco and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 58-22 on S.B. No. 2383

The purpose of this measure is to:

- (1) Decrease the membership of the State Procurement Policy Board from seven members to five;
- (2) Clarify the appointment and experience requirements for members of the State Procurement Policy Board; and
- (3) Repeal the State Procurement Policy Board nominating committee.

Your Committee on Conference finds that the State Procurement Policy Board has not held a meeting for several years due to attrition, a lack of applicants for vacancies, and the inability to meet quorum. By the end of the 2022 Regular Session, the seven-member State Procurement Policy Board will have just one member, the Comptroller. Accordingly, this measure restructures the State Procurement Policy Board to address the issue of vacancies on the Board and enables the Board to fulfill its duties.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the experience requirements for members of the State Procurement Policy Board;

- (2) Amending section 1 for clarity and to reflect its amended purpose; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2383, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2383, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Matayoshi, Wildberger and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 59-22 on S.B. No. 2137

The purpose of this measure is to require the Department of Health and pertinent county agencies to work together to resolve problems and complaints regarding clean and sober homes.

Your Committee on Conference finds that clean and sober homes are a critical component of treatment for, and recovery from, substance use disorders. Your Committee on Conference further finds, however, that surrounding communities have voiced concerns regarding the operation of clean and sober homes within their community. Accordingly, this measure seeks to harmonize the needs of individuals who access clean and sober home services and the concerns of surrounding communities by establishing a framework to provide information and address community concerns.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2137, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2137, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Keohokalole, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Kim).

Representatives Yamane, Nakamura, Tam and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 60-22 on S.B. No. 3372

The purpose of this measure is to authorize the Office of Administrative Hearings, where it is determined that an award of a contract is in violation of law and the award is rescinded and the contract, if executed, is terminated or declared null and void, to award the government contract to the next lowest bidder or next responsible offeror, if certain conditions are met.

Your Committee on Conference finds that existing law lacks a statutory procedure to address to whom a contract may be awarded when it is determined that a solicitation or award of a contract violates the law. As a result, under these circumstances, the only remedy available to the Office of Administrative Hearings is to terminate the contract and begin the procurement process anew. Your Committee on Conference further finds that contract termination and re-solicitation delays the procurement process. Accordingly, this measure ensures fairness while minimizing delays in the procurement process by expanding the remedial powers of the Office of Administrative Hearings in situations where an award of a contract is determined to violate the law.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the alternate award recipient is the next lowest responsible and responsive bidder or offeror; and
- (2) Inserting an effective date of July 1, 2022.

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. 3372, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3372, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Johanson, Wildberger, Matayoshi and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 61-22 on S.B. No. 2986

The purpose of this measure is to:

- (1) Relax certain regulations of commercial hemp cultivation and exportation;
- (2) Allow licensed hemp producers to sell hemp biomass directly to consumers via online platforms;
- (3) Require the identity statement used for labeling or advertising any hemp product to identify the percentage of Hawaii grown or processed hemp products in all hemp products and, if those products are not from Hawaii, the origin of any hemp product; and
- (4) Extend the sunset date of Act 14, Session Laws of Hawaii 2020, which establishes the state hemp processors and commercial hemp production laws.

Your Committee on Conference finds that hemp remains a valuable crop that could bring significant revenues to the State. However, the hemp industry in Hawaii suffers from overregulation. Notably, in 2020, the Legislature passed Act 14, Session Laws of Hawaii 2020, (Act 14) to address key issues in the regulation of hemp. While there remains considerable disagreement on the required reforms, your Committee on Conference further finds that Act 14 will lapse on June 30, 2022. Accordingly, it is necessary to extend the date on which Act 14 will be repealed to July 1, 2025.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the legislative findings in the preamble;
- (2) Removing proposed amendments to existing hemp regulations; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2986, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2986, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Baker, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Johanson, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 62-22 on S.B. No. 2798

The purpose of this measure is to:

- (1) Authorize the Hawaii Board of Veterinary Medicine to grant temporary courtesy and relief permits for out-of-state veterinarians;
- (2) Permit licensed veterinarians to practice veterinarian telemedicine;
- (3) Create a permit surcharge; and
- (4) Allow for international veterinary school graduates to qualify for the licensure examination.

Your Committee on Conference finds that Hawaii faces a shortage of experienced and licensed veterinarians. Allowing more veterinarians licensed in other jurisdictions to practice in the State on a temporary basis as needed would help alleviate the shortage. This measure authorizes the Hawaii Board of Veterinary Medicine to grant temporary and relief permits, permit licensed veterinarians to practice veterinarian telemedicine, and allow international veterinary school graduate to qualify for the licensure examination in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Repealing the requirement that examinations be given by the Board twice each year;
- (2) Establishing a temporary permit to be issued under certain conditions; and
- (3) Making it effective upon its approval; provided that the provisions creating courtesy and relief permits in section 1 of this measure shall be effective on July 1, 2024.

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. 2798, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2798, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Baker and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Johanson, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 63-22 on S.B. No. 3084

The purpose of this measure is to amend the composition of the Elevator Mechanics Licensing Board to replace the ex-officio Department of Labor and Industrial Relations member with a licensed elevator mechanic member.

Your Committee on Conference finds that the Elevator Mechanic Licensing Board has experienced difficulty in achieving quorum to conduct its meetings. It has further been a challenge for the Department of Labor and Industrial Relations to make available an employee with expertise in elevator and escalator installation and maintenance, as required under existing law. This measure will relieve the Director of the Department of Labor and Industrial Relations of the need to dedicate personnel resources to Elevator Mechanic Licensing Board meetings and will grant more flexibility to the Board to address vacancies, make it easier to achieve quorum, and conduct its important business in a timely manner.

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

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

Signed by the Chairs on behalf of the Committee.

Senators Baker, Chang, DeCoite and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Kitagawa, Mizuno and Matsumoto.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (Mizuno).

Conf. Com. Rep. 64-22 on S.B. No. 2382

The purpose of this measure is to prohibit the issuance of cabaret liquor licenses to premises located within an apartment mixed use subprecinct within a special improvement or special district in which the economy is primarily based on tourism.

Your Committee on Conference finds that cabarets located in resort areas are permitted to transact business until 4:00 a.m. throughout the entire week, which has created public safety and noise issues for visitors and residents living in resort areas. These long hours of operation can often result in increased criminal activity in the area, including assaults, attacks, and robberies, and can greatly disrupt sleep and residents' peaceful enjoyment of their homes. This measure will restrict the issuance of cabaret licenses within apartment mixed use subprecincts in qualifying special districts to assist with reducing noise and crime and to promote increased public safety and wellness.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2382, 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. 2382, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Chang, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Johanson, Branco and McDermott.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 65-22 on S.B. No. 2279

The purpose of this measure is to:

- (1) Regulate the purchase of catalytic converters by used motor vehicle parts dealers and the purchase of palladium, platinum, and rhodium by scrap dealers and recyclers;
- (2) Subject persons who violate related provisions to a class C felony;
- (3) Establish the felony offense of theft of catalytic converter; and
- (4) Require each county police department to maintain certain reported information and initiate education programs to prevent catalytic converter thefts.

Your Committee on Conference finds that catalytic converter thefts are on the rise across the State. Catalytic converters contain precious metals such as platinum, palladium, and rhodium, the prices of which have also recently increased, making catalytic converters highly sought after by thieves due to their high resale value. The relative ease and speed in which a person can remove a catalytic converter from a vehicle, coupled with the value of the scrap and precious metal, has contributed to the increase in catalytic converter thefts. While catalytic converters can typically be resold on the market for less than a few hundred dollars, replacing a stolen catalytic converter can cost a car owner more than \$1,000, or perhaps more depending on the extent of damages. This measure

increases regulations regarding the sale of catalytic converters, and the precious metals within catalytic converters, to reduce the incentive for catalytic converter theft in the State and subjects persons who violate these provisions to a class C felony.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have exempted certain sellers from the requirement to provide a written statement certifying certain information concerning the catalytic converters being offered for sale;
- (2) Inserting an effective date of January 1, 2023; provided that sections 3 and 4 of this measure shall take effect upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Signed by the Chairs on behalf of the Committee.

Senators Baker, Rhoads, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Nakashima, Kitagawa and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 66-22 on S.B. No. 2679

The purpose of this measure is to extend the renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age.

Your Committee on Conference finds that drivers seventy-two years of age or older but younger than eighty years of age without conditions that could impair their driving ability are safe enough to have a license renewal period of four years rather than two.

Your Committee on Conference has amended this measure by changing the effective date to January 1, 2023.

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. 2679, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2679, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Moriwaki, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Moriwaki).

Representatives Aquino, Nakashima, Johanson, Clark, Ilagan and Matsumoto.

Managers on the part of the House.

Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 67-22 on S.B. No. 2032

The purpose of this measure is to establish the Hawaii Genetic Information Privacy Act, which:

- (1) Requires direct-to-consumer genetic testing companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data; and
- (2) Deems any violation as an unfair or deceptive trade practice subject to associated penalties.

Your Committee on Conference finds that direct-to-consumer genetic tests, which provide consumers with direct access to their genetic information without the involvement of health care providers and health plans, are marketed directly to consumers and purchased by consumers online or in stores. Consumers provide DNA samples to the direct-to-consumer genetic testing company, which then analyzes the DNA samples for genetic variations that fit the purpose of the test. Your Committee on Conference finds that while direct-to-consumer genetic testing promotes awareness of genetic diseases and can assist consumers in taking a proactive role in maintaining or improving their health and wellness, there is currently little oversight or regulation with respect to how the privacy and confidentiality of a consumer's genetic information are protected. This measure establishes the Hawaii Genetic Information Privacy Act to protect consumers' privacy and confidentiality of genetic data.

Your Committee on Conference has amended this measure by:

- (1) Specifying that a violation of the Hawaii Genetic Information Privacy Act shall result in a civil penalty of not less than \$2,500;
- (2) Authorizing the Office of Consumer Protection, by and through the Attorney General, to bring civil actions for violations of the Hawaii Genetic Information Privacy Act; and
- (3) Changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2032, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2032, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Baker, Acasio, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Acasio, Fevella).

Representatives Yamane, Johanson, Nakashima, Tam and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 68-22 on H.B. No. 2098

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, including salary and other cost adjustments, for the members of collective bargaining unit (10) and their excluded counterparts.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2098, 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. 2098, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama, Belatti and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 69-22 on H.B. No. 1837

The purpose of this measure is to establish a working group on affordable housing that meets annually to discuss opportunities to reduce zoning, regulatory, and statutory barriers to affordable housing development.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the working group established by this measure is a statewide working group on affordable housing;
- (2) Expanding the composition of the working group;
- (3) Adding an appropriation of \$100,000 to support the statewide working group, including one full-time equivalent position;
- (4) Changing its effective date to July 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 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. 1837, 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. 1837, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Moriwaki, Misalucha, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Nakamura, Tarnas, Johanson, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 70-22 on H.B. No. 2020

The purpose of this measure is to establish a lapse date for any unencumbered monies appropriated pursuant to Act 227, Session Laws of Hawaii 2021, which appropriated funds received by the State from the American Rescue Plan Act of 2021 to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble to reflect its amended purpose;

- (2) Changing the lapse date for unencumbered monies appropriated pursuant to Act 227, Session Laws of Hawaii 2021, from June 30, 2024, to June 30, 2022; and
- (3) Changing its effective date to June 29, 2022.

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. 2020, 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. 2020, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Keith-Agaran, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Nakamura, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 71-22 on H.B. No. 1752

The purpose of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords participating in the Tenant—Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937 and appropriate funds for the cost of the incentives;
- (2) Require the Hawaii Public Housing Authority to adopt or amend rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (3) Establish and appropriate funds for positions within the Hawaii Public Housing Authority for inspections and other aspects of the Section 8 Housing Choice Voucher Program.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$1,450,000 for the cost of incentives for landlords who participate in the Tenant-Based Assistance Housing Choice Voucher Program;
- (2) Requiring the Hawaii Public Housing Authority to adopt or amend rules no later than July 1, 2023;
- (3) Appropriating \$50,000 for two full-time equivalent permanent housing quality standards inspector II positions within the Hawaii Public Housing Authority to facilitate, coordinate, and monitor inspections of dwelling units that are the subject of Section 8 Housing Choice Voucher Program applications;
- (4) Deleting the unspecified appropriation for three full-time equivalent permanent public housing specialist II positions;
- (5) Changing its effective date to July 1, 2022; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1752, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1752, H.D. 3, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Rhoads, Keith-Agaran, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Nakamura, Kitagawa, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 72-22 on S.B. No. 2295

The purpose of this measure is to:

- (1) Require the Department of Transportation to plan for sea level rise in all future or amended transportation projects; and
- (2) Require all Department of Transportation highway, harbor, and airport projects to conform to certain carbon concrete standards except in certain circumstances.

Your Committee on Conference finds that sea level rise is a problem that must be factored into future transportation projects. Your Committee on Conference further finds that these transportation projects must also conform with carbon concrete standards except in special circumstances.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2022.

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. 2295, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2295, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Gabbard, Wakai and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Aquino, Lowen, Ilagan, Clark, LoPresti and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, 1 (Lowen).

Conf. Com. Rep. 73-22 on S.B. No. 879

The purpose of this measure is to require the counties to assume responsibility to maintain infrastructure as part of any housing development for the Department of Hawaiian Home Lands within sixty days of the receipt of a maintenance request and under specified conditions.

Your Committee on Conference finds that the Department of Hawaiian Home Lands often has the responsibility to maintain infrastructure despite county requirements. Therefore, this measure requires counties to provide for the maintenance of Department of Hawaiian Home Lands infrastructure within sixty days of receipt of an application for maintenance request by the county.

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. 879, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 879, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Keohokalole, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakamura, Nakashima, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 74-22 on S.B. No. 2768

The purpose of this measure is to:

- (1) Authorize the Governor to designate the Department of Land and Natural Resources to administer or enter into an agreement for the administration of a green jobs youth corps to provide temporary work and training opportunities in the fields of natural resource management, agriculture, or other sustainability-related professions to young adults ages thirty-eight or younger;
- (2) Require the Department of Land and Natural Resources to partner with an organization that has received accreditation from the Corps Center of Excellence Accreditation Program or has at least ten years of experience providing similar programming statewide in the State, or both; and
- (3) Appropriate funds.

Your Committee on Conference finds that the Hawaii Youth Conservation Corps, a legacy of the Civilian Conservation Corps, has provided Hawaii's youth with opportunities in conservation. With the onset of the coronavirus disease 2019 pandemic, which devastated Hawaii's economy, partnerships with nonprofit organizations such as Kupu enabled individuals to work in their own communities while also giving back to Hawaii's economy and environment.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation shall be used for the Green Jobs Youth Corps to provide salaries for not more than one thousand participants;
- (2) Inserting an appropriation of \$5,000,000 for the administration of the Green Jobs Youth Corps as provided in this measure; and
- (3) Inserting an effective date of July 1, 2022.

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. 2768, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2768, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Taniguchi, Gabbard and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Branco and McDermott.

Managers on the part of the House.

Ayes, 2. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 75-22 on S.B. No. 3330

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program; and
- (2) Appropriate funds.

Your Committee on Conference finds that high traffic volumes to popular areas within the Pupukea Marine Life Conservation District, such as Shark's Cove and Kapoo Tidepools, may threaten the health and abundance of marine life and limit the use and enjoyment of the area by residents. To protect the Pupukea Marine Life Conservation District, which currently does not have restrictions on use, a carrying capacity pilot program may provide critical information to reduce the impacts of humans on the health and abundance of marine life in sensitive areas within the Pupukea Marine Life Conservation District.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$300,000 for the Department of Land and Natural Resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3330, 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. 3330, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Shimabukuro, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Onishi, Branco and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 76-22 on S.B. No. 2056

The purpose of this measure is to:

- (1) Require the Office of Planning and Sustainable Development, in cooperation with the Department of Agriculture and Land Use Commission, to conduct a study of the suitability of soil classification systems for the regulation of agricultural lands;
- (2) Require a report to the Legislature; and
- (3) Appropriate funds.

Your Committee on Conference finds that the State has not completed a comprehensive soil study or completed sufficient agricultural soil mapping in over fifty years. To meet the State's critical food sustainability goals and enhance local agricultural productivity, there is a need to utilize effective standards for identifying productive agricultural lands and protect long-term agricultural use under state and county land use regulatory systems.

Your Committee on Conference has amended this measure by reverting its contents to the S.D. 1 version and further amending it by:

- (1) Inserting an appropriation of \$325,000 for the Office of Planning and Sustainable Development to conduct the study as required by this Act;
- (2) Changing the effective date to July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2056, 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. 2056, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Gabbard, Shimabukuro, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Gabbard).

Representatives Tarnas, Hashem, Branco and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 77-22 on S.B. No. 2670

The purpose of this measure is to establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission to provide for a statewide program, on a permanent and continuing basis, on the status of lesbian, gay, bisexual, transgender, queer, plus individuals in Hawaii.

Your Committee on Conference finds that individuals of the lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) community are at elevated risks of bullying, suicide, and ostracism. Your Committee on Conference further finds that the creation of a commission, as provided by this measure, will advance equity and is an important step to meet the needs of Hawaii's LGBTQ+ community.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2670, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2670, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Moriwaki, Shimabukuro, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Representatives Yamane, Tam, Marten, Sayama and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Okimoto).

Conf. Com. Rep. 78-22 on S.B. No. 206

The purpose of this measure is to prohibit discrimination in rental transactions, including in advertisements for rental property, based on participation in a Section 8 Housing Choice Program or any permanent supportive housing program or requirements related to participation in these housing assistance programs.

Your Committee on Conference finds that housing assistance programs, like the federal Section 8 Housing Choice Voucher Program, are essential in helping to alleviate high rental costs for qualifying families. However, the Section 8 program relies on private landlords' willingness to rent to participating individuals. In an expensive and limited housing market such as Hawaii, low-income individuals, who are the most likely participants in housing assistance programs, experience extreme difficulty in finding affordable rentals and are often faced with discrimination based on their source of income.

Your Committee on Conference further finds that discrimination against recipients of housing assistance programs is prohibited in a number of states and the District of Columbia, as well as numerous cities and counties throughout the United States. Studies have shown that when there are laws to prevent discrimination against renters with housing vouchers, such renters are twelve percent more likely to find housing. Additionally, source of income laws do not alter or restrict standard industry practices to vet prospective renters. Your Committee on Conference further finds that the Hawaii Interagency Council on Homelessness prioritized addressing upfront barriers to accessing housing, such as source of income discrimination in rental housing, as a key priority for this legislative session. This measure is therefore necessary to prohibit discrimination based on source of income to allow supportive housing vouchers or other housing assistance programs to be implemented as intended and to further address the State's pressing housing crisis.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the provisions of this measure do not apply to landlords with ownership of less than four dwelling units in the State at the time of the alleged discriminatory rental transaction, unless the owner, whether individually or through a business entity, owns more than ten percent interest in more than four dwelling units in the State at the time of the alleged discriminatory rental transaction;
- (2) Inserting language to require the Hawaii Public Housing Authority and the Hawaii Civil Rights Commission to produce and make available informational materials for the purpose of providing notice of specific rights and obligations pursuant to the provisions of this measure and to widely publicize the prohibition against discrimination based on source of income;
- (3) Making it effective upon its approval, provided that the new statutory chapter established by this measure shall take effect on May 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 206, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 206, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Rhoads, Chang and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Nakamura, Kitagawa, Ilagan, Hashimoto and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 79-22 on S.B. No. 2125

The purpose of this measure is to increase the maximum allowable fine for violation of liquor control laws by a licensee from \$2,000 to \$5,000.

Your Committee on Conference finds that the liquor commission or liquor control adjudication boards of each county are responsible for regulating the sale of liquor through the issuance of liquor licenses and the enforcement of applicable laws and rules.

Existing law provides that the maximum allowable fine for violations of liquor control laws is \$2,000. Heftier fines can create a greater deterrent for licensees to violate liquor control laws. Accordingly, this measure increases the maximum fine to \$5,000, which will provide a broader range and grant greater flexibility to liquor commissions and liquor control adjudication boards in assessing fines and enforcing liquor laws and rules.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2125, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2125, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Rhoads, Chang and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Todd, Kitagawa and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 80-22 on S.B. No. 1105

The purpose of this measure is to:

- (1) Allow a person aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator company licensee to receive restitution payment upon a final judgment of the court;
- (2) Repeal fees paid by mortgage loan originator companies and their branch office locations to the mortgage loan recovery fund and instead establish a flat \$200 mortgage loan recovery fund fee; and
- (3) Provide the Commissioner of Financial Institutions with the authority to consider and approve applications to recover from the fund.

Your Committee on Conference finds that a person who holds a court order against a mortgage loan originator or a mortgage loan originator company licensee for fraud, deceit, or misrepresentation is eligible to receive restitution from the Mortgage Loan Recovery Fund. However, existing law requires that person to also obtain a separate order from the court to receive the restitution payment from the Mortgage Loan Recovery Fund, which can be an onerous administrative process. Typically, it can take eight to twelve months before a court orders the Division of Financial Institutions of the Department of Commerce and Consumer Affairs to issue the restitution payment. This measure will allow aggrieved persons to receive restitution payments more efficiently, as the Division of Financial Institutions will be able to issue those payments pursuant to final, rather than separate, court orders. Additionally, this measure repeals fees paid by mortgage loan originator companies and their branches to adjust the funding level of the Mortgage Loan Recovery Fund, as there are currently sufficient funds to make restitution payments to aggrieved persons by assessing individual mortgage loan originators, as required by federal law.

Your Committee on Conference has amended this measure by making it effective on July 1, 2022.

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. 1105, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1105, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Shimabukuro, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Johanson, Todd, Kitagawa and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 81-22 on S.B. No. 3179

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources' Division of Forestry and Wildlife to adopt rules and issue funds to licensed hunters at a per unit rate for feral axis deer herd management; and
- (2) Appropriate funds to and establish three full-time equivalent technician positions for the Department of Land and Natural Resources to manage axis deer populations in Maui County.

Your Committee on Conference finds that the overpopulation of axis deer poses a significant threat to the ecological security and the health of local communities on several islands, including Maui County. Axis deer overpopulation and drought conditions on Maui, Molokai, and Lanai have led to large numbers of widespread axis deer, which in turn has created a nuisance and threat to the local community.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation to the Department of Land and Natural Resources for axis deer management;

- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3179, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3179, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Keith-Agaran, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Hashem, Nishimoto, Branco and McDermott.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 82-22 on H.B. No. 1983

The purpose of this measure is to establish, and appropriate funds for, the State Film Liaison to plan, develop, and execute a statewide film industry development strategy for purposes of establishing a collaborative film industry development program.

Your Committee on Conference has amended this measure by:

- (1) Changing the name of the State Film Liaison to the State Media Industry Development Liaison and making associated conforming amendments;
- (2) Inserting the provision relating to retaining the civil service status of existing positions within the Film Industry Branch of the Creative Industries Division of the Department of Business, Economic Development, and Tourism in Session Law, rather than codifying it in the Hawaii Revised Statutes;
- (3) Changing the appropriation for the State Media Industry Development Liaison from \$65,000 to \$60,000;
- (4) Inserting an appropriation of \$33,600 to establish and fill one full-time equivalent Administrative Assistant position within the Creative Industries Division of the Department of Business, Economic Development, and Tourism;
- (5) Changing the effective date to July 1, 2022; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1983, 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. 1983, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Shimabukuro, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Quinlan, Holt and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 83-22 on H.B. No. 1586

The purpose of this measure is to:

- (1) Require federal disaster relief reimbursement monies, except federal disaster relief reimbursement monies for the Department of Education, to be deposited into a trust account of the Hawaii Emergency Management Agency and reimbursed to the originating fund of the expending agency, and require monies to be returned to the general fund upon lapse of the original appropriation;
- (2) Require the Administrator of the Hawaii Emergency Management Agency to submit an annual report to the Legislature on the status of federal reimbursement monies for disaster response and each agency's disaster response spending; and
- (3) Appropriate monies to the Department of Defense for disaster response efforts.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that state departments, in addition to state agencies, shall submit a report of all funds expended for disaster response efforts;
- (2) Deleting language that would have required the Administrator to include information about the counties in their annual report to the Legislature regarding reimbursement monies;
- (3) Deleting language that would have appropriated funds for the Department of Defense for disaster response efforts;
- (4) Changing the effective date to July 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 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. 1586, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1586, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Ichiyama, Woodson, Eli, Costales, Mizuno and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, 1 (Mizuno).

Conf. Com. Rep. 84-22 on H.B. No. 1587

The purpose of this measure is to establish the intrastate mutual aid system to allow counties to share resources in times of emergency or in preparation for emergencies.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1587, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1587, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators DeCoite, Moriwaki, Misalucha, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Representatives Ichiyama, Eli, Costales and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 85-22 on H.B. No. 2120

The purpose of this measure is to:

- (1) Clarify existing practices, policies, and procedures of the State Emergency Management Program and update it with prevailing best practices for emergency management;
- (2) Include environmental impacts within the scope of emergency matters; and
- (3) Require county emergency management agencies to identify and operate facilities that would be suitable for sheltering.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2120, 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. 2120, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Gabbard, Kanuha, Baker and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Baker, Gabbard).

Representatives Eli, Perruso, Costales, Ichiyama and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 86-22 on H.B. No. 2329

The purpose of this measure is to require the Department of Land and Natural Resources, in consultation with the Hawaii Tourism Authority and State Foundation on Culture and the Arts, to identify and place historical markers throughout the State to indicate sites that were significant in the life of President Barack Obama.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$20,000 for the placement of markers in the State to indicate sites that were significant in the life of President Barack Obama; and
- (2) Changing its effective date to July 1, 2022.

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. 2329, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2329, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha, Chang and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Gates, Tam and Ward.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 87-22 on H.B. No. 2475

The purpose of this measure is to establish July 31 of each year as La Hoihoi Ea.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2475, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2475, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Taniguchi, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Gates, Nakashima, Tam, Har, Kapela and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 2 (Har, Ward).

Conf. Com. Rep. 88-22 on H.B. No. 2491

The purpose of this measure is to require, beginning on January 1, 2023, all letterhead of the State and counties that include Hawaiian names and words to use and spell the names and words consistently with certain references.

Your Committee on Conference has amended this measure by:

- (1) Requiring all letterhead of the State and counties containing Hawaiian words or names to use and spell those Hawaiian words or names consistently with certain references by July 1, 2023, rather than January 1, 2023;
- (2) Deleting exemptions for letterhead specifically designed for use by native speakers of Hawaiian and for documents submitted to state or county agencies or officials by members of the general public;
- (3) Requiring the Governor, Lieutenant Governor, state legislators, and heads of principal departments to prominently display a Hawaiian translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationary;
- (4) Changing its effective date to July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Conference is providing the following list of Hawaiian translations of names of offices and departments to assist the appropriate state offices and departments in complying with this measure.

Olelo Hawaii Names

Executive Branch - Mahele Mana Hooke
Governor of Hawaii - Kiaaina o Hawaii
Lieutenant Governor of Hawaii - Hope Kiaaina o Hawaii

Principal Departments

Department of Accounting and General Services - Oihana Malama Moohelu Kala a Hana Laua
Department of Agriculture - Oihana Mahi Ai
Department of the Attorney General - Oihana Loio Kuhina
Department of Budget and Finance - Oihana Moohelu Kala a me ka Imi Kala
Department of Business, Economic Development, and Tourism - Oihana Hoomohala Waiwai a me ka Malihini Huakai
Department of Commerce and Consumer Affairs - Oihana Kalepa
State of Hawaii Department of Defense - Oihana Pale Kaua o ka Mokuaina o Hawaii
Department of Education - Oihana Hoonaaauo
Hawaii State Public Library System - Oihana Hale Waihona Puke Aupuni o ka Mokuaina o Hawaii
Department of Hawaiian Homelands - Oihana Aina Hoopulapula Hawaii
Department of Health - Oihana Ola
Department of Human Resources Development - Oihana Hoomohala Limahana
Department of Human Services - Oihana Lawelawe Kanaka
Department of Labor and Industrial Relations - Oihana Limahana a Pilina Hana
Department of Public Safety - Oihana Palekana Lehulehu
Hawaii State Department of Taxation - Oihana Ohi Auhau o ka Mokuaina o Hawaii
Department of Transportation - Oihana Alanui
University of Hawaii - Ke Kula Nui o Hawaii
Department of Land and Natural Resources - Oihana Kumuwaiwai Aina

Legislative branch - Mahele Ahaolelo

Hawaii State Legislature - Ka Ahaolelo o ka Mokuaina o Hawaii
 Hawaii State House of Representatives - Aha Lunamakaainana o ka Mokuaina o Hawaii
 Hawaii State Senate - Aha Kenekoa o ka Mokuaina o Hawaii

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. 2491, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2491, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Kim, Misalucha and Fevella.
 Managers on the part of the Senate.
 Ayes, 4. Noes, none. Excused, none.

Representatives Gates, Nakashima, Tam, Har, Kapela and Ward.
 Managers on the part of the House.
 Ayes, 4. Noes, none. Excused, 2 (Har, Ward).

Conf. Com. Rep. 89-22 on H.B. No. 871

The purpose of this measure is to establish an agricultural enterprise program within the Department of Agriculture to promote and support diversified agriculture and increase the State's agricultural self-sufficiency.

Specifically, this measure:

- (1) Authorizes the Department of Agriculture or its lessees to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure or improvements on any lands under the Department of Agriculture's jurisdiction where the activity is necessary to support and promote agriculture;
- (2) Requires the Department of Agriculture to administer an agricultural enterprise program to manage, under rules adopted by the Board of Agriculture, qualifying agricultural enterprise lands and agricultural enterprises transferred from the Department of Land and Natural Resources; and
- (3) Establishes the Agricultural Enterprise Special Fund for planning, designing, constructing, operating, maintaining, managing, repairing, demolishing, and removing infrastructure or improvements on agricultural enterprise lands and for agricultural enterprises.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions establishing the Agricultural Enterprise Special Fund;
- (2) Changing its effective date to July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 871, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 871, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Kanuha and Fevella.
 Managers on the part of the Senate.
 Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Johanson, Perruso and Matsumoto.
 Managers on the part of the House.
 Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 90-22 on H.B. No. 2062

The purpose of this measure is to:

- (1) Establish the Agricultural Emergency Loan Revolving Fund, to be administered by the Department of Agriculture, to fund class D emergency loans made pursuant to section 155-9(e), Hawaii Revised Statutes;
- (2) Allow for payments received on account of principal from loans made by the Agricultural Emergency Loan Revolving Fund to be credited to the Agricultural Emergency Loan Revolving Fund; and
- (3) Appropriate funds into and out of the Agricultural Emergency Loan Revolving Fund.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions establishing the Agricultural Emergency Loan Revolving Fund;
- (2) Appropriating \$1,500,000 to be deposited into and out of the existing Agricultural Loan Revolving Fund to fund class D emergency loans made pursuant to section 155-9(e), Hawaii Revised Statutes;

- (3) Authorizing the Department of Agriculture to approve emergency loans of up to \$1,500,000 in excess of the \$5,000,000 annual ceiling for the Agricultural Loan Revolving Fund during a state of emergency declared by the Governor pursuant to chapter 127A, Hawaii Revised Statutes, the Emergency Management Law;
- (4) Changing its effective date to July 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 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. 2062, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2062, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Taniguchi, Nishihara and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Perruso, Marten and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 91-22 on H.B. No. 1692

The purpose of this measure is to:

- (1) Increase the fines imposed for mobile electronic device violations; and
- (2) Require the fines to be deposited into the Safe Routes to School Program Special Fund.

Your Committee on Conference has amended this measure by requiring the fines collected for mobile electronic device violations to be paid to the Director of Finance instead of deposited into the Safe Routes to School Program Special Fund.

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. 1692, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1692, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Rhoads, Inouye and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Holt, Morikawa and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 92-22 on H.B. No. 2421

The purpose of this measure is to:

- (1) Establish a three-year Women's Court Pilot Program in the First Circuit of the Judiciary to implement trauma-informed and evidence-based practices, employ gender-responsive programming, collaborate with stakeholders, and provide services to women in the court system;
- (2) Appropriate funds for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions for the Women's Court Pilot Program; and
- (3) Require the Judiciary to submit annual reports on the Women's Court Pilot Program throughout its duration.

Your Committee on Conference has amended this measure by:

- (1) Changing the appropriation amounts from unspecified amounts to \$695,236 for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions as follows:
 - (A) One full-time equivalent (1.0 FTE) social worker V position (\$62,136);
 - (B) Four full-time equivalent (4.0 FTE) social worker IV positions (\$52,200 each);
 - (C) One full-time equivalent (1.0 FTE) circuit court clerk II position (\$46,200); and
 - (D) One full-time equivalent (1.0 FTE) judicial clerk position (\$41,100); and
- (2) Changing the effective date to July 1, 2022.

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. 2421, 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. 2421, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keith-Agaran and Fevella.

Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Nakashima, Holt, Ichiyama, Matayoshi and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 93-22 on S.B. No. 2623

The purpose of this measure is to exclude from any waiting list maintained by the Department of Hawaiian Home Lands any lessee or successor who sells or transfers their lease on a tract of Hawaiian home lands for personal gain.

Your Committee on Conference finds that certain native Hawaiians have acquired a lease pursuant to the Hawaiian Homes Commission Act and sold or transferred their interest in the lease before placing their name back on the waiting list. This practice contributes to other eligible native Hawaiians not receiving land in a timely fashion. The purpose of this measure is to prohibit those who sell or transfer their interest in a Hawaiian home lands tract for personal gain from rejoining the wait list.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2623, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2623, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Keohokalole, DeCoite and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Nishimoto, Matayoshi and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 94-22 on S.B. No. 3054

The purpose of this measure is to:

- (1) Expand funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund (Special Fund); and
- (2) Appropriate funds for the purposes of the Special Fund.

Your Committee on Conference finds that expanding funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund will further support the State's growing local intellectual property export industry.

Your Committee on Conference has amended this measure by:

- (1) Delaying the deposit of all revenues, fees, and charges from the processing of the motion picture, digital media, and film production income tax credit pursuant to section 235-17, Hawaii Revised Statutes, into the Special Fund until January 2, 2023;
- (2) Including existing revenues, fees, and income received by the Department of Business, Economic Development, and Tourism from its management of public facilities that support media and entertainment workforce and business development, with the exception of the Hawaii Film Studio, to be deposited into the Special Fund;
- (3) Requiring the program funded by the Special Fund to also provide seed capital for electronic sports;
- (4) Making it effective on July 1, 2022; and
- (5) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3054, 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. 3054, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Shimabukuro, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Quinlan, Holt, B. Kobayashi and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (B. Kobayashi).

Conf. Com. Rep. 95-22 on S.B. No. 3087

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

Your Committee on Conference finds that moving the Emergency Management Assistance Compact, currently codified under chapter 128F, Hawaii Revised Statutes, into the emergency management series of the Hawaii Revised Statutes will provide concise,

logical organization to the emergency management laws of the State. This measure will align the Hawaii Emergency Management Agency with the best emergency management practices across the country by repealing chapter 128F, Hawaii Revised Statutes, and reincorporating the Emergency Management Assistance Compact in a new, appropriately designated chapter in the 127A series of the Hawaii Revised Statutes chapters.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3087, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3087, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Eli, Ohno, Nakashima, Perruso, Ichiyama and Ward.

Managers on the part of the House.

Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 96-22 on S.B. No. 2008

The purpose of this measure is to:

- (1) Clarify that the State and counties may only be held jointly and severally liable for acts or omissions relating to a condemned highway or trail that occurred after condemnation; and
- (2) Allow the State and counties to utilize flexibility in highway design regarding any condemned highway.

Your Committee on Conference finds that although the Legislature sought to address the problems caused by private roads by passing Act 194, Session Laws of Hawaii 2016, further legislation is now needed to reduce impediments to state and county condemnation of private lanes. This measure will facilitate the condemnation, maintenance, and improvement of private highways and trails that are in disrepair by providing the State and counties with flexibility in the design of condemned private highways and trails and relieving the State and counties of liability for condemned highways and trails.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2008, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2008, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Lee, Rhoads, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Aquino, Matayoshi, Ilagan, Clark and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 97-22 on S.B. No. 1107

The purpose of this measure is to establish the Hazard Mitigation Special Fund to give the Hawaii Emergency Management Agency the ability to monitor its own hazard mitigation projects.

Your Committee on Conference finds that hazard mitigation projects necessary to mitigate situations that are deemed hazardous and require immediate action will not be possible without proper funding. This measure will provide a funding source to ensure the continuation of hazardous mitigation projects and expand the program by establishing the Hazard Mitigation Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Requiring all contributions from public or private partners and all interest earned on or accrued to moneys deposited in the special fund be deposited in the Hazard Mitigation Special Fund;
- (2) Inserting an appropriation amount of \$500,000 for the Hazard Mitigation Special Fund;
- (3) Changing the effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1107, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1107, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Ichiyama, Matayoshi, Eli, LoPresti and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 98-22 on S.B. No. 2588

The purpose of this measure is to appropriate funds to the Hawaii Public Housing Authority for the rehabilitation, remodeling, renovation, and repair of housing units.

Your Committee on Conference finds that many units administered by the Hawaii Public Housing Authority need significant repairs and maintenance. This measure supports the Hawaii Public Housing Authority's efforts to renovate its existing affordable housing inventory by appropriating funds to the Hawaii Public Housing Authority for this purpose.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$5,000,000; and
- (2) Inserting an effective date of July 1, 2022.

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. 2588, 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. 2588, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Misalucha, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Nakamura, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 99-22 on S.B. No. 2479

The purpose of this measure is to require each public housing project, dwelling unit, and state low-income housing project that is built, renovated, or reconstructed after January 1, 2023, to include all broadband infrastructure necessary for tenants to have access to broadband service.

Your Committee on Conference finds that Internet access is necessary for residents of Hawaii public housing units to utilize certain essential services, such as health care and education. This measure requires that public housing built, renovated, or reconstructed after the beginning of 2023 to include broadband infrastructure.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the extent of broadband infrastructure requirement; and
- (2) Changing the effective date to upon its approval.

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

Signed by the Chairs on behalf of the Committee.

Senators Chang, Moriwaki, Misalucha, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Nakamura, Kitagawa, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 100-22 on S.B. No. 2251

The purpose of this measure is to:

- (1) Allow the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects; and
- (2) Prohibit the development or construction of housing projects on ceded land that is vacant on or after January 1, 2022.

Your Committee on Conference finds that mixed-income and mixed-financed housing can significantly improve the State's ability to provide affordable housing by allowing flexibility in the development of new housing projects. This measure allows the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing, provided it does not develop or construct housing projects on ceded land that is vacant on or after January 1, 2022.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2251, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2251, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Misalucha, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Nakamura, Nakashima, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 101-22 on S.B. No. 2898

The purpose of this measure is to:

- (1) Establish the Transit-Oriented Development Infrastructure Improvement District and Transit-Oriented Development Infrastructure District Board under the Hawaii Community Development Authority;
- (2) Require the Transit-Oriented Development Infrastructure Improvement District Board to develop a program to identify necessary infrastructure improvements within the district; and
- (3) Establish the Transit-Oriented Development Infrastructure Improvement District Special Fund.

Your Committee on Conference finds that transit-oriented development plays an important role in addressing the State's housing shortage and meeting its sustainability goals. However, transit-oriented development requires adequate infrastructure planning and development. Accordingly, this measure establishes the Transit-Oriented Development Infrastructure Improvement District and Transit-Oriented Development Infrastructure Improvement District Board to oversee the long-range planning and implementation of improved community development.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2898, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2898, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Inouye, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Nakamura, Aquino, Ilagan, Hashimoto and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Aquino).

Conf. Com. Rep. 102-22 on S.B. No. 3048

The purpose of this measure is to:

- (1) Authorize the Director of Finance to transfer excess funds from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund;
- (2) Provide that the Rental Housing Revolving Fund may be used for the Hawaii Housing Finance and Development Corporation's housing finance programs;
- (3) Establish two full-time equivalent (2.0 FTE) housing finance specialist positions; and
- (4) Appropriate funds to the Hawaii Housing Finance and Development Corporation for computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties.

Your Committee on Conference finds that the Hawaii Housing Finance and Development Corporation has funds composed of tax-exempt general obligation bond proceeds and accrued interest within the Rental Housing Revolving Fund that are restricted and cannot be used for the purposes of that fund. However, those funds can be used for public infrastructure development, which is one of the purposes for which funds within the Dwelling Unit Revolving Fund can be used. Accordingly, this measure transfers tax-exempt general obligation bond funds and accrued interest from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Director of Finance is authorized to transfer tax-exempt general obligation bond proceeds from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund in an amount of \$45,000,000;
- (2) Inserting appropriations of \$300,000,000 into and out of the Rental Housing Revolving Fund; provided that \$150,000,000 is used for mixed-income housing projects;

- (3) Inserting an appropriation amount of \$554,000 for the Hawaii Housing Finance and Development Corporation to procure computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties;
- (4) Adding a severability clause; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3048, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3048, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Chang, Kanuha, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Representatives Nakamura, Yamashita, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 103-22 on S.B. No. 2390

The purpose of this measure is to:

- (1) Increase the number of associate judges on the Intermediate Court of Appeals from five to six; and
- (2) Appropriate funds.

Your Committee on Conference finds that the Intermediate Court of Appeals expects a significant increase in its caseloads as the trial courts dispose of their backlogs of civil, criminal, and family cases. Your Committee on Conference further finds that adding another Intermediate Court of Appeals associate judge would enable the Judiciary to expeditiously resolve a greater number of appeals and address the foreseeable backlog of cases from the trial courts.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$478,326, to be allocated as follows:
 - (A) \$214,788 for the establishment of one permanent full-time equivalent (1.0 FTE) intermediate appellate court associate judge position;
 - (B) \$86,688 for the establishment of one permanent full-time equivalent (1.0 FTE) judicial assistant position;
 - (C) \$134,400 for the establishment of two permanent full-time equivalent (2.0 FTE) law clerk positions; and
 - (D) \$42,450 for equipment, books, and furniture for the new associate judge's chambers;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2390, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2390, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Shimabukuro, Keohokalole and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Nishimoto, Matayoshi and Ward.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 104-22 on S.B. No. 2641

The purpose of this measure is to appropriate funds for residential programs that allow minor children to remain with their mothers while participating in a residential program, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, to reduce the risk of trauma and multigenerational incarceration.

Your Committee on Conference finds that the incarceration of mothers that results in separation from their children has devastating negative developmental and emotional impacts on children that increase the risk of multigenerational incarceration. This measure will reduce the risk of multigenerational incarceration by funding programs that allow minors to remain with their mothers during the mothers' program participation.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000 for residential programs that allow minor children to remain with their mothers while participating in a residential program; and

- (2) Inserting an effective date of July 1, 2022.

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. 2641, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2641, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Shimabukuro, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Ohno, Ichiyama, B. Kobayashi, Ganaden, Morikawa and Matsumoto.

Managers on the part of the House.

Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 105-22 on S.B. No. 2663

The purpose of this measure is to change the filing fee schedule for paternity actions by establishing an initial filing fee of \$100 and eliminating fees to file motions.

Your Committee on Conference finds that the different filing fee schedules for divorce and paternity actions creates a burdensome and confusing situation for low-income litigants. This measure will establish clear filing fees for paternity actions which will reduce the burden, confusion, and uncertainty for litigants under the existing filing fee schedule.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2663, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2663, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Shimabukuro, Kim and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Nakashima, Nishimoto, Matayoshi and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 106-22 on S.B. No. 2475

The purpose of this measure is to clarify that amounts received or accrued for stevedoring and related services, wharfage, and demurrage fees are exempt under the general excise tax law.

Your Committee on Conference finds that the shipping industry is critical to the well-being of the people of Hawaii because nearly all goods are imported. This measure exempts certain shipping-related fees and services under the general excise tax law in order to help reduce the inflated cost of imported goods.

Your Committee on Conference has amended this measure by removing related services in reference to stevedoring services.

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. 2475, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2475, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Kanuha, Shimabukuro and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Luke, Yamashita and McDermott.

Managers on the part of the House.

Ayes, 2. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 107-22 on S.B. No. 2347

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 to the extent practicable; and
- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed constitutional amendment and ratification question.

Your Committee on Conference finds that constitutional ratification questions should be posed in simple, concise, and direct language. Your Committee on Conference further finds that it is an appropriate exercise of the powers of the Hawaii Supreme Court to issue written opinions on the legality of a proposed constitutional ratification question when requested by the presiding officers of the

Legislature. This measure provides a mechanism to ensure that the legality of constitutional ratification questions are addressed by the highest court in the State.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Hawaii Supreme Court to provide a written opinion in response to written request from the President of the Senate or Speaker of the House of Representatives within fifteen days instead of ten days;
- (2) Clarifying provisions requiring the Hawaii Supreme Court to include detailed and specific explanations in a written opinion provided in response to a written request to be consistent with statutory language providing for the content of the written opinion; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2347, 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. 2347, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keith-Agaran, Gabbard and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Nakashima, Nishimoto, Matayoshi and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 108-22 on S.B. No. 2162

The purpose of this measure is to establish ranked-choice voting for special federal elections and special elections of vacant county council seats.

Your Committee on Conference finds that the existing plurality voting method in special elections allows a candidate to win an election without a majority of votes when there are more than two candidates for the office. Your Committee on Conference further finds that ranked choice voting provides voters with the ability to rank candidates in order of preference and has been used effectively in other jurisdictions in the nation and the world.

Your Committee on Conference has amended this measure by inserting an effective date of January 1, 2023.

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. 2162, 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. 2162, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keith-Agaran, Keohokalole and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, 1 (Fevella). Excused, none.

Representatives Nakashima, Nishimoto and Matayoshi.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 109-22 on S.B. No. 2136

The purpose of this measure is to prohibit juror exclusion based on gender identity or expression.

Your Committee on Conference finds that gender identity and expression are not expressly protected from discrimination in jury service under existing law. This measure disallows arbitrary discrimination for service on a jury so that all individuals may participate in performing their civic duties.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2136, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2136, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Nakashima, Nishimoto, Matayoshi, Tam and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 110-22 on S.B. No. 2298

The purpose of this measure is to increase the penalty for employers who fail to pay their employees wages in accordance with state wage and hour laws and other compensation laws, by making violators guilty of a class C felony and subject to a fine of not less than \$500 per offense.

Your Committee on Conference finds that state labor laws should vigorously protect workers from employers who fail to provide employees with wages, benefits, or other forms of compensation that are rightfully owed to them. This measure will provide a greater deterrence to employers who violate wage and hour laws and other compensation laws.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2298, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2298, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Rhoads, Shimabukuro and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 111-22 on S.B. No. 2707

The purpose of this measure is to:

- (1) Require the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of the employer's receipt of the exclusive representative's written request to negotiate; and
- (2) Establish that the employer's failure to initiate the negotiation within this time frame, or the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitutes an impasse to which the impasse procedures in section 89-11, Hawaii Revised Statutes, shall apply.

Your Committee on Conference finds that repricing means the reassignment of classes within a bargaining unit from one pay range to another in the same salary schedule based on appropriate factors that occurs when the pay range of a class is not in proper alignment with other classes in the same bargaining unit. Your Committee on Conference further finds that under the existing process, it is extremely difficult for employees to seek the repricing of their classes. By providing mandatory timeframes within which repricing negotiations must be initiated and an agreement reached, the failure of which would cause impasse procedures to apply, this measure will ensure that public employees are being paid competitive and fair wages, which will allow the employers to better recruit and retain qualified workers.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2022.

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. 2707, 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. 2707, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Rhoads, Chang and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 112-22 on S.B. No. 3126

The purpose of this measure is to:

- (1) Require the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector;
- (2) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors who are in the exclusive employment of an owner-user inspection organization to perform safety inspections of pressure retaining items; and
- (3) Extend the time by which the Director of Labor and Industrial Relations is required to reimburse the general fund for the initial appropriation made to the Boiler and Elevator Revolving Fund.

Your Committee on Conference finds that existing rules adopted by the Department of Labor and Industrial Relations allow owner-user inspection organizations to perform safety inspections, provided that the inspections are performed by qualified boiler inspectors. The current practice allows inspections of pressure retaining items in the State to be performed in a timely manner while ensuring the safe operation and use thereof. This measure codifies the current practice engaged in by the Department of Labor and Industrial Relations and owner-user inspection organizations in Hawaii.

Your Committee on Conference also finds that this measure provides the Director of Labor and Industrial Relations additional time to reimburse the general fund from the Boiler and Elevator Revolving Fund by three years, thereby allowing more flexibility to fund boiler and elevator safety operations while maintaining a feasible repayment schedule.

Your Committee on Conference has amended this measure by:

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

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

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Johanson, Sayama and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 113-22 on S.B. No. 3142

The purpose of this measure is to add reserve public safety law enforcement officers to the list of volunteer occupations covered by the workers' compensation law under certain conditions.

Your Committee on Conference finds that the Department of Public Safety is prepared to begin a volunteer enforcement program that will recruit the Department's recent retirees and members of the public as volunteer reserve public safety law enforcement officers to assist with its law enforcement responsibilities. Your Committee on Conference further finds that the volunteer reserve public safety law enforcement officers will be trained to the same standard as, and will be exposed to the same extent of risk, danger, and injuries as the Department's full-time law enforcement officers. This measure will allow injuries incurred by volunteer reserve public safety law enforcement officers under specified conditions to be compensated under the State's workers' compensation law.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3142, 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. 3142, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, DeCoite, Shimabukuro, Keohokalole and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Representatives Onishi, Johanson, Sayama and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 114-22 on S.B. No. 3121

The purpose of this measure is to:

- (1) Establish an Accessible Parking Special Account within the Disability and Communication Access Board Special Fund;
- (2) Increase the state annual vehicle registration fee by \$1 and require that \$1 from each annual vehicle registration fee be deposited into the Accessible Parking Special Account; and
- (3) Beginning July 1, 2023, require all costs associated with the Statewide Parking for Persons with Disabilities program to be paid using funds appropriated from the Accessible Parking Special Account.

Your Committee on Conference finds that the Parking for Persons with Disability Program, which is currently funded entirely by general funds, was severely impacted by the significant decline in the State's general revenues due to the disruptions caused by the coronavirus disease 2019 pandemic. This measure will allow the Parking for Persons with Disability Program to become self-sufficient and ensure that it is unaffected by future economic conditions.

Your Committee on Conference has amended this measure by inserting an effective date of January 1, 2023.

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. 3121, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3121, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Lee, Inouye and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Aquino, Ilagan, Clark, Takumi and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 115-22 on S.B. No. 3252

The purpose of this measure is to:

- (1) Impose a cap on the costs charged for the duplication of government records provided to requestors in electronic format;
- (2) Impose a cap on costs charged for searching for, reviewing, and segregating digital records;
- (3) Provide for a waiver of fees when the public interest is served by a digital records disclosure; and
- (4) Appropriate funds for positions.

Your Committee on Conference finds that public records laws provide a critical mechanism to maintain government accountability and transparency and support citizen involvement in government decision-making. Your Committee on Conference further finds that excessive fees for record requests are an obstacle to any general policy of open government and discourage the public from learning more about government operations.

Your Committee on Conference has amended this measure by:

- (1) Changing references of “digital records” to “records”;
- (2) Inserting an appropriation amount of \$185,000;
- (3) Inserting an effective date of July 1, 2023, for sections 2 and 3 of this measure, and July 1, 2022, for this measure generally; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3252, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3252, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Moriwaki, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Wildberger, Costales and Ward.
Managers on the part of the House.
Ayes, 4; Ayes with Reservations (Ward). Noes, none. Excused, none.

Conf. Com. Rep. 116-22 on H.B. No. 2512

The purpose of this measure is to:

- (1) Allow persons receiving accommodations or services from an Ohana Zone to request a ninety-day extension of the accommodations or services;
- (2) Extend the Ohana Zones Pilot Program sunset date to June 30, 2028; and
- (3) Establish an Ohana Zones Program within the Hawaii Public Housing Authority as part of its rental assistance programs upon expiration of the Ohana Zones Pilot Program.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which:
 - (A) Expands regulatory exemptions for the Ohana Zones Pilot Program contracts;
 - (B) Amends the sunset date to June 30, 2026; and
 - (C) Appropriates \$15,000,000 for the pilot program; and
- (2) Further amending this measure by:
 - (A) Inserting a preamble;
 - (B) Allowing persons receiving accommodations or services from an Ohana Zone site to request a ninety-day extension of the accommodations or services;
 - (C) Reducing the scope of the regulatory exemptions;
 - (D) Requiring all contracts entered into or structures constructed pursuant to the Ohana Zones Pilot Program to comply with county, state, and federal floodplain management development standards, or statutes, codes, ordinances, rules, or regulations with which compliance is required under the National Flood Insurance Program;
 - (E) Changing the effective date to July 1, 2022; and

(F) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Chang, Moriwaki, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Nakamura, Tam, Hashimoto and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 117-22 on H.B. No. 2338

The purpose of this measure is to:

- (1) Appropriate funds from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2022-2023; and
- (2) Authorize the Department of Health to expend those funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$400,000 out of the State Highway Fund and into the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2022-2023;
- (2) Changing the effective date to July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2338, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2338, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Lee, Wakai, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

Representatives Yamane, Aquino, Tam, Takumi and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 118-22 on H.B. No. 2339

The purpose of this measure is to:

- (1) Make an emergency appropriation from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022; and
- (2) Authorize the Department of Health to expend those funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$2,000,000 out of the State Highway Fund and into the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022;
- (2) Changing the effective date to upon approval; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2339, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2339, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Lee, Wakai, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

Representatives Yamane, Aquino, Tam, Takumi and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 119-22 on H.B. No. 1798

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist The Queen's Health Systems with the construction of, improvement to, and equipping of its health care facilities.

Your Committee on Conference has amended this measure by:

- (1) Changing the authorized amount of the special purpose revenue bonds from an unspecified amount to \$750,000,000; and
- (2) Changing the effective date to July 1, 2022.

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. 1798, 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. 1798, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 120-22 on H.B. No. 1932

The purpose of this measure is to:

- (1) Require the Child Welfare Services Branch of the Department of Human Services to develop a modern case management software solution that is compatible with existing child welfare technology;
- (2) Submit progress reports to the Legislature; and
- (3) Appropriate funds for the development of the modern case management software solution.

Your Committee on Conference has amended this measure by:

- (1) Making the online resource portal created by this measure available to minors over the age of twelve;
- (2) Inserting an appropriation amount of \$80,000 for the development of a case management software solution by the Child Welfare Services Branch of the Department of Human Services;
- (3) Changing the effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1932, 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. 1932, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Keith-Agaran and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Tam, Gates and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 121-22 on H.B. No. 1982

The purpose of this measure is to:

- (1) Establish a general excise tax withholding requirement for persons making payment to a loan-out company and claiming the motion picture, digital media, and film production tax credit (film production tax credit) to withhold and remit a portion of all payments made to the loan-out company;
- (2) Reduce the minimum amount of qualified production costs necessary to claim the film production tax credit;
- (3) Require a production to submit an application processing fee to the Department of Taxation in order to qualify for the film production tax credit;
- (4) Repeal the requirement for qualified productions to submit a verification review by a qualified Certified Public Accountant when applying for the film production tax credit;
- (5) Require the Department of Business, Economic Development, and Tourism (DBEDT) to issue a letter to a taxpayer claiming the film production tax credit specifying the qualified production costs and tax credit amount qualified for no later than ten months after the receipt of the taxpayer's statement;

- (6) Extend the period during which excess film production tax credits may be claimed from December 31, 2025, to December 31, 2032;
- (7) Require qualified productions that make payments to a loan-out company and claim the film production tax credit to withhold an amount equal to one-half of one percent of qualified production costs to the credit of the general excise tax account of the loan-out company;
- (8) Amend the allowable uses of the Tax Administration Special Fund; and
- (9) Authorize the Department of Taxation to establish four full-time equivalent Tax Auditor positions.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the amount to be withheld and remitted is equal to the highest rate of general excise tax, plus any applicable county surcharge for all payments made to a loan-out company for services performed in the State;
- (2) Clarifying when every person subject to a general excise tax withholding requirement established by this measure is required to make and file a return;
- (3) Increasing the claimable amounts of the film production tax credit;
- (4) Expanding the requirements to qualify for the film production tax credit;
- (5) Changing when DBEDT is required to issue a letter specifying the qualified production costs and tax credit amount qualified for from no later than ten months to no later than seven months after receipt of the taxpayer's statement;
- (6) Changing the application processing fee that would have been submitted to the Department of Taxation and deposited into the Tax Administration Special Fund to a fee equal to 0.2 percent of the film production tax credit claimed, to be submitted to DBEDT and deposited into the Hawaii Film and Creative Industries Development Special Fund;
- (7) Increasing the cap of the total film production tax credits claimable per qualified production;
- (8) Deleting redundant and conflicting language that would have required every person making payment to a loan-out company to withhold an amount equal to one-half of one percent of qualified production costs for services performed in the State, the amount of which would have been remitted to the credit of the general excise tax account of the loan-out company;
- (9) Amending the definition of "qualified production costs";
- (10) Deleting language that would have authorized the Tax Administration Special Fund to be used to process qualified production applications for the film production tax credit;
- (11) Changing the number of Tax Auditor positions the Department of Taxation is authorized to establish from four to two, and inserting an appropriation for these positions;
- (12) Requiring DBEDT to establish one full-time equivalent permanent Program Specialist position, and inserting an appropriation for the position;
- (13) Changing the effective date to July 1, 2022; provided that the provisions of this measure applicable to the film production tax credit shall take effect on January 1, 2023; and
- (14) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1982, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1982, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Keith-Agaran, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Quinlan, Holt, D. Kobayashi and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 122-22 on H.B. No. 2309

The purpose of this measure is to reduce recidivism rates in the State and increase productivity in affected communities by establishing and appropriating funds for an array of diversion, reentry, and rehabilitation services and programs within the State, including the following:

- (1) A pilot program to allow minor children to remain with their mothers while the mothers are participating in therapeutic, drug treatment, or other residential programs, to be administered by the Judiciary;
- (2) A comprehensive recidivism prevention pilot program within the Judiciary, including a housing voucher program, child care voucher program, and employer income tax credit program;
- (3) An offender reset program within the Department of Public Safety to provide offenders pre- and post-release assistance to support their reentry, rehabilitation, and employment;

- (4) Diversion, reentry, and rehabilitation services and programs within the State, as they relate to offenders who are in the Department of Public Safety's custody and control, or under the jurisdiction of the Judiciary or Hawaii Paroling Authority; and
- (5) Services and programs within the State for formerly incarcerated persons exiting jails and prisons, with a special focus on housing, human services, and health.

Your Committee on Conference has amended this measure by:

- (1) Removing the pilot programs, offender reset program, and appropriations for services and programs under the Judiciary and Department of Human Services;
- (2) Appropriating funds to support diversion, reentry, and rehabilitation services and programs within the State, as follows:
 - (A) For the purchase of identification card machines to assist offenders while they are in the Department of Public Safety's custody and control in obtaining identifying documentation that is essential to their reentry upon release, to be expended by the Department of Public Safety;
 - (B) For the development and maintenance of community housing for parolees to support their reentry into the community and their rehabilitation, to be expended by the Hawaii Paroling Authority; and
 - (C) For a forensic peer specialist program to assess and treat incarcerated individuals with behavioral, mental, and substance abuse issues, to be expended by the Department of Health;
- (3) Changing its effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2309, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2309, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Moriwaki and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, Matayoshi, B. Kobayashi, Ganaden, Morikawa and McDermott.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 123-22 on H.B. No. 1741

The purpose of this measure is to:

- (1) Require the Department of Human Services to work with the Department of Public Safety, Family Reunification Working Group, and other entities serving children and families affected by parental incarceration to establish a pilot visitation and family resource center at Waiawa Correctional Facility on Oahu whose staff includes trauma-informed professionals who serve as liaisons and hookele for families affected by incarceration;
- (2) 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;
- (3) Require the working group to submit a report to the Legislature before the Regular Session of 2023; and
- (4) Appropriate funds to the Department of Human Services and Department of Public Safety for the establishment of the pilot visitation and family resource center at Waiawa Correctional Facility.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$305,000 for the Department of Human Services and \$115,000 for the Department of Public Safety to establish the pilot visitation and family resource center at Waiawa Correctional Facility; and
- (2) Changing its effective date to July 1, 2022.

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. 1741, 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. 1741, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, DeCoite, Taniguchi, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, B. Kobayashi, Ganaden, Morikawa and McDermott.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 124-22 on H.B. No. 2171

The purpose of this measure is to:

- (1) Establish a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State;
- (2) On January 1, 2023, transfer the law enforcement functions of the Department of Public Safety to the Department of Law Enforcement;
- (3) On January 1, 2023, reestablish the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population;
- (4) On July 1, 2023, transfer the law enforcement functions of the Department of Transportation, the non-statutorily mandated functions of the investigations division of the Department of the Attorney General, and the Office of Homeland Security to the Department of Law Enforcement;
- (5) Establish a Department of Law Enforcement training center and appropriate funds for a multi-purpose training and staff development and administrative support facility for the Department of Corrections and Rehabilitation and a new law enforcement complex at Mililani Technology Park for the Department of Law Enforcement; and
- (6) Appropriate funds for various positions in the Department of Law Enforcement and Department of Corrections and Rehabilitation and for pay increases for deputy sheriffs.

Your Committee on Conference has amended this measure by:

- (1) Changing the phasing of various parts of the measure, making the following parts effective on January 1, 2024:
 - (A) Part III, transferring law enforcement functions and personnel from the Department of Public Safety to the Department of Law Enforcement;
 - (B) Part IV, reestablishing the Department of Public Safety as the Department of Corrections and Rehabilitation, the Director of Public Safety as the Director of Corrections and Rehabilitation, establishing its deputy directors, and placing the authority and responsibilities of the Department of Corrections and Rehabilitation in Chapter 353, Hawaii Revised Statutes;
 - (C) Part V, transferring certain other law enforcement functions and personnel to the Department of Law Enforcement; and
 - (D) A new part VIII, relating to Department of Corrections and Rehabilitation positions;
- (2) Amending the contents of the report required upon the death of an inmate or correctional facility employee to include the name of the decedent; provided that this information is not protected from disclosure by state or federal law;
- (3) Removing the disclosure of the name of the decedent as a discretionary act of the Director of Corrections and Rehabilitation;
- (4) Establishing in statute the new law enforcement complex at Mililani Technology Park and removing the appropriation for the law enforcement complex;
- (5) Removing the appropriation for the support facility for the Department of Corrections and Rehabilitation;
- (6) Reducing appropriations to the Department of Law Enforcement for positions and eliminating the appropriation for other operation costs and salary increases for deputy sheriffs;
- (7) Eliminating appropriations to the Department of Corrections and Rehabilitation;
- (8) Changing the effective date for parts II and VI to upon approval; and
- (9) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2171, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2171, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Keith-Agaran, Rhoads, Baker and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, Nakashima, B. Kobayashi, Ganaden and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 125-22 on H.B. No. 1974

The purpose of this measure is to:

- (1) Establish a five-year Small Business Assistance Initiative within the State Procurement Office, to consist of a Small Business Procurement Coordinator and Small Business Office; and
- (2) Appropriate funds to the State Procurement Office for the Small Business Assistance Initiative.

Your Committee on Conference has amended this measure by:

- (1) Establishing the Small Business Assistance Initiative in the Session Laws of Hawaii, rather than statutorily in the Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$366,000 for the Small Business Assistance Initiative, to be allocated as follows:
 - (A) \$115,000 to complete the State Small Business Database as provided by Act 42, Session Laws of Hawaii 2017, prior to its repeal;
 - (B) \$126,000 for the establishment of one permanent full-time equivalent (1.00 FTE) Small Business Procurement Coordinator position exempt from chapter 76, Hawaii Revised Statutes, in the State Procurement Office; and
 - (C) \$125,000 for the hiring of a local small business to operate and maintain the Small Business Office and for marketing of and outreach for the full five-year term of the Small Business Assistance Initiative;
- (3) Clarifying that the effective date of this measure is upon its approval; provided that the appropriation section shall take effect on July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1974, 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. 1974, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kanuha, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Johanson, Wildberger, Costales and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 126-22 on H.B. No. 1568

The purpose of this measure is to:

- (1) Require the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System to ensure that a certain percentage of food purchased for public schools, youth campuses, public hospitals, public prisons, and academic programs of the University of Hawaii consists of fresh local agricultural products or local value-added, processed, agricultural, or food products; and
- (2) Require each of these entities to annually report to the Legislature on its progress made toward meeting certain established benchmarks.

Your Committee on Conference finds that, while it concurs with the intent of the provision in the S.D. 2 version of this measure that requires the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii system to prioritize contracts with vendors that use locally sourced food products, the inclusion of this provision may be challenged as an unconstitutional violation of the Dormant Commerce Clause of the United States Constitution, which prohibits states from passing legislation that discriminates against or excessively burdens interstate commerce, should litigation be brought on this issue and as such believes that this provision should be removed from this measure.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have required the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System to prioritize contracts with vendors that use locally sourced food products;
- (2) Changing the effective date to July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1568, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1568, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Moriwaki, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Kitagawa, Wildberger, Costales and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 127-22 on H.B. No. 1432

The purpose of this measure is to facilitate the provision of concession services to the public by:

- (1) Amending the maximum length of certain concession contracts from fifteen years to an unspecified time period;
- (2) Exempting concessions for the operation of ground transportation services and parking lot operations at small boat harbors;
- (3) Exempting concessions for beach or ocean-related recreational services from the sealed bid requirements, with certain conditions;
- (4) Authorizing the county directors of parks and recreation to designate which county parks under their respective jurisdictions are environmentally, culturally, historically, or operationally unique for purposes of determining whether a concession at the park is exempt from the sealed bid requirements; and
- (5) Expanding the exemption for concessions at county zoos, botanic gardens, or county parks designated by the respective county director of parks and recreation, in the director's sole discretion, as environmentally, culturally, historically, or operationally unique; provided that the concessions are awarded to responsible offerors whose proposals are the most advantageous, rather than solely to certain nonprofit corporations.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the maximum length of certain concession contracts is twenty-five years;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1432, 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. 1432, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Moriwaki, Rhoads, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Representatives Johanson, Todd, Kitagawa, B. Kobayashi and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Kitagawa).

Conf. Com. Rep. 128-22 on S.B. No. 2819

The purpose of this measure is to:

- (1) Repeal certain statutory provisions regarding teachers' salary schedules and ratings; and
- (2) Fund a memorandum of understanding to address compensation equity issues and make the necessary discretionary salary adjustments for experienced senior public school teachers and state public charter school teachers.

Your Committee on Conference finds that the State faces a chronic shortage of qualified educators. The recruitment and retention of qualified teachers is critical to the success of the State's public education system. Your Committee on Conference further finds that better pay is correlated with greater success in recruiting and retaining qualified educators. Your Committee on Conference additionally finds that the salaries of experienced senior teachers in the State are inequitably aligned with less senior teachers. Accordingly, this measure promotes both the recruitment and retention of qualified teachers by addressing certain existing salary inequities.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation provisions;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2819, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2819, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Misalucha, Kim and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Kim).

Representatives Woodson, Onishi, Eli, Perruso and Okimoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 129-22 on S.B. No. 2821

The purpose of this measure is to:

- (1) Require the Department of Education and State Public Charter School Commission to provide menstrual products to all students, free of charge, on all public school and public charter school campuses; and
- (2) Appropriate funds to provide the menstrual products.

Your Committee on Conference finds that the lack of adequate access to menstrual products in schools is harmful in many ways. It limits full participation in school, contributes to higher rates of school absenteeism and missed activities, and perpetuates gender and class inequities. Your Committee on Conference further finds that having a sufficient supply of menstrual products available to students will prevent the extended use of products beyond the recommended time or use of alternatives, which can cause serious health problems. Accordingly, this measure will promote menstrual equity by providing menstrual products to all students, free of charge, on all public and charter school campuses.

Your Committee on Conference has amended this measure by:

- (1) Defining “public school campuses” to include all Department of Education schools and public charter schools;
- (2) Removing the addition of a new section to chapter 302D, Hawaii Revised Statutes, which is no longer necessary as the definition of “public school campuses” includes public charter schools;
- (3) Removing the appropriation sections, as the initiative is to be funded through the state budget measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2821, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2821, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Costales and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 130-22 on S.B. No. 2184

The purpose of this measure is to:

- (1) Establish a Digital Learning Center within the Department of Education; and
- (2) Appropriate funds for staffing and programmatic expenses for the Digital Learning Center.

Your Committee on Conference finds that digital learning is a critical component of education today. Your Committee on Conference further finds that digital learning can promote the equitable delivery of high-quality educational offerings to students. Accordingly, this measure will help improve the quality and delivery of digital learning services for students statewide by establishing and funding a digital learning center within the Department of Education.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$7,099,062.57;
- (2) Clarifying the allowable uses of the appropriated funds; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2184, 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. 2184, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Costales and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 131-22 on S.B. No. 3090

The purpose of this measure is to provide greater fiscal transparency by broadening the purposes for which indirect costs from federal grants incurred by the Department of Education, State Public Charter School Commission, or a charter school authorizer may be reimbursed.

Your Committee on Conference finds that indirect cost funds are reimbursements from federal grants received by the Department of Education for costs incurred in support of administrative and general business operations. Accordingly, this measure promotes better, intentional, planned, and transparent use of the funds by broadening the purposes for which indirect costs from federal grants may be used.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3090, 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. 3090, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Taniguchi and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Costales and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 132-22 on S.B. No. 3092

The purpose of this measure is to allow for greater implementation of commercial enterprises in schools by classifying student interns engaged in a commercial enterprise as employees of the State for purposes of the State Tort Liability Act and allowing the Department of Education to use revenue generated from school commercial enterprises.

Your Committee on Conference finds that there are liability concerns for businesses that employ student interns through the Department of Education's commercial enterprise program. Accordingly, this measure encourages participation of businesses in the commercial enterprise program and promotes workforce readiness by designating student interns of the commercial enterprise program as State employees.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3092, 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. 3092, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Taniguchi, Kanuha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Woodson, Eli, Kapela and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 133-22 on S.B. No. 2893

The purpose of this measure is to establish and appropriate funds for a one-year pilot program to subsidize the purchase of school supplies at schools composed entirely of students eligible for participation in Title I, Part A, of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act.

Your Committee on Conference finds that the annual expense of purchasing student school supplies can reach thousands of dollars, which is beyond the financial means of many low-income families. Your Committee on Conference further finds that Title I, Part A, of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (Title I), provides federal financial assistance to local educational agencies and schools with high percentages of children from low-income families. Accordingly, this measure will help to ensure that the students who attend those schools receive the school supplies necessary for their academic year by establishing a subsidy program for their school supplies.

Your Committee on Conference has amended this measure by:

- (1) Exempting certain Department of Education expenditures, including those made pursuant to this measure, from certain procurement requirements and instead subject them to small purchase procurement requirements;
- (2) Inserting an appropriation amount of \$806,800;
- (3) Inserting an effective date of July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2893, 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. 2893, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Clark and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 134-22 on S.B. No. 2081

The purpose of this measure is to:

- (1) Establish the Department of Education Commercial Enterprises Revolving Fund to accept the deposit of revenues from commercial enterprise operation programs undertaken by the Department of Education;
- (2) Authorize the Department of Education to expend revenues from the Revolving Fund to support the operations of the commercial enterprises; and
- (3) Make an appropriation into the Revolving Fund.

Your Committee on Conference finds that commercial enterprises provide students with critical hands-on and real-world experiences that contribute to post-secondary and workforce success. Your Committee on Conference further finds that revenues generated by these commercial enterprises, if any, support various school programs. Your Committee on Conference notes, however, that this revenue generation currently presents certain fiscal challenges for schools. Accordingly, this measure promotes career readiness and encourages the growth of commercial enterprises in schools by removing certain barriers that hinder the effectiveness and progression of the commercial enterprises.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation; and
- (2) Changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2081, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2081, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Kapela and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 135-22 on S.B. No. 2818

The purpose of this measure is to establish and appropriate funds for a Summer Learning Coordinator position within the Department of Education to coordinate all school-based summer programs for children.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic has caused learning loss among students across the State and adversely impacted their well-being. Your Committee on Conference further finds that summer programs have the potential to close student achievement gaps, improve student mental health, promote physical activity, and ensure child safety. Accordingly, this measure promotes efforts to accelerate learning and the provision of additional student services during the summer months by establishing a Summer Learning Coordinator position to coordinate all school-based summer programs for children.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$125,000; and
- (2) Inserting an effective date of July 1, 2022.

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. 2818, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2818, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro, Kanuha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Woodson, Eli and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 136-22 on S.B. No. 1112

The purpose of this measure is to amend the minimum appointment eligibility requirements for the position of Adjutant General to a person who:

- (1) Holds or has held a commission of the rank of Colonel in the military grade of O6 or above, or its equivalent;
- (2) Has served as a commissioned officer in one or more components in the Army or Air Force for at least ten years; and
- (3) Has no administrative actions preventing promotion to the rank of a General Officer in the military grade of O7 or O8.

Your Committee on Conference finds that the Adjutant General plays a critical role in the safety and security of the people of Hawaii and this role warrants the Adjutant General to have certain experience. This measure ensures the safety of residents of the State by providing qualifying criteria to assist with the selection of the Adjutant General.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2022.

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. 1112, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1112, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Keith-Agaran and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, B. Kobayashi, Ganaden and McDermott.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 137-22 on S.B. No. 2637

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop and make available a community-based work furlough program for women offenders in the State; and
- (2) Appropriate funds to the Department of Public Safety to continue and expand community-based work furlough for women.

Your Committee on Conference finds that existing community-based work furlough programs enable women to return to the workforce, keeping eighty-four percent of participants out of prison and providing them with the opportunity to participate in and access transitional training. This measure will reduce recidivism and benefit both women inmates and the community by ensuring the continuation and expansion of the community-based work furlough program for incarcerated women in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000 for the continuation and expansion of community-based work furlough for women; and
- (2) Changing the effective date to July 1, 2022.

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. 2637, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2637, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Ohno, Ichiyama, B. Kobayashi, Ganaden, Morikawa and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 138-22 on S.B. No. 2510

The purpose of this measure is to:

- (1) Amend the Hawaii State Planning Act to give consideration to reducing reliance on energy imports, ensuring that all new utility scale electricity generation projects are renewable, balancing of grid resources including firm renewable energy resources, and reliable replacement of fossil fuel generation with balanced grid resources;
- (2) Prohibit fossil fuel generation after December 31, 2045, except in certain circumstances; and
- (3) Expand vocational training in renewable energy and related industries.

Your Committee on Conference finds that to meet the State's goal of one hundred percent renewable energy by 2045, the State must consider a variety of options to utilize renewable energy sources to address the needs of the State while also providing reliable, clean energy to Hawaii's people. Therefore, the creation of a clean energy framework to address Hawaii's energy needs is critical to ensure the availability of clean, renewable energy for Hawaii's residents, communities, and businesses that is consistent with the State's goals.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that electricity generation facilities, rather than projects shall be renewable capable;
- (2) Requiring greater diversification of renewable energy generation to include intermittent and firm renewable generation to improve reliability and achieve one hundred percent renewable energy objectives;
- (3) Requiring reliable replacement of fossil fuel generation with firm renewable generation;
- (4) Clarifying that firm renewable generation shall be a minimum of 33.33 percent of renewable energy generation for each island and may only be updated by the Legislature through the following:
 - (A) Adoption of a concurrent resolution based on data from a study by the Hawaii Natural Energy Institute, as described in this measure; and
 - (B) Submission of a concurrent resolution by the Office of Planning and Sustainable Development to the Legislature for review of the proposed firm renewable energy generation minimum percentage;
- (5) Limiting the percentage of any one type of renewable energy source to forty-five percent of all generation for each island, except for geothermal generated energy;
- (6) Prohibiting fossil fuel generation after December 31, 2045, except in cases of emergencies, natural disasters, and other extenuating circumstances beyond an electric utility company's reasonable control;
- (7) Clarifying the State's policy to include cost-saving decisions into pursuing energy objectives;
- (8) Clarifying the definition of "firm renewable energy" to include capability of continuous production of energy twenty-four hours per day, three hundred sixty-five days per year, on the demand of the energy system operator at its rated capacity, subject only to routine maintenance and repairs;
- (9) Inserting language to incentivize the development of firm renewable energy to replace fossil fuel generation;
- (10) Inserting language that requires the Office of Planning and Sustainable Development to update the energy state functional plan and submit an annual report to the Legislature regarding the status of the plan and related policies;
- (11) Inserting language that requires the Hawaii Natural Energy Institute to conduct a study to update the minimum percentage of firm renewable generation for each island and maximum proportion of any one renewable energy source on each island;
- (12) Inserting an appropriation of \$200,000 for the Hawaii Natural Energy Institute to conduct the study;
- (13) Inserting an appropriation of \$200,000 for the Office of Planning and Sustainable Development to update the energy state functional plan;
- (14) Inserting a purpose section reflecting its amended purpose;
- (15) Inserting an effective date of July 1, 2022; and
- (16) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2510, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2510, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Inouye, Wakai, Kidani, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

Representatives Lowen, Johanson, Marten, Todd and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Johanson).

Conf. Com. Rep. 139-22 on S.B. No. 416

The purpose of this measure is to:

- (1) Clarify the applicable expert witness fees in state criminal cases; and
- (2) Increase per diem payments for other witnesses required to travel and stay overnight to attend a state court or grand jury in any criminal case.

Your Committee on Conference finds that statutory changes are needed to ensure the reimbursement of certain expert witness fees for county prosecutors, indigent defendants represented by the Office of the Public Defender, and private conflict counsel, and that these changes are necessary to support both a defendant's constitutional right to a defense and the State's ability to prosecute violations

of the law. This measure codifies the procedures and guidelines allowing for reimbursement of expert witness fees while also assisting witnesses and crime victims in covering the rising costs of travel.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 416, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 416, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Lee and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Nakashima, Nishimoto, Matayoshi, Tokioka and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 140-22 on S.B. No. 2182

The purpose of this measure is to establish and fund a School Garden Coordinator position within the Department of Education's Office of Curriculum and Instructional Design to provide technical support and startup resources for schools interested in starting a school garden program.

Your Committee on Conference finds that learning gardens and farms on school campuses across Hawaii promote student health, advance academic achievement, and strengthen social and emotional well-being. Your Committee on Conference further finds that establishing a School Garden Coordinator position is necessary to successfully implement the Hawaii Farm to School Program. Accordingly, this measure benefits students statewide, helps develop a robust agricultural workforce, and accelerates garden and farm-based education opportunities by establishing a School Garden Coordinator position within the Department of Education.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000; and
- (2) Inserting an effective date of July 1, 2022.

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. 2182, 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. 2182, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Kapela and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 141-22 on S.B. No. 2862

The purpose of this measure is to appropriate funds to the Department of Education to install air conditioning units in public school classrooms that have not received air conditioning units or other heat abatement measures.

Your Committee on Conference finds that hot classroom temperatures in the State's public schools can adversely affect students and student achievement. Your Committee on Conference further finds that temperatures in Hawaii's classrooms are regularly recorded at over one hundred degrees during certain periods of the school year. Your Committee on Conference also finds that, while a prior appropriation successfully funded heat abatement upgrades for many public school classrooms, many more still require heat abatement improvements. Accordingly, this measure appropriates funds for classrooms that are still in need of heat abatement improvements.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$10,000,000; and
- (2) Inserting an effective date of July 1, 2022.

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. 2862, 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. 2862, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Gates and Okimoto.
Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 142-22 on S.B. No. 2824

The purpose of this measure is to amend the minimum qualifications for members of the Board of Education to:

- (1) Diversify the experiences of the Board to include knowledge, experience, and proven expertise in education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate finance, or organization management; and
- (2) Clarify that members of the Board must have an understanding of best practices in educational governance through organizations such as the National Association of State Boards of Education.

Your Committee on Conference finds that the Board of Education establishes critical educational policy for the State's education system. Your Committee on Conference further finds that schools are expanding their career readiness programs and partnerships with employers to meet the needs of the local and global workforce and community. As a result, the Board of Education must have a sophisticated understanding of policy related to a wide range of subjects. Accordingly, this measure benefits the State's education system by requiring Board of Education members to have diversified backgrounds, expertise, and perspectives, in addition to knowledge about best practices from expert organizations.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2022.

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. 2824, 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. 2824, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Kim and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Kapela and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 143-22 on S.B. No. 3280

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Saint Joseph School in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving educational facilities.

Your Committee on Conference finds that Saint Joseph School is the only parochial school on the island of Hawaii and that enrollment at the school has increased. Your Committee on Conference further finds that several improvements to the campus are underway. However, additional funding is necessary to help construct a multi-purpose gymnasium to replace the school's existing, outdated facility. Accordingly, this measure promotes the public interest and will help Saint Joseph School build a stronger learning environment for students and the surrounding county by authorizing the issuance of special purpose revenue bonds.

Your Committee on Conference has amended this measure by:

- (1) Inserting a \$4,000,000 bond ceiling amount; and
- (2) Inserting an effective date of July 1, 2022.

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. 3280, 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. 3280, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Inouye, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Woodson, Eli and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 144-22 on S.B. No. 2826

The purpose of this measure is to establish and fund career development success programs to provide financial incentives for participating Department of Education and public charter schools to encourage ninth to twelfth grade students to complete qualified industry-credential programs.

Your Committee on Conference finds that nearly sixty-five percent of available positions today require post-secondary credentials. Your Committee on Conference further finds that industry-recognized credentials teach the specific knowledge and skills required for an occupation or industry and contribute to higher earnings for credentialed individuals. Accordingly, this measure will help high school students prepare to join Hawaii's workforce by establishing a career development success program that incentivizes high school students to enroll in and successfully complete qualified industry-credential programs.

Your Committee on Conference has amended this measure by:

- (1) Inserting per pupil incentive payment amounts of \$1,000; and
- (2) Inserting appropriation amounts of \$2,470,000 and \$130,000 for the Department of Education and State Public Charter School Commission, respectively.

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. 2826, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2826, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Clark and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 145-22 on S.B. No. 3091

The purpose of this measure is to:

- (1) Include commercial enterprises in profit-making operations that students may engage in at schools;
- (2) Clarify that profits from agricultural, industrial, and commercial enterprise pursuits can be used to support the agricultural, industrial, and commercial enterprise pursuit programs directly; and
- (3) Allow students to receive school credit in addition to, or in lieu of, any net profits when engaging in profit-making operations.

Your Committee on Conference finds that there is an absence of clarity and consistency regarding the allowable parameters of commercial enterprise activities in public schools. This, in turn, limits students' opportunities to engage in real-world, hands-on experiences. Accordingly, this measure promotes workforce readiness by clarifying the law pertaining to commercial enterprise activities in public schools.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3091, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3091, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Taniguchi and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Costales and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 146-22 on S.B. No. 2142

The purpose of this measure is to:

- (1) Allow Department of Education students to fulfill high school diploma requirements by taking world language, fine arts, career and technical education, or computer science credits;
- (2) Establish a Computer Science in Teaching Scholarship Program at the University of Hawaii to encourage students earning an education degree to take a computer science course;
- (3) Require the University of Hawaii to establish computer science pathways for students earning an education degree;
- (4) By June 30, 2023, require programs leading to teacher licensing and certification to include certain computer science instruction; and
- (5) Appropriate funds for the University of Hawaii Computer Science in Teaching Scholarship Program.

Your Committee on Conference finds that computer science skills are critical to academic and career success. Accordingly, this measure promotes education and career success by encouraging high school students to learn computer science, providing incentives for future teachers to study computer science, and requiring that certified and licensed teachers receive instruction in computer science.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000; and
- (2) Inserting an effective date of July 1, 2022.

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. 2142, 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. 2142, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Kim, Shimabukuro and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Kim).

Representatives Woodson, Takayama, Eli, Gates and Okimoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 147-22 on S.B. No. 2115

The purpose of this measure is to:

- (1) Require certain children under Family Court jurisdiction to be taken without unnecessary delay to the court or place of shelter designated by the court; and
- (2) Establish conditions and time limits for placing a minor into room confinement at a juvenile detention facility or adult jail facility.

Your Committee on Conference finds that solitary confinement is harmful to youth health and development and increases the likelihood of self-harm and suicide. This measure will protect the health and safety of minors by codifying room confinement conditions and limitations.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2115, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2115, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Nishihara, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Yamane, Ichiyama, Tam, Har and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 148-22 on S.B. No. 2482

The purpose of this measure is to establish an Office of Wellness and Resilience within the Office of the Governor to support and implement the statewide framework developed by the Trauma-Informed Care Task Force established pursuant to Act 209, Session Laws of Hawaii 2021.

Your Committee on Conference finds that traumatic experiences, especially in childhood, can have a lifelong impact on health, learning, and even brain development. Positively influencing a child's developing brain is more effective and less costly than attempting to correct poor learning, health, and behaviors later in life. Your Committee on Conference further finds that currently, state agencies and departments have worked independently to train their family-serving workforce in trauma-informed care. The office established by this measure will lead the creation and adoption of a statewide framework for trauma-informed and responsive practices, which among other things, will help to coordinate the various agencies that have individually taken steps toward improving trauma-informed care.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$894,528 for the establishment and operations of the Office of Wellness and Resilience, which includes six full-time equivalent (6.0 FTE) positions and two contracted consultants; and
- (2) Inserting an effective date of July 1, 2022.

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. 2482, 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. 2482, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Kitagawa, Tam, Har and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 149-22 on S.B. No. 3367

The purpose of this measure is to create an Early Lung Cancer Screening Task Force to research the steps and resources necessary to increase early lung cancer screening in the State.

Your Committee on Conference finds that lung cancer is the leading cause of cancer deaths for men and women in Hawaii, yet Hawaii ranks last in the nation for the early diagnosis of lung cancer. Your Committee on Conference also finds that the United States Preventive Services Task Force has recommended that smokers and former smokers who are at high risk of developing lung cancer undergo computerized tomography scans. An annual lung cancer screening with low-dose computed tomography is now recommended for adults ages fifty to eighty years who have a twenty pack-year smoking history and currently smoke or have quit within the past fifteen years. Thus, there is a need to research, plan, and implement early lung cancer screening in the State. This measure establishes the Early Lung Cancer Screening Task Force to accomplish these goals.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$250,000 for the Early Lung Cancer Screening Task Force;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3367, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3367, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Yamane, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 150-22 on S.B. No. 2822

The purpose of this measure is to authorize the Department of Education to offer optional asthma education instruction to students and provide asthma training to teachers and other department employees who interact with students.

Your Committee on Conference finds that a substantial number of Hawaii residents are living with asthma and many are children. Your Committee on Conference further finds that research suggests that students who engage in school-based asthma education experienced significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after participation in the intervention. Accordingly, this measure authorizes the Department of Education to offer optional asthma education instruction to students and provide training to teachers and other department employees to ensure students with asthma are able to thrive in all environments.

Your Committee on Conference has amended this measure by inserting an effective date of July 1, 2022.

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. 2822, 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. 2822, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Keohokalole, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Keohokalole).

Representatives Woodson, Yamane, Eli, Kapela and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Yamane).

Conf. Com. Rep. 151-22 on S.B. No. 2214

The purpose of this measure is to require and fund the Board of Education, through the State Librarian, to establish a digital literacy program to promote digital literacy through programmatic activities, including making digital technology accessible to individuals with disabilities.

Your Committee on Conference finds that digital literacy skills are crucial for career success today. However, while digitization offers advantages to digitally literate individuals, it also increases barriers for members of the public who lack digital skills. Accordingly, this measure promotes digital literacy and the improvement of workforce skills by establishing a digital literacy program within the public library system.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$75,000; and
- (2) Removing the establishment of one full-time equivalent (1.0 FTE) position within the Hawaii state public library system.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2214, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2214, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Costales and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 152-22 on S.B. No. 2857

The purpose of this measure is to:

- (1) Establish a five-year Child Wellness Incentive Pilot Program within the Department of Human Services to pay \$50 to a state Medicaid benefit recipient, each time the recipient parent's child completes a well-child examination; and
- (2) Appropriate funds to establish, implement, and operate the program.

Your Committee on Conference finds that well-child examinations allow for the comprehensive assessment of a child and opportunity for further evaluation if abnormalities are detected. Your Committee on Conference also finds that when children receive the recommended number of high-quality visits, they are more likely to be up-to-date on immunizations, have developmental concerns recognized early, and are less likely to visit the emergency department. This measure will incentivize Medicaid benefit recipients to complete their children's well-child examinations and thereby promote the health of children in State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$4,516,000;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2857, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2857, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Shimabukuro, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Tam, Har and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 153-22 on S.B. No. 3236

The purpose of this measure is to appropriate funds to provide a one-time enhanced payment equal to fifteen percent of the Medicaid patient payments of fiscal year 2022-2023 made to any eligible facility in the State that provides care to Medicaid patients in a Medicare-certified nursing facility, community care foster family home, and expanded adult residential care home.

Your Committee on Conference finds that the coronavirus disease 2019 (COVID-19) pandemic has created significant staffing and financial strains for Hawaii's long-term care facilities. The one-time enhanced payment provided by this measure will help these facilities stabilize and attract qualified workers and improve health outcomes for vulnerable facility residents.

Your Committee on Conference has amended this measure by:

- (1) Eliminating the fifteen percent cap for the one-time enhanced payments;
- (2) Clarifying that the one-time enhanced payment will be made to state-licensed skilled nursing facilities, community care foster family homes, and expanded adult residential care homes that are caring for Medicaid patients;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an appropriation amount of \$18,000,000;
- (5) Inserting an effective date of July 1, 2022; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3236, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3236, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kanuha, Ihara and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Ihara).

Representatives Ichiyama, Yamane, Eli, Costales and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Costales).

Conf. Com. Rep. 154-22 on S.B. No. 2283

The purpose of this measure is to:

- (1) Require the Hawaii Natural Energy Institute to conduct a study to examine the potential for the production and use of renewable hydrogen in the State and the potential role of renewable hydrogen in achieving a local, affordable, reliable, and decarbonized energy system and economy; and
- (2) Require a report to the Legislature to be submitted prior to the Regular Session of 2024.

Your Committee on Conference finds that renewable hydrogen can contribute to Hawaii's energy needs and energy planning goals. Your Committee on Conference further finds that although hydrogen is known as a clean and reliable fuel source, it is still critical to fully evaluate its potential before integrating hydrogen into Hawaii's energy system.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2283, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2283, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Misalucha, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Lowen, Marten, Todd and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 155-22 on S.B. No. 3229

The purpose of this measure is to:

- (1) Cap the amount of royalties from geothermal resources that are to be paid to the State and to the county in which the geothermal resources are located;
- (2) Deposit geothermal royalties that are distributed to the University of Hawaii into the University Innovation and Commercialization Initiative Special Fund, to be expended by the Hawaii Institute of Geophysics and Planetology, to further the discovery and development of geothermal resources; and
- (3) Require each county in which mining operations covered under a state geothermal resource mining lease are situated, and the Hawaii Institute of Geophysics and Planetology to submit an annual report to the Legislature on how the royalties distributed to them were used.

Your Committee on Conference finds that although geothermal energy is a firm source of cost-effective renewable energy, none of the royalties from geothermal resources have been used to advance the discovery and development of geothermal resources within the State. Your Committee on Conference finds that funding the assessment and exploration of local geothermal resources may decrease the State's reliance on fossil fuels, contribute to Hawaii's energy diversification, and help the State to achieve one hundred percent renewable energy generation statewide.

Your Committee on Conference has amended this measure by:

- (1) Replacing the Hawaii Institute of Geophysics and Planetology with the Hawaii Groundwater and Geothermal Resources Center as the entity to use the geothermal royalties in the University Innovation and Commercialization Initiative Special Fund and submit an annual report to the Legislature on how the royalties distributed to them were used;
- (2) Capping the geothermal royalties that the State pays to the county in which mining operations covered under a state geothermal resource mining lease are situated at \$600,000;
- (3) Capping the geothermal royalties distributed annually to the State at \$1,000,000; and
- (4) Making it effective on July 1, 2022.

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. 3229, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3229, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Moriwaki, Misalucha and Fevella.
Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Moriwaki).

Representatives Lowen, Takayama, Marten, Perruso and Matsumoto.
Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 156-22 on S.B. No. 2570

The purpose of this measure is to:

- (1) Establish the Zero-Emission Vehicle Fueling System Rebate Program;
- (2) Establish the rebate amount for the installation or upgrade of a hydrogen fueling system;
- (3) Establish a hydrogen fueling system subaccount within the Public Utilities Commission Special Fund; and
- (4) Reduce the allocation that the Energy Systems Development Special Fund receives from the Environmental Response, Energy, and Food Security Tax from 8 cents to 5 cents and allocate the difference to the hydrogen fueling system subaccount.

Your Committee on Conference finds that incentivizing the installation and upgrade of hydrogen refueling stations is essential to meeting the demand for hydrogen fuel cell vehicles and promoting the use of zero-emission vehicles in the State. Your Committee on Conference further recognizes that an increased use in zero-emission vehicles will not only further the State's energy policy objectives but may also decrease the State's reliance on fossil fuels.

Your Committee on Conference has amended this measure by:

- (1) Making it effective on July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2570, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2570, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Lowen, Kitagawa, Marten, Kong and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 157-22 on S.B. No. 2865

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in constructing a net-zero carbon capture storage utilization platform to recover vented carbon dioxide emissions and scrub and liquify the emissions into food grade liquid carbon dioxide.

Your Committee on Conference finds that the food grade liquid carbon dioxide produced by DIBSHawaii LLC's proposed net-zero carbon capture storage utilization platform will be used for agriculture, energy, and carbon storage to support the State's food security and resilience goals. Your Committee on Conference notes that the construction of a net-zero carbon capture storage utilization platform in the State would have additional benefits, including but not limited to import substitution, economic diversification, and long-term carbon sequestration.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$40,000,000; and
- (2) Making it effective on July 1, 2022.

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. 2865, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2865, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Shimabukuro, Riviere and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Lowen, Marten, Tokioka and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 158-22 on S.B. No. 3235

The purpose of this measure is to establish and appropriate funds for an inter-agency Safe Spaces for Youth Pilot Program within the Department of Human Services to provide safe spaces in each county for youth experiencing homelessness.

Your Committee on Conference finds that runaway and homeless youth are vulnerable to multiple risks, including lack of basic food and shelter, untreated mental health disorders, substance use, disruptions in their education, sexually transmitted diseases and human immunodeficiency virus infection, sexual exploitation, physical victimization, and suicide. Your Committee on Conference believes that the Safe Spaces for Youth Pilot Program established under this measure will provide an additional means of addressing the unmet needs of homeless youth through a coordinated inter-agency effort involving the state and county agencies responsible for the State's child welfare, education, health, human services, and juvenile justice systems.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$600,000 for the Safe Spaces for Youth Pilot Program;
- (2) Clarifying that the appropriation includes funding for one full-time equivalent (1.0 FTE) position and administrative costs for the pilot program; and
- (3) Inserting an effective date of July 1, 2022.

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. 3235, 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. 3235, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kanuha, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Tam, Gates and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 159-22 on H.B. No. 2336

The purpose of this measure is to:

- (1) Clarify certain provisions in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the Photo Red Light Imaging Detector Systems Program;
- (2) Establish minimum display times for yellow lights on traffic-control signals; and
- (3) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for the current timetable of the Photo Red Light Imaging Detector Systems Program.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have established minimum display times for yellow lights on traffic-control signals;
- (2) Clarifying the definition of "photo red light imaging detector" or "photo red light imaging detector system";
- (3) Clarifying procedures regarding answering, court hearings, and court actions;
- (4) Changing the effective date to upon approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2336, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2336, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Rhoads, Inouye and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Aquino, Matayoshi, Ilagan, Nishimoto and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Nishimoto).

Conf. Com. Rep. 160-22 on H.B. No. 1971

The purpose of this measure is to:

- (1) Authorize and regulate peer-to-peer car-sharing programs;
- (2) Impose the general excise tax and rental motor vehicle surcharge tax on peer-to-peer car-sharing programs; and
- (3) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Department of Taxation.

Your Committee on Conference notes that each of the counties may enact ordinances to regulate parking to address parking issues related to peer-to-peer car-sharing programs.

Your Committee on Conference has amended this measure by:

- (1) Clarifying certain definitions and recordkeeping provisions;
- (2) Clarifying the timeframe that a peer-to-peer car-sharing program must perform certain requirements related to motor vehicle safety recalls;
- (3) Changing the effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1971, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1971, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Baker, Rhoads, Wakai and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Aquino, Johanson, Ilagan, Nishimoto and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 2 (Johanson, Nishimoto).

Conf. Com. Rep. 161-22 on H.B. No. 1619

The purpose of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee on Conference has amended this measure by:

- (1) Removing references to admitted carriers;
- (2) Reducing the required primary insurance coverage amount for shared cars used through a peer-to-peer car-sharing program from \$1,000,000 to \$750,000;
- (3) Clarifying optional coverage provisions, including requirements in the event the only named insured under the motor vehicle insurance policy issued is the peer-to-peer car-sharing program;
- (4) Requiring the Insurance Commissioner to submit a progress report to the Legislature prior to the Regular Session of 2025;
- (5) Changing its effective date to January 1, 2023, and inserting a sunset date of June 30, 2025; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1619, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1619, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Baker, Taniguchi and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Aquino, Johanson, Ilagan and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 162-22 on H.B. No. 1992

The purpose of this measure is to:

- (1) Allow composting and co-composting operations in agricultural districts, under certain conditions; and
- (2) Establish and appropriate funds for one full-time equivalent (1.0 FTE) permanent Environmental Health Specialist IV position in the Department of Health Solid and Hazardous Waste Branch.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$55,200 for the Environmental Health Specialist IV position; and
- (2) Changing its effective date to July 1, 2022.

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. 1992, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1992, H.D. 3, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Kanuha, Acasio and Fevella.
Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Lowen, Marten, Perruso and Matsumoto.
Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Lowen).

Conf. Com. Rep. 163-22 on H.B. No. 1179

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 gorse as a marketable product to expand economic opportunities for native Hawaiians.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 to establish the pilot program;
- (2) Extending the annual reporting requirement to the Legislature to twenty days prior to the convening of the Regular Session of 2026;
- (3) Changing its effective date to July 1, 2022; and
- (4) Changing its repeal date to June 30, 2026.

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. 1179, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1179, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Gabbard, Inouye and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Hashem, Nakashima, Todd, Perruso and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Perruso).

Conf. Com. Rep. 164-22 on H.B. No. 2195

The purpose of this measure is to establish and appropriate funds for a Cesspool Compliance Pilot Grant Project to assist low- and moderate-income property owners, including lessees on Hawaiian home lands, with the costs of upgrading, converting, or connecting a failing cesspool.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble;
- (2) Clarifying the grant award criteria, including a household income limit of no greater than one hundred forty percent of the area median income;
- (3) Requiring an owner or lessee to provide the Department of Health with certain documents;
- (4) Limiting the maximum amount of a grant award to \$20,000;
- (5) Making rulemaking by the Department of Health discretionary, rather than mandatory, and authorizing third parties to claim a grant award on behalf of an owner or lessee, subject to Department of Health rules;
- (6) Specifying that the Department of Health shall submit a report on the grant pilot project to the Legislature prior to the Regular Session of 2024;
- (7) Inserting an appropriation amount of \$5,000,000 for the implementation of the Cesspool Compliance Pilot Grant Project;
- (8) Removing language that would have allowed appropriated funds to be used for one temporary, part-time position in the Department of Health;
- (9) Specifying that any appropriated funds unencumbered as of June 30, 2024, shall lapse as of that date;
- (10) Changing the effective date to July 1, 2022, and inserting a sunset date of June 30, 2028; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2195, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2195, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Gabbard, Kanuha, San Buenaventura and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Fevella).

Representatives Lowen, Kitagawa, Marten, Todd and Matsumoto.

Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 165-22 on H.B. No. 1644

The purpose of this measure is to ban the manufacture, sale, or distribution for sale or use of wraps and liners, plates, food boats, pizza boxes, and class B firefighting foams that contain intentionally introduced perfluoroalkyl and polyfluoroalkyl substances, in certain circumstances.

Your Committee on Conference has amended this measure by:

- (1) Providing an exception to the ban to allow the use of class B firefighting foam for the suppression of petroleum fires; and
- (2) Changing its effective date to July 1, 2022.

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. 1644, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1644, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Baker, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Kitagawa, Marten, B. Kobayashi, Todd and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 166-22 on H.B. No. 1640

The purpose of this measure is to:

- (1) Establish electronic device reporting requirements for manufacturers and collectors; and
- (2) Establish the Electronic Device Recycling Working Group.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 2 version, which:
 - (A) Establishes electronic device manufacturer recycling goals and record keeping and reporting requirements for manufacturers and collectors;
 - (B) Requires collectors to register with the Department of Health;
 - (C) Changes the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act and expands the recycling and collection requirements of televisions to all electronic devices; and
 - (D) Requires the electronic device recycling and recovery program to include, among other things, a description of the methods for the convenient collection of electronic devices; and
- (2) Further amending this measure by:
 - (A) Deleting duplicative language that would have required manufacturers to report certain data;
 - (B) Deleting language that would have required the Department of Health to use certain market share data to determine each manufacturer's recycling responsibilities;
 - (C) Changing its effective date to July 1, 2022; and
 - (D) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1640, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1640, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Moriwaki, Wakai, Rhoads, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, 1 (Wakai). Excused, 1 (Fevella).

Representatives Lowen, Johanson, Marten, Tokioka and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Johanson).

Conf. Com. Rep. 167-22 on S.B. No. 3201

The purpose of this measure is to clarify the application of the general excise tax law with regard to gross income derived from unrelated trade or business activities of nonprofit organizations.

Your Committee on Conference finds that, while the federal law is clear with an extensive body of statutory interpretation, nonconforming language used in the state general excise tax provision produces incongruities in how nonprofit activities are taxed. This measure will simplify and improve a nonprofit organization's accounting of income and exempt fundraising income from the general excise tax.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of January 1, 2023; and
- (2) Inserting a sunset date of December 31, 2027.

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. 3201, 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. 3201, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Ihara, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Quinlan, Kitagawa, Holt and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 168-22 on S.B. No. 2144

The purpose of this measure is to require the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprised of stakeholders, to develop and publish, and periodically review and update, electronic information technology accessibility standards to be implemented by all state entities.

Your Committee on Conference finds that electronic information technology has rapidly replaced conventional printed communications in various areas, including employment, education, and public services. This measure will help the State meet its digital equity goals by ensuring that all electronic information, programs, and services offered by the State are accessible to individuals with a disability at consistent levels across all state entities.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2144, 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. 2144, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, Shimabukuro, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Takayama, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 169-22 on S.B. No. 2076

The purpose of this measure is to:

- (1) Require the University of Hawaii and the Hawaii Broadband and Digital Equity Office to convene a working group to determine the appropriate governance structure to operate, maintain, and oversee broadband assets; and
- (2) Appropriate an unspecified amount of funds to the University of Hawaii for the administration of the working group.

Your Committee on Conference finds that the effective and efficient construction and maintenance of broadband infrastructure necessary to sustain interconnectivity within the State is vital to the well-being of Hawaii's residents and communities. Your Committee on Conference further finds that the broadened scope of duties of the Hawaii Broadband and Digital Equity Office necessitates an increase of resources for the Office to perform its duties.

Your Committee on Conference has amended this measure by:

- (1) Adding the Director of Health and the Superintendent of Education to the members of the working group;
- (2) Removing language that appropriates an unspecified amount of funds to the University of Hawaii for the administration of the working group;
- (3) Appropriating:
 - (A) \$360,000 for three full-time equivalent (3.0 FTE) administrative positions for the operation and administration of the Hawaii Broadband and Digital Equity Office; and

(B) \$200,000,000 in federal funds to the University of Hawaii for the planning and implementation of a statewide broadband initiative;

- (4) Making it effective on July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2076, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2076, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Baker, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Takayama, Johanson, Todd, Clark and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Johanson).

Conf. Com. Rep. 170-22 on H.B. No. 2255

The purpose of this measure is to require agencies to:

- (1) Use public benefits fee administrator rebates where available for buildings and facilities; and
- (2) Prioritize building and facility appliances that meet the standards required to qualify for public benefits fee administrator rebates.

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2022.

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. 2255, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2255, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Moriwaki, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Moriwaki).

Representatives Lowen, Marten, D. Kobayashi, Tokioka and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 171-22 on H.B. No. 1801

The purpose of this measure is to:

- (1) Require state facilities, with the exception of smaller facilities, to implement cost-effective energy efficiency measures;
- (2) Direct the Hawaii State Energy Office to collect all state-owned facilities' utility bill and energy usage data and make this data publicly available;
- (3) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures; and
- (4) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency and energy generation potential, and the use building materials that reduce the carbon footprint of the project.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble and purpose section;
- (2) Deleting language that would have provided that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures;
- (3) Changing its effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1801, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1801, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Moriwaki, Misalucha and Fevella.
Managers on the part of the Senate.

Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Moriwaki).

Representatives Lowen, Marten, Todd and Matsumoto.
 Managers on the part of the House.
 Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 172-22 on H.B. No. 1761

The purpose of this measure is to authorize the issuance of limited purpose identification cards for individuals who otherwise satisfy the requirements for a government-issued identification card except for the individual’s inability or refusal to provide satisfactory proof of authorized presence in the United States under federal law.

Your Committee on Conference has amended this measure by:

- (1) Requiring every application for limited purpose identification cards to be made upon the form, and in the manner, required for non-limited purpose identification cards; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1761, 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. 1761, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Rhoads, DeCoite and Fevella.
 Managers on the part of the Senate.
 Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Holt, Matayoshi and Ward.
 Managers on the part of the House.
 Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 173-22 on H.B. No. 1539

The purpose of this measure is to:

- (1) Prohibit a person or an organization from posting the personal information of federal and state judges and other judicial staff on the Internet with the intent to intimidate or threaten injury, harm, or violence to the judge or staff or their immediate family members; and
- (2) Create a task force to identify further appropriate measures to enhance the security of judges and judiciary personnel while not diminishing civil liberties or unduly hindering governmental operations.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have prohibited a person or an organization from posting the personal information of federal and state judges and other judicial staff on the Internet with the intent to intimidate or threaten injury, harm, or violence to the judge or staff or their immediate family members;
- (2) Changing the 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 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. 1539, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1539, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keith-Agaran, Lee and Fevella.
 Managers on the part of the Senate.
 Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Holt, Takumi and Ward.
 Managers on the part of the House.
 Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 174-22 on H.B. No. 1536

The purpose of this measure is to appropriate supplemental funds for the Judiciary for the fiscal biennium beginning July 1, 2021, and ending on June 30, 2023.

Your Committee on Conference has amended this measure by inserting appropriate operating and capital amounts for fiscal biennium 2021-2023, as well as making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As amended this budget appropriates:

	FY 2021-2022	FY 2022-2023
General Funds	\$164,891,486	\$169,702,798
All Means of Financing	\$177,900,433	\$182,203,682

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. 1536, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1536, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Nakashima, Luke, Yamashita and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 175-22 on H.B. No. 1800

The purpose of this measure is to require and appropriate funds for the Hawaii Natural Energy Institute to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 2 version, which:
 - (A) Establishes a goal for the statewide greenhouse gas emissions limit to be at least fifty percent below 2005 levels by 2030;
 - (B) Requires the Hawaii State Energy Office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals; and
 - (C) Appropriates funds out of the Energy Security Special Fund for the study; and
- (2) Further amending this measure by:
 - (A) Inserting an appropriation amount of \$350,000 out of the Energy Security Special Fund for the Hawaii State Energy Office to analyze pathways and develop recommendations for achieving the State's economy-wide decarbonization goals; and
 - (B) Changing its effective date to July 1, 2022.

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. 1800, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1800, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Wakai, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Kitagawa, Marten, Todd and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 176-22 on S.B. No. 2923

The purpose of this measure is to increase the generally applicable fine and the fine for homeowner liability under the Fireworks Control Act from \$2,000 to \$5,000.

Your Committee on Conference finds that the illegal use of aerial fireworks continues to annoy residents, traumatize pets, and create dangerous conditions for the entire community. This measure will reduce the use of aerial fireworks, including during celebrations, by increasing the maximum fine that may be assessed per fireworks-related violation from \$2,000 to \$5,000; provided that the fireworks violation does not otherwise have a specific penalty enumerated in statute.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2923, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2923, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Rhoads, Kidani, Keohokalole and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Todd, Kitagawa and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 177-22 on S.B. No. 3075

The purpose of this measure is to:

- (1) Ensure that the Compliance Resolution Fund receives \$2,000,000 of the revenues collected under the franchise tax for use by the Division of Financial Institutions of the Department of Commerce and Consumer Affairs;
- (2) Specify that if the revenues collected are under \$2,000,000, the difference is to be received from revenues collected under income tax, in an amount not to exceed \$2,000,000; and
- (3) Require excess revenues collected under the franchise tax to be deposited into the general fund.

Your Committee on Conference finds that existing law requires that \$2,000,000 of franchise tax revenue collections be deposited with the Director of Finance to the credit of the Compliance Resolution Fund every fiscal year to be used by the Division of Financial Institutions to support its mission to effectively license, supervise, and regulate the constantly changing and complex financial institutions within its jurisdiction. However, there have been situations where the deposit of the franchise tax revenues was delayed from one fiscal year to the succeeding fiscal year, which risks interference with the Division of Financial Institution's mission and functions and can delay payments or the ability to enter into necessary contracts. This measure will resolve payment timing issues and specify the source of revenues to reach the necessary \$2,000,000 to fund the Division of Financial Institutions.

Your Committee on Conference has amended this measure by:

- (1) Specifying that, from the franchise tax revenues collected each fiscal year, the sum representing the first \$2,000,000 of such revenues shall be deposited with the Director of Finance to the credit of the Compliance Resolution Fund before tax credits are realized;
- (2) Deleting language that would have required that, in the event the revenues collected are less than \$2,000,000, the difference is to be received from revenues collected under income tax, in an amount not to exceed \$2,000,000; and
- (3) Making it effective upon its approval, provided that it apply to taxable years beginning after December 31, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3075, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3075, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Shimabukuro, Chang and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Todd, Kitagawa and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 178-22 on S.B. No. 2185

The purpose of this measure is to:

- (1) Require the auditor of fireworks and articles pyrotechnic records for each county fire department to submit to the Legislature an annual report detailing inventory, recordkeeping, and sales of fireworks to license or permit holders; and
- (2) Make grants-in-aid to the counties to cover costs associated with reporting the information to the Legislature.

Your Committee on Conference finds that the use of illegal fireworks in recent years has substantially increased in the State, resulting in excessive noise, property damage, serious injuries, and in some cases, fatalities. Existing law requires that each county fund an auditor to monitor strict inventory and recordkeeping requirements to ensure that sales of fireworks or articles pyrotechnic are made only to license or permit holders under the Fireworks Control Law. This measure requires additional reporting requirements to increase surveillance of fireworks and articles pyrotechnic, with the ultimate goal of reducing the use of illegal fireworks throughout communities in the State.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have appropriated funds as a grant-in-aid to the counties for the purpose of reporting the information required in this measure;
- (2) Inserting an effective date of January 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2185, S.D. 3, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2185, S.D. 3, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

Ayes, 4. Noes, none. Excused, none.

Representatives Johanson, Todd, Kitagawa and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 179-22 on S.B. No. 2644

The purpose of this measure is to:

- (1) Extend until June 30, 2028, Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility; provided that the public utility certifies to the Board of Electricians and Plumbers that, after a hiring call, no electrician sufficiently qualified and licensed in the State to perform high voltage electrical work applied to timely perform or complete the necessary job or task before the public utility recruited outside the State; and
- (2) Make permanent the requirement for the Board of Electricians and Plumbers to submit to the Legislature annual reports relating to high voltage electrical work.

Your Committee on Conference finds that the electrical infrastructure in the State is aging and the construction and maintenance of electrical infrastructure requires specialized high voltage workers. There is a limited number of qualified individuals in the State who are trained and licensed as electricians to perform high voltage electrical work, and even fewer who are qualified to perform overhead line work. As a result, qualified workers are recruited from outside the State when work is available, and requiring them to obtain a separate license to work in Hawaii can be burdensome and could result in significant delays to the progression of important and complex construction projects, including repairs and maintenance in emergency situations. This measure extends the exemption established by Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, to allow electrical contractors licensed in Hawaii to utilize qualified out-of-state high voltage electrical workers to perform work for a utility without requiring these qualified electrical workers to obtain a Hawaii journey worker electrician license.

Your Committee on Conference notes that the public utility serving the majority of the State remains committed to working with the Hawaii-licensed contractors and electricians, unions, and industry stakeholders to address whether there is a shortage of electricians who perform high voltage electrical work. The public utility will further work to find ways to grow their in-house workforce.

Your Committee on Conference has amended this measure by:

- (1) Specifying that, before a duly licensed contractor hired by the public utility may recruit qualified electricians who are not licensed in Hawaii, the public utility shall:
 - (A) Solicit a request for proposals to licensed contractors specifying the high voltage work requested, which shall also be made available through its website in an electronic format to C-62 pole and line and C-63 high voltage electrical contractors; and
 - (B) Certify to the Board of Electricians and Plumbers that no electricians (including electricians employed by C-62 pole and line or C-63 high voltage electrical contractors) responded to the request for proposal who were sufficiently qualified and licensed in the State and available and able to perform or timely complete the high voltage electrical work or task;
- (2) Requiring the public utility to submit an annual report to the Board of Electricians and Plumbers covering the preceding calendar year that identifies, at a minimum:
 - (A) The number of qualified contractors the public utility employed to perform high voltage electrical work; and
 - (B) The number of requests for proposals solicited for high voltage work;
- (3) Clarifying the licensure exemption is limited to the use by a public utility for high voltage electrical workers who perform electric transmission and distribution line construction, maintenance, and connection to substation work;
- (4) Deleting language that would have permanently required the Board of the Electricians and Plumbers to submit annual reports to the Legislature containing certain information;
- (5) Extending the repeal date of Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, to 2027 and further amending Act 60 to require the Board of Electricians and Plumbers to submit annual reports to the Legislature prior to the convening of the regular sessions of 2023 through 2027;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of July 1, 2022; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2644, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2644, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Taniguchi, Riviere and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Johanson, Sayama and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 180-22 on S.B. No. 2186

The purpose of this measure is to:

- (1) Direct the conveyance of certain lands used for public schools and owned by the counties of Kauai and Maui, the State, and the Department of Land and Natural Resources to the Department of Education;
- (2) Require legislative approval prior to the sale, gift, or alienation of the fee simple title to lands owned by the Department of Education; and
- (3) Appropriate funds to the Department of Education to effectuate the transfer of the lands and to manage the real property.

Your Committee on Conference finds that the Department of Education has invested significant funds on maintenance and capital improvement projects for new school facilities. Your Committee on Conference further finds that non-unified ownership of the land under existing Department of Education schools and offices complicates redevelopment and improvements. Accordingly, this measure provides the Department with the requisite flexibility to redevelop and improve its assets in a timely and efficient manner by consolidating all land underlying existing public schools under the ownership of the Department of Education.

Your Committee on Conference notes that the intent of this measure is to transfer ownership of lands underlying Department of Education schools to the Department, and, where applicable and in the discretion of the Department, this intent may be accomplished through the conveyance of a portion or portions of the parcels identified by this measure, following subdivision of the same.

Your Committee on Conference has amended this measure by:

- (1) Adding an alternate conveyance method of transfer by operation of law and clarifying the Department of Education's discretion in electing to obtain ownership of all or a portion of the identified parcels;
- (2) Clarifying the list of parcels to be transferred;
- (3) Inserting an appropriation amount of \$500,000; and
- (4) Inserting an effective date of July 1, 2022.

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. 2186, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2186, S.D. 2, H.D. 1, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Kidani, Inouye, Kanuha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Woodson, Tarnas, Eli, Clark and Okimoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 181-22 on S.B. No. 2478

The purpose of this measure is to establish a renewable fuels production tax credit.

Your Committee on Conference finds that the renewable fuels production tax credit established by Act 202, Session Laws of Hawaii 2016, was repealed on December 31, 2021. Your Committee on Conference further finds that reinstating a renewable fuels production tax credit will help the State achieve greater energy security.

Your Committee on Conference has amended this measure by reverting its contents to the S.D. 2 version and further amending it by:

- (1) Setting the annual dollar amount of the renewable fuels production tax credit during the ten-year credit period equal to 20 cents per seventy-six thousand British thermal units of renewable fuels using the lower heating value sold for distribution in Hawaii;
- (2) Capping the tax credit claimed by a taxpayer under this section at \$3,500,000 per taxable year;
- (3) Capping the total amount of renewable fuels production tax credits claimed by all eligible taxpayers at \$20,000,000 in any calendar year;
- (4) Requiring the tax credit only be claimed for fuels with lifecycle emissions below that of fossil fuels;
- (5) Requiring taxpayers claiming the tax credit to provide a statement of information including the lifecycle greenhouse gas emissions per British thermal units for each type of qualified fuel produced no later than thirty days following the close of the calendar year;
- (6) Requiring the Hawaii State Energy Office to provide taxpayers with a determination of whether the lifecycle greenhouse gas emissions for each type of qualified fuel produced is lower than that of fossil fuels within thirty calendar days after the due date of the taxpayer's statement;

- (7) Streamlining the purpose section;
- (8) Making it effective upon its approval; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2478, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2478, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Kidani, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Lowen, Quinlan, Kitagawa, Marten, Tam and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 182-22 on H.B. No. 1885

The purpose of this measure is to establish within the Office of Enterprise Technology Services a Chief Data Officer and a Data Task Force to develop, implement, and manage statewide data policies, procedures, and standards.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1885, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1885, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Takayama, Kitagawa, Yamashita, Clark and Okimoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 183-22 on H.B. No. 1517

The purpose of this measure is to:

- (1) Direct the Department of Agriculture to conduct a study to assess the economic impact on the local coffee industry from potential changes to coffee labeling requirements, complete the study no later than January 1, 2024, and submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (2) Require disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (3) Make it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than fifty-one percent of coffee by weight from that geographic origin;
- (4) Prohibit use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown in Hawaii; and
- (5) Appropriate funds for the Pesticide Subsidy Program.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble to reflect its intended purpose;
- (2) Specifying that the economic impact study shall be an independent study to assess the economic impact of Hawaii's coffee labeling laws on local coffee farmers and the local coffee industry, including the impacts of a change to a minimum coffee blend ratio of fifty-one percent and one hundred percent;
- (3) Deleting provisions that would have required disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (4) Deleting provisions that would have made it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than fifty-one percent of coffee by weight from that particular geographic region;
- (5) Deleting provisions that would have prohibited use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown in Hawaii;
- (6) Deleting the appropriation for the Pesticide Subsidy Program;
- (7) Inserting an appropriation of \$100,000 for the independent economic impact study;

- (8) Changing its effective date to July 1, 2022; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1517, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1517, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Wakai, Baker, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Lowen, Johanson, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 184-22 on H.B. No. 1775

The purpose of this measure is to:

- (1) Require annual reporting to the Legislature by each state educational program or activity on the number and types of discrimination cases received by the University of Hawaii, Department of Education, and State Public Charter School Commission and other relevant information;
- (2) Establish two full-time equivalent (2.0 FTE) senior advisor positions and one full-time equivalent (1.0 FTE) junior advisor position for the University of Hawaii System to carry out the purposes of this measure; and
- (3) Appropriate funds to the Department of Education and State Public Charter School Commission to carry out the purposes of this measure.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the University of Hawaii, Department of Education, and State Public Charter School Commission, rather than each state educational program or activity, are required to submit annual reports to the Legislature;
- (2) Requiring public charter schools to submit the number and types of discrimination cases and other relevant information to the State Public Charter School Commission, in a form prescribed by the Commission, by August 1 of each year;
- (3) Requiring covered educational programs and activities to be in compliance with chapter 368D, Hawaii Revised Statutes, during the school year when state funds are received or expended;
- (4) Deleting the definition of "state educational program or activity";
- (5) Deleting language that would have established two full-time equivalent (2.0 FTE) senior advisor positions and one full-time equivalent (1.0 FTE) junior advisor position for the University of Hawaii System to carry out the purposes of this measure;
- (6) Deleting the appropriations to the Department of Education and State Public Charter School Commission to carry out the purposes of this measure;
- (7) Inserting an appropriation of \$350,000 to the Department of Education for equity training;
- (8) Changing the effective date to July 1, 2022; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1775, H.D. 2, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1775, H.D. 2, S.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Kim, Kanuha, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Rhoads).

Representatives Woodson, Ichiyama, Eli, Kapela and Okimoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 185-22 on H.B. No. 1561

The purpose of this measure is to:

- (1) Establish an Adult Workforce Readiness Program (Program) to provide opportunities for students to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates; and
- (2) Require the Department of Education to designate schools to participate in the Program.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1561, 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. 1561, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Kapela, B. Kobayashi and Okimoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 186-22 on H.B. No. 2000

The purpose of this measure is to appropriate funds to the School Facilities Authority for the construction of preschool facilities.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$200,000,000 to the School Facilities Authority;
- (2) Clarifying that the appropriation is to expand access to pre-kindergarten to eligible children of the State;
- (3) Clarifying the purposes for which the School Facilities Authority may expend the funds;
- (4) Providing that the appropriation shall not lapse at the end of the fiscal biennium for which the appropriation is made and that all monies from the appropriation unencumbered as of June 30, 2024, shall lapse as of that date; and
- (5) Changing the effective date to July 1, 2022.

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. 2000, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2000, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kidani, Keith-Agaran and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Woodson, Eli, Kapela and Okimoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 187-22 on S.B. No. 2370

The purpose of this measure is to:

- (1) Establish the Office on Homelessness and Housing Solutions to be administratively attached to the Department of Human Services, and headed by the Governor's Coordinator on Homelessness; and
- (2) Appropriate funds for the administration of the Office on Homelessness and Housing Solutions, including funding for full-time equivalent positions.

Your Committee on Conference finds that homelessness is a long-term problem that requires a long-term commitment to resolve. Your Committee on Conference finds, however, that the positions of the Governor's Coordinator on Homelessness and his staff are currently funded as part of a special project under the Department of Human Services that lapse every two years unless renewed. This measure commits the State to resolving its growing homelessness problem by establishing a permanent Office on Homelessness and Housing Solutions to be headed by the Governor's Coordinator on Homelessness; and by converting the temporary status of the Coordinator and his staff's positions into permanent ones before they lapse.

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

- (1) Deleting the provision requiring each state agency that administers public lands to provide the Governor's Coordinator on Homelessness with an inventory identifying any available vacant public lands under the jurisdiction of that agency;
- (2) Deleting from the content of the Governor's Coordinator on Homelessness's annual report, the inventory of available vacant public lands provided by each state agency that administers public lands;
- (3) Inserting an appropriation amount of \$50,000;
- (4) Establishing five full-time equivalent (5.0 FTE) positions to carry out the objectives of the Office on Homelessness and Housing Solutions;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making it effective upon approval; provided that section 5 shall take effect on July 1, 2022; and

- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2370, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2370, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Moriwaki, Kanuha, Ihara and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Nakamura, Yamane, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 188-22 on S.B. No. 1137

The purpose of this measure is to increase the amount of unencumbered and unexpended moneys that the Spouse and Child Abuse Special Fund can retain.

Your Committee on Conference finds that the Spouse and Child Abuse Special Fund is a fund administered and expended by the Department of Human Services to support or provide spouse or child abuse intervention and prevention. Your Committee on Conference also finds that the Family First Prevention Services Act of 2018, P.L. 15-123, added a mechanism for states to claim reimbursement through Title IV-E of the Social Security Act for a percentage of state funds spent on certain child abuse and neglect prevention services, and the Department of Human Services anticipates that it will soon be able to begin drawing down certain federal reimbursement moneys. Your Committee on Conference finds however, that existing law requires all unencumbered and unexpended moneys in the Spouse and Child Abuse Special Fund in excess of \$3,000,000 to lapse to the general fund. This measure will increase this cap amount to ensure that the federal reimbursements received will remain in the Spouse and Child Special Fund until they may be used to administer programs and services that prevent, reduce, and respond to the impacts or incidents of spouse abuse and child abuse and neglect.

Your Committee on Conference has amended this measure by:

- (1) Inserting an amount of \$5,000,000 as the amount of unencumbered and unexpended moneys the Spouse and Child Abuse Special Fund can retain;
- (2) Making it effective upon its approval and inserting a sunset date of June 30, 2027; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1137, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1137, S.D. 2, H.D. 2, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators San Buenaventura, Inouye, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Yamane, Tam, Kapela and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 189-22 on S.B. No. 2378

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten volunteer members to three full-time, salaried members, with at least two members required for quorum;
- (2) Authorizing members to validate the Board's actions with a concurrence of the majority;
- (3) Establishing a compensation schedule for board members with compensation based on a percentage of the Director of Taxation's salary;
- (4) Clarifying that Board meetings are contested case hearings and specifying notice requirements;
- (5) Clarifying the legal and evidentiary framework the Board must use in reaching its decisions; and
- (6) Appropriating funds for Board members and staff.

Your Committee on Conference finds that existing law does not require the Chairperson of the Taxation Board of Review to have litigation or public accounting experience. Your Committee on Conference further finds that these skills are necessary to ensure competent and fair tax appeals prosecution and resolution. Your Committee on Conference additionally finds that the Department of Taxation has a significant backlog of appeals. Accordingly, this measure promotes the fair and expeditious resolution of tax issues and appeals by requiring the Chairperson to be either a state-licensed attorney or Certified Public Accountant and compensating members of the Taxation Board of Review appropriately.

Your Committee on Conference has amended this measure by:

- (1) Setting the salaries of the Chairperson and members of the Board;
- (2) Inserting an appropriation amount of \$518,542;
- (3) Making it effective upon its approval; provided that section 1 shall take effect on July 1, 2023, and section 5 shall take effect on July 1, 2022; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2378, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2378, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kanuha, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Quinlan, Nakashima, Holt, D. Kobayashi and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Nakashima).

Conf. Com. Rep. 190-22 on S.B. No. 2379

The purpose of this measure is to authorize the Special Enforcement Section of the Department of Taxation to:

- (1) Examine any sector of the State's economy;
- (2) Initiate civil investigations to ensure proper payment of all taxes due;
- (3) Use enforcement and education to deter and prevent non-compliance with state taxation laws; and
- (4) Refer and recommend cases or examinations of segments of the economy to Department of Taxation auditors.

Your Committee on Conference finds that the duties of the Special Enforcement Section need to be updated to reflect current policies and practices of the Department of Taxation. Accordingly, this measure promotes the Department of Taxation's efforts to ensure compliance with tax law by expanding the Special Enforcement Section's purview to authorize examination of all sectors of the economy and by codifying additional responsibilities of the division.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2379, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2379, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kanuha, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Quinlan, Holt, D. Kobayashi and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 191-22 on S.B. No. 2384

The purpose of this measure is to:

- (1) Amend the procurement preference for Hawaii products to only apply to agricultural goods, value-added products, and commodities; and
- (2) Require the Department of Accounting and General Services to provide written notice to offerors listed on the Hawaii products list regarding any amendments to the list, including effective dates and dates of repeal.

Your Committee on Conference finds that the preference for Hawaii products was established to encourage the use of Hawaii products by bidders to support local industries. Your Committee on Conference further finds that this incentive no longer retains its utility and instead, increases costs and delays in the procurement process. Your Committee on Conference further finds, however, that the preference should remain in effect for agricultural goods, value-added products, and commodities. Accordingly, this measure streamlines the procurement process and furthers the State's food production and sustainability goals by narrowing the scope of the Hawaii products preference.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2384, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2384, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kim, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Kitagawa, Wildberger, Costales and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 192-22 on S.B. No. 2387

The purpose of this measure is to require agencies to publicly post the justification for cancelling an invitation for bids or request for proposals, for a minimum of ten business days, on a purchasing agency's website, government electronic notification system, or by any other means the procurement officer deems effective for publicizing the cancellation notice.

Your Committee on Conference finds that offerors devote considerable time and resources to prepare bids and proposals for public contracts. Your Committee on Conference therefore finds that potential vendors have the right to know the reason or reasons that a purchasing agency has cancelled a contract solicitation. Accordingly, this measure ensures offerors are duly notified of the reason or reasons for cancellation by requiring agencies to publicly post the same.

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

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

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kanuha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Kitagawa, Wildberger, Costales and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 193-22 on S.B. No. 3040

The purpose of this measure is to:

- (1) Create a State Procurement Automation System Special Fund;
- (2) Authorize the Administrator of the State Procurement Office to develop and administer procurement automation systems and charge and collect a transaction fee from all vendors using the procurement automation systems;
- (3) Delete language regarding qualified community rehabilitation programs made redundant by Act 55, Session Laws of Hawaii 2021; and
- (4) Establish five full-time equivalent positions in the State Procurement Office.

Your Committee on Conference finds that the State Procurement Office seeks to transition to an online procurement automation system to align with industry standards. Your Committee on Conference further finds that establishing procurement automation systems in Hawaii will maximize the administrative efficiency and resources of the State Procurement Office. Your Committee on Conference also finds that funding for additional positions will aid in the management of procurement automation systems. Accordingly, this measure will improve procurement in Hawaii by authorizing the establishment of procurement automation systems.

Your Committee on Conference has amended this measure by:

- (1) Removing the establishment of the State Procurement Automation System Special Fund;
- (2) Inserting language to allow the State Procurement Office to plan and develop methods to assess, charge, and collect a transaction fee;
- (3) Deleting language authorizing the assessment of transaction fees;
- (4) Inserting an appropriation amount of \$150,000;
- (5) Reducing the number of positions established from four to two and clarifying the responsibilities of those positions;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of July 1, 2022; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3040, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3040, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Johanson, Wildberger, Costales and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 194-22 on S.B. No. 3282

The purpose of this measure is to:

- (1) Authorize the Comptroller to mandate the transfer of post-statehood governmental records to the State Records Center and the time period at which the records should be transferred; and
- (2) Appropriate funds to the Office of Enterprise Technology Services for operating costs and equipment to administer the State Records Center and for positions within the State Archives to assist agencies in the identification and transfer of certain government records to the State Archives.

Your Committee on Conference finds that certain records are required by law to be maintained by state departments and agencies. Your Committee on Conference finds, however, that there is a lack of understanding amongst state employees regarding records retention requirements. Accordingly, this measure promotes sound and legally compliant records retention practices by providing clear and uniform instructions regarding when non-permanent records should be sent to the State Records Center for storage and eventual destruction, and when permanent records should be transferred to the State Archives for long-term preservation and public access.

Your Committee on Conference has amended this measure by:

- (1) Inserting in section 3 an appropriation amount of \$303,000 and clarifying the department to receive the funds and the allowable uses of the appropriated funds, which includes \$118,000 for the establishment of two full-time (2.0 FTE) positions to assist in the digitization of government records;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Inserting an effective date of July 1, 2022.

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. 3282, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3282, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kidani, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Nakashima, Wildberger, Costales and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 195-22 on S.B. No. 3284

The purpose of this measure is to establish a Technology Services Consolidation Working Group to:

- (1) Develop a plan for the phased consolidation of all state Executive Branch information technology services and staff within five years, except those of the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs, under the Office of Enterprise Technology Services; and
- (2) Recommend ways to attract high-quality information technology professionals to Hawaii.

Your Committee on Conference finds that all state departments use information technology services to fulfill their duties and responsibilities. Your Committee on Conference further finds that the consolidation of information technology services can promote economies of scale and provide for a more efficient and secure use of technology and information management. Accordingly, this measure promotes efficient and effective government operations by establishing a Technology Services Consolidation Working Group to develop a sound consolidation plan and recommend ways to attract high quality professionals in this field.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the required content of the phased consolidation plan;
- (2) Requiring a preliminary status report to the Legislature;
- (3) Amending the date for the submission of the working group's final report;
- (4) Amending the dissolution date of the working group;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3284, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3284, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Kidani, Kanuha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Takayama, Johanson, Todd, Kapela and Okimoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 196-22 on S.B. No. 3324

The purpose of this measure is to:

- (1) Establish a working group to examine and address the problem of infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory homeowner associations in counties with populations greater than one hundred seventy thousand but less than three hundred thousand; and
- (2) Appropriate funds for the working group, subject to the availability of matching county funds.

Your Committee on Conference finds that there is a lack of guidance for planned housing subdivisions without compulsory homeowners or community associations regarding obligations for subdivision infrastructure repair and maintenance. Your Committee on Conference further finds that homeowners in these subdivisions need a way to organize and collect fees required for repairs and maintenance. Accordingly, this measure establishes a working group to investigate and recommend solutions for this problem.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the member composition and selection procedure for the working group;
- (2) Clarifying the duties of the working group;
- (3) Authorizing the working group to convene remotely;
- (4) Inserting an appropriation amount of \$100,000;
- (5) Removing the matching funds limitation from the appropriation;
- (6) Making section 3 effective on July 1, 2022, and the remainder of the Act effective upon its approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3324, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3324, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Lee, Keohokalole, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Nakamura, Matayoshi, Ilagan, Hashimoto and McDermott.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 197-22 on S.B. No. 3369

The purpose of this measure is to:

- (1) Establish a working group to develop a plan for the phased in consolidation of procurement services and staff within executive branch agencies over a five-year timespan, excluding the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs;
- (2) Require the working group to make recommendations for attracting high-quality procurement professionals to the State; and
- (3) Appropriate funds to the State Procurement Office to support the activities of the working group.

Your Committee on Conference finds that procurement activities in the State may not be in strict compliance with applicable law. Your Committee on Conference further finds that few executive branch departments have dedicated procurement personnel. This can lead to mistakes that result in increased costs to the government. Accordingly, this measure promotes competency and expertise, efficiency, and transparency in the public procurement process by establishing a working group to study and develop a responsible plan for the phased consolidation of certain executive branch procurement services and staff.

Your Committee on Conference has amended this measure by:

- (1) Removing the exemption of the Department of Education from the consolidation plan;
- (2) Clarifying the composition and duties of the working group;

- (3) Inserting an appropriation amount of \$250,000 and clarifying the allowable uses of the appropriated funds;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Inserting an effective date of July 1, 2022.

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. 3369, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3369, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Moriwaki, Wakai and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives McKelvey, Johanson, Wildberger, Costales and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 198-22 on S.B. No. 2511

The purpose of this measure is to:

- (1) Expand the renewable energy technologies income tax credit to include firm renewable energy systems, with the credit capped at the lesser of an unspecified percentage of the actual cost or \$750,000 per system; and
- (2) Make the renewable energy technologies income tax credit unavailable for renewable energy technology systems installed and placed in service after December 31, 2045.

Your Committee on Conference finds that expanding the renewable energy technologies income tax credit to include firm renewable energy systems and long-duration renewable energy storage systems would help the State not only achieve its clean energy and carbon reduction goals, but also improve the State's energy diversity, reliability, and stability. Your Committee on Conference further finds that the development of more firm renewable energy generation based on local resources would also promote economic development and increase employment within the State.

Your Committee on Conference has amended this measure by reverting its contents to the S.D. 2 version and further amending it by:

- (1) Clarifying the definition of "firm renewable energy systems" to include capability of continuous production twenty-four hours per day, three hundred sixty-five days per year, on the demand of the energy system operator at its rated capacity, subject only to routine maintenance and repairs;
- (2) Capping the renewable energy technologies income tax credit at the lesser of twenty percent of the actual cost or \$750,000 per firm renewable energy system;
- (3) Defining "long-duration renewable energy storage systems";
- (4) Expanding the renewable energy technologies income tax credit to include long-duration renewable energy storage systems, with the credit capped at the lesser of twenty percent of the actual cost or \$750,000 per system;
- (5) Capping the total amount of renewable energy technologies income tax credits claimed by an eligible taxpayer for a firm renewable energy system or a long-duration renewable energy system at \$3,500,000 in any calendar year;
- (6) Capping the total amount of renewable energy technologies income tax credits claimed by all eligible taxpayers for firm renewable energy systems and long-duration renewable energy systems at \$20,000,000 in any calendar year;
- (7) Requiring that if the cap on the total amount of renewable energy technologies income tax credits allowed for firm renewable energy systems and long-duration renewable energy systems is exceeded in any given calendar year, the \$20,000,000 cap shall be divided between all eligible taxpayers for that year in proportion to their rated capacities;
- (8) Making it effective upon its approval, and apply to taxable years beginning after December 31, 2021; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2511, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2511, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Kidani, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Lowen, Johanson, Marten, Perruso and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 199-22 on S.B. No. 3195

The purpose of this measure is to appropriate funds to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committee on Conference finds that geothermal resources on Hawaiian home lands can be used for the generation, transmission, and production of electricity. This measure provides initial funding for the investigation, exploration, and identification of these resources.

Your Committee on Conference has amended this measure by inserting an appropriation amount of \$500,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3195, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3195, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Wakai, Kanuha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Nakashima, Marten, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Perruso).

Conf. Com. Rep. 200-22 on S.B. No. 3357

The purpose of this measure is to require certain departments and agencies to provide grants to tax-exempt nonprofit organizations that have experience and expertise in supporting and advancing Native Hawaiian communities.

Your Committee on Conference finds that food sustainability, economic development, mitigation of tourism impacts, cultural training, repatriation and reburial of Native Hawaiians, historic preservation, as well as other important cultural tasks need further funding. This measure provides grants to relevant organizations.

Your Committee on Conference has amended this measure by:

- (1) Broadening the requirements for qualifying for the grant;
- (2) Removing the Department of Agriculture and the Department of Labor and Industrial Relations from the appropriation; and
- (3) Inserting an appropriation of \$2,000,000, with \$1,500,000 allocated to the Department of Business, Economic Development, and Tourism, and a \$500,000 allocated to the Department of Land and Natural Resources.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3357, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3357, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Keohokalole and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Nishimoto, Eli, Holt and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Eli).

Conf. Com. Rep. 201-22 on S.B. No. 2720

The purpose of this measure is to:

- (1) Allow new electric vehicle charging stations and certain upgrades having a single port to qualify for a rebate;
- (2) Remove the \$500,000 cap on the electric vehicle charging station rebate program;
- (3) Specify that no rebates shall be approved after available funds are exhausted for the fiscal year;
- (4) Increase the percentage of funds that the Public Utilities Commission may use for administration of the rebate program;
- (5) Allow for marketing and outreach expenses to be included within allowable administration costs of the electric vehicle charging station rebate program; and
- (6) Appropriate funds out of the electric vehicle charging system subaccount for the electric vehicle charging system rebate program.

Your Committee on Conference finds that climate change caused by carbon emissions is a problem with serious environmental, economic, and health ramifications. Electric vehicles are an efficient method of transportation which both helps to mitigate the climate change problem and reduce the cost of transportation for the driver, especially through a decreased reliance on expensive fossil fuels. This measure's purpose is to encourage the installation of more electric vehicle charging stations.

Your Committee on Conference has amended this measure by:

- (1) Inserting \$2,000 and \$1,300 as the maximum rebate amounts for the installation and upgrade of an electric vehicle charging system, respectively;
- (2) Limiting the amount of rebate program moneys authorized to be used for administrative purposes to fifteen percent and clarifying that expenditures not related to marketing or outreach expenses shall not exceed ten percent;
- (3) Removing section 5 and its appropriations;
- (4) Amending Act 75, Session Laws of Hawaii 2021, to appropriate \$500,000 and to clarify that moneys appropriated in Act 75, section 5, Session Laws of Hawaii 2021, will not lapse at the end of the fiscal year and instead, all unexpended funds will lapse as of June 30, 2024;
- (5) Appropriating \$1,000,000 out of the electric vehicle charging system subaccount for the electric vehicle charging system rebate program;
- (6) Inserting an effective date of June 30, 2022; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2720, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2720, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Lee, Baker, Wakai and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Lowen, Kitagawa, Marten, Tam and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 202-22 on H.B. No. 2424

The purpose of this measure is to:

- (1) Expand the investigative powers of the Department of Human Services to include review and investigation of families receiving benefits from the State's adoption assistance program and against whom a post-adoption complaint has been made;
- (2) Require the Department of Human Services to report to the Legislature before the convening of the Regular Session of 2024 on the impact of expanding post-permanency services to families receiving benefits from the adoption assistance program; and
- (3) Appropriate funds for the procurement of contracted services to provide additional support, resources, and monitoring of families receiving benefits from the State's adoption assistance program.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which:
 - (A) Expands the investigative power of the Department of Human Services to include inspections of families who have adopted or received legal guardianship of a child for whom maintenance is provided pursuant to the Social Security Act or through the State's Adoption Assistance Program, including adoptive families where an adoption decree is pending or where an adoption decree has been issued but adoption has not yet taken place, or who are receiving financial assistance through the State's Permanency Assistance Program, and against whom a complaint has been lodged with the Department of Human Services at any time;
 - (B) Requires the Department of Human Services to analyze and report to the Legislature on the impact of expanding home visits to families receiving adoption assistance or legal guardianship assistance payments no later than twenty days prior to the Regular Session of 2027; and
 - (C) Appropriates funds for additional case worker and support staff positions and increased compensation for existing child welfare services case worker positions; and
- (2) Further amending this measure by:
 - (A) Clarifying that the Department of Human Services' review or investigation of families receiving benefits pursuant to the Social Security Act or through the State's Adoption Assistance Program, or are receiving financial assistance through the State's Permanency Assistance Program and against whom a complaint has been lodged shall be in accordance with chapters 350 and 587A, Hawaii Revised Statutes;
 - (B) Requiring the Department of Human Services to submit its report to the Legislature prior to the Regular Session of 2024, rather than 2027;
 - (C) Establishing the Malama Ohana Working Group to seek, design, and recommend transformative changes to the State's existing child welfare system and requiring the Working Group to report to the Legislature prior to the Regular Session of 2024;
 - (D) Authorizing the Department of Human Services to contract with an administrative facilitator to provide support to the Working Group, including preparation of the report; and

- (E) Inserting an appropriation amount of \$8,000,000 to increase the procurement of contracted services to provide additional support, resources, and monitoring of families receiving benefits from the State's Adoption Assistance Program and Permanency Assistance Program and earmarking \$3,350,000 of the appropriation for:
- (i) Developing and maintaining necessary information technology systems, including two full-time positions;
 - (ii) Increasing compensation for existing Child Welfare Services Branch positions to fill vacancies and retain employees;
 - (iii) Contracting with a third party for enhanced permanency support services;
 - (iv) Establishing one full-time equivalent planner or project specialist position to administer and monitor additional service contracts and assist with service coordination, data collection, and analysis of the new program; and
 - (v) Supporting the Malama Ohana Working Group in its activities;
- (F) Changing its effective date to upon approval; provided that the appropriation section shall take effect on July 1, 2022; and
- (G) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Conference notes that although \$3,350,000 of the appropriation made by this measure has been earmarked for specific purposes, the intent of the Legislature is to use the remainder of the monies from this appropriation to support all those involved in the child welfare services system, not just those involved in adoption or guardianship settings. Your Committee on Conference believes that these additional funds could be used for recruitment and scholarships for child welfare Services social workers, programs for parents, and training for investigators and reporters to ensure that any reported case of child abuse or neglect is properly investigated and pursued.

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. 2424, 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. 2424, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Kanuha, Rhoads, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Misalucha, Fevella).

Representatives Yamane, Marten, Gates, Tam and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 203-22 on H.B. No. 2405

The purpose of this measure is to:

- (1) Prohibit the denial of a treatment or service on the basis that it is cosmetic or not medically necessary unless a health care provider with experience in prescribing or delivering gender affirming treatment reviews and confirms the adverse benefit determination;
- (2) Prohibit health insurers, mutual benefit societies, and health maintenance organizations from applying categorical cosmetic or blanket exclusions to gender affirming treatments or procedures when prescribed as medically necessary; and
- (3) Require health insurers, mutual benefit societies, and health maintenance organizations to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committee on Conference has amended this measure by:

- (1) Requiring that the medical necessity of any gender affirming treatment to be defined in accordance with applicable law;
- (2) Amending the process for determining an appeal for a claim denied on the basis of medical necessity;
- (3) Clarifying that the prohibition against health insurers, mutual benefit societies, and health maintenance organizations applying categorical or blanket exclusions applies to gender affirming treatments that are determined to be medically necessary pursuant to applicable law;
- (4) Removing smoking cessation therapies as a gender affirming treatment;
- (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 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. 2405, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2405, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Baker, Rhoads, Taniguchi and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Johanson, Tam, Kitagawa and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Kitagawa).

Conf. Com. Rep. 204-22 on H.B. No. 1980

The purpose of this measure is to:

- (1) Require Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover services provided through telehealth, including by way of an interactive telecommunications system; and
- (2) Define “interactive telecommunication system” to match the 2022 Medicare Physician Fee Schedule final rule.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which:
 - (A) Permits, but does not require or prohibit, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic health services under certain conditions; and
 - (B) Clarifies that telephonic services do not constitute telehealth; and
- (2) Further amending this measure by:
 - (A) Changing its effective date to July 1, 2022; and
 - (B) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1980, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1980, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Baker, Shimabukuro, Moriwaki and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Representatives Yamane, Kitagawa, Tam, Kapela and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 205-22 on H.B. No. 1893

The purpose of this measure is to transfer the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System no later than June 30, 2023.

Your Committee on Conference 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 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. 1893, 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. 1893, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Nishihara, Moriwaki, San Buenaventura and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Nishihara).

Representatives Yamane, Johanson, Tam and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 206-22 on S.B. No. 3158

The purpose of this measure is to:

- (1) Establish the electric bicycle and electric moped rebate program and subaccount to encourage the purchase and use of electric bicycles and electric mopeds; and
- (2) Allocate a portion of the barrel tax to fund the rebate program.

Your Committee on Conference finds that electric bicycles and electric mopeds support the Department of Transportation’s zero emissions goals while also lowering the cost of transportation for drivers, and reduces the State’s reliance on fossil fuels. However, the initial cost of purchasing an electric vehicle can be prohibitive. This measure creates a subsidy to help encourage the purchase and use of electric bicycles and electric mopeds.

Your Committee on Conference has amended this measure by:

- (1) Setting the rebate at the lower of twenty percent of the retail cost or \$500, and clarifying that no individual shall receive more than \$500 rebate per fiscal year;
- (2) Setting the total amount of rebates authorized to be issued each year at \$700,000;
- (3) Authorizing the Department of Transportation to allow for applicants to apply for the rebate and receive future rebates if there are not sufficient funds to pay that rebate during the fiscal year in which the rebate was applied;
- (4) Adding additional requirements of what information the Department of Transportation must collect for rebate eligibility;
- (5) Clarifying that the rebates are only available for qualified new electric bicycles and new electric mopeds purchased at a retail store after July 1, 2022;
- (6) Clarifying eligibility requirements for the rebate program;
- (7) Removing the barrel tax allocation;
- (8) Inserting an appropriation of \$2,100,000 for the rebate program;
- (9) Amending section 1 to reflect its amended purpose;
- (10) Changing the effective date to July 1, 2022; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3158, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3158, S.D. 2, H.D. 1, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Lee, Inouye and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Aquino, Ilagan, Clark, D. Kobayashi, Takumi and Matsumoto.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, 1 (Matsumoto).

Conf. Com. Rep. 207-22 on S.B. No. 3111

The purpose of this measure is to:

- (1) Establish a five-year Family Resource Centers Pilot Program within the Department of Human Services;
- (2) Establish one full-time equivalent (1.0 FTE) Family Resource Centers Coordinator position within the Department of Human Services; and
- (3) Appropriate an unspecified amount of funds for the establishment of the Family Resource Centers Pilot Program, one full-time equivalent (1.0 FTE) Family Resource Centers Coordinator position, and expenses related to the development and implementation of a statewide network of family resource centers.

Your Committee on Conference finds that family resource centers play a critical role in preventing child abuse and neglect, strengthening children and families, connecting family-impacting agencies and programs, creating opportunities for community-level coordination, creating connections to resources and support systems, and increasing family engagement, which all lead to greater student success in school. Communities with family resource centers show lower rates of child abuse and neglect investigations, lower numbers of children entering foster care, and an increase in parents or custodians gaining employment within one year after participating in services provided through the centers. This measure establishes a five-year Family Resource Centers Pilot Program, that will allow the Departments of Human Services, Education, and Health to provide coordinated family-impacting services designed to meet the needs, cultures, and interests of communities served by family resource centers.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000;
- (2) Amending section 1 to clarify its purpose;
- (3) Inserting an effective date of July 1, 2022, and a repeal date of June 30, 2027; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3111, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3111, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators San Buenaventura, Shimabukuro, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Yamane, Tam and Ward.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 208-22 on S.B. No. 3272

The purpose of this measure is to require the Director of Transportation to adopt rules to require tour aircraft operations to report details of each flight taken by the tour aircraft operation monthly.

Your Committee on Conference finds that the noise from low-flying aircrafts over residential areas can cause health issues and negatively impact quality of life. Due to increasing concerns, this measure requires tour aircraft operations to file reports so that the State can monitor their compliance with federal regulations.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to establish the Air Noise and Safety Task Force;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3272, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3272, S.D. 2, H.D. 2, C.D. 1.

Signed by the Senate President and Chairs on behalf of the Committee.

Senators Lee, Baker, Inouye and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Aquino, Johanson, Ilagan, Clark, Takumi and Matsumoto.
Managers on the part of the House.
Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 209-22 on H.B. No. 1600

The purpose of this measure is to appropriate supplemental funds for the operating costs of the executive branch for the fiscal biennium beginning July 1, 2021, and ending June 30, 2023.

Your Committee on Conference has approved a Conference Draft of the executive budget that appropriates \$15,719,399,902 in all funds, inclusive of \$7,427,150,769 in general funds, for fiscal year 2021-2022 and \$16,979,432,863 in all funds, inclusive of \$8,729,630,979 in general funds, for fiscal year 2022-2023.

	Fiscal Year 2021-2022		Fiscal Year 2022-2023	
	All Funds	General Funds	All Funds	General Funds
Executive Budget Act 88, SLH 2021	15,740,768,928	7,424,917,404	15,106,494,229	7,501,192,761
Net Change	-21,369,026	2,233,365	1,872,938,634	1,228,438,218
Total Appropriation	15,719,399,902	7,427,150,769	16,979,432,863	8,729,630,979

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. 1600, 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. 1600, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Keith-Agaran, Inouye, Kanuha, Kidani, Misalucha, Moriwaki, Shimabukuro, Taniguchi, Wakai and Fevella.
Managers on the part of the Senate.
Ayes, 11. Noes, none. Excused, none.

Representatives Luke, Branco, Eli, Holt, Ilagan, B. Kobayashi, Marten, Nishimoto, Perruso, Sayama, Tam, Todd, Wildberger, Yamashita and McDermott.
Managers on the part of the House.
Ayes, 13. Noes, 1 (Wildberger). Excused, 1 (Sayama).

Conf. Com. Rep. 210-22 on H.B. No. 1540

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 on Conference 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 issuance of state bonds authorized will not cause the debt limit to be exceeded at the time of issuance. Your Committee on Conference 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.

Your Committee on Conference has amended this measure by:

- (1) Inserting the appropriate dollar amounts throughout the measure as provided by the Department of Budget and Finance;
- (2) Updating the dates and measure numbers cited in the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1540, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1540, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Kanuha, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Luke, Yamashita and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 211-22 on S.B. No. 2695

The purpose of this measure is to establish a Blockchain and Cryptocurrency Task Force.

Your Committee on Conference finds that despite the emerging growth and popularity of blockchain technology and cryptocurrency, Hawaii has yet to determine whether or how to regulate the digital currency industry in the State. Your Committee on Conference further finds that the adoption of this rapidly evolving technology requires an educated and thorough approach so that its implementation does not impede further innovation and growth, whether in public sector or private industry operations. Your Committee on Conference notes that this measure is intended to support continued e-commerce activity in the State through appropriate consumer protection and oversight mechanisms.

Your Committee on Conference has amended this measure by:

- (1) Amending the list of required members of the task force by:
 - (A) Adding the Director of Commerce and Consumer Affairs or their designee;
 - (B) Removing the member representing a Hawaii-based company with a focus on non-traditional blockchains;
 - (C) Changing the appointing authority of the member that represents:
 - (i) A Hawaii-based bank or financial institution from the Governor to the Speaker of the House of Representatives;
 - (ii) A Hawaii-based cryptocurrency exchange from the Governor to the President of the Senate;
 - (iii) A representative of a company with a business model that uses blockchain for non-cryptocurrency transaction purposes from the Governor to the Speaker of the House of Representatives; and
 - (iv) A representative of a blockchain or cryptocurrency association from the Governor to the President of the Senate;
 - (D) Removing the requirement that representation from a blockchain payments solution company be from a Hawaii-based company; and
 - (E) Amending the specialization of the member who is a professor from the University of Hawaii from blockchain to digital currency;
- (2) Requiring the task force to:
 - (A) Recommend appropriate licensure requirements and a regulatory framework for this new evolving industry;
 - (B) Observe and monitor the past and current activities of the Hawaii Digital Currency Innovation Lab (DCIL), a “sandbox” program conducted by Department of Commerce and Consumer Affairs’ Division of Financial Institutions and Hawaii Technology Development Corporation;
 - (C) Analyze how the current framework of the Hawaii DCIL fits into the State’s financial environment; and
 - (D) Consider aspects of the Hawaii DCIL that may be effective and practical in the implementation of the recommended regulatory framework;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2695, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2695, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Misalucha, Baker, Keith-Agaran and Fevella.

Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Johanson, Todd, Kitagawa and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 212-22 on S.B. No. 2700

The purpose of this measure is to:

- (1) Require the staff of licensed and registered early childhood programs to annually provide specific information to the Department of Human Services' Early Childhood Workforce Registry;
- (2) Require a report to the legislature; and
- (3) Appropriate funds.

Your Committee on Conference finds that the demand for quality early child care and education greatly exceeds the supply of qualified child care workers and educators in the State. However, to enact effective legislation or programs to increase the number of child care workers and educators available, more data is required to understand the needs of the workforce. This measure ensures policymakers have adequate and timely data on the State's early child care and education workforce by requiring the Department of Human Services to collect data from all early child care workers and educators in the State.

Your Committee on Conference has amended this measure by:

- (1) Authorizing, rather than requiring, the Department of Human Services to require that all staff used to meet the staff-child ratio in licensed and registered child care programs annually update their information in the Early Childhood Registry;
- (2) Authorizing, rather than requiring, data collected from the Early Childhood Registry to include certain social determinants;
- (3) Exempting procurements made pursuant to the measure from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (4) Removing the appropriation section;
- (5) Inserting an effective date of July 1, 2022; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2700, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2700, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Misalucha, Shimabukuro, San Buenaventura and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Tam, Gates and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 213-22 on S.B. No. 3110

The purpose of this measure is to:

- (1) Rename the Preschool Grant Program Special Fund as the Child Care Grant Program Special Fund;
- (2) Authorize the Child Care Grant Program Special Fund to be used to give grants to child care facilities;
- (3) Change the legislative report due date for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund; and
- (4) Remove the authority to expend moneys without an appropriation for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund statutes to conform to state constitutional provisions.

Your Committee on Conference finds that well-supported, regulated child care facilities keep children safe and provide parents the ability to pursue or maintain employment and educational activities. This measure authorizes the Department of Human Services to provide grants to child care facilities beyond those eligible for the Preschool Open Doors Program, which will support parents and caregivers by ensuring the State's child care facilities can continue to provide access to safe and qualified child care.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3110, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3110, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Misalucha, Kidani, San Buenaventura and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Tam and Ward.

Managers on the part of the House.

Ayes, 2. Noes, none. Excused, 1 (Ward).

Conf. Com. Rep. 214-22 on S.B. No. 3294

The purpose of this measure is to appropriate funding for reentry planning circles to provide transitional support for female offenders leaving prison.

Your Committee on Conference finds that incarcerated individuals who participate in reentry planning circles before leaving prison have significantly lower recidivism rates. This measure will allow a greater number of inmates to participate in reentry planning circles allowing the inmates, their families, and prison staff to discuss and develop written transition plans to obtain housing, employment, and other necessities after their release from incarceration.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000 for the purpose of funding reentry planning circles for incarcerated individuals, regardless of sex or gender;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3294, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3294, S.D. 2, H.D. 1, C.D. 1.

Signed by the Senate President, Chairs, and Speaker of the House of Representatives on behalf of the Committee.

Senators San Buenaventura, Nishihara, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Ganaden, Ichiyama, B. Kobayashi, Kong and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 215-22 on S.B. No. 1297

The purpose of this measure is to extend the authorization to issue special purpose revenue bonds to assist MauiGrown Coffee, Inc., with the operation and expansion of its farm and mill.

Your Committee on Conference finds that Act 116, Session Laws of Hawaii 2017, (Act 116) authorized the issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc. with the expansion of its coffee farm and mill in Puukoolii, Maui. Pursuant to Act 116, the authorization for the issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc. will lapse on June 30, 2022. This measure extends the authorization to issue special purpose revenue bonds to assist MauiGrown Coffee, Inc.

Your Committee on Conference has amended this measure by:

- (1) Inserting a special purpose revenue bonds authorization lapse date of June 30, 2025; and
- (2) Inserting an effective date of July 1, 2022.

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. 1297, 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. 1297, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Hashem, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 216-22 on S.B. No. 2070

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist Hawaiian Legacy Reforestation Initiative, LLC, in its mission to proliferate a sustainable model of endemic reforestation, ecosystem revitalization, endangered species recovery, and carbon credit sequestering.

Your Committee on Conference finds that the issuance of special purpose revenue bonds to assist Hawaiian Legacy Reforestation Initiative, LLC, is in the public interest. With assistance, the Hawaii Legacy Reforestation Initiative, LLC, can contribute substantially to the State's sustainability goals. This measure authorizes the Department of Budget and Finance to issue special purpose revenue bonds to assist the Hawaiian Legacy Reforestation Initiative, LLC, to restore Hawaii's forests and natural resources.

Your Committee on Conference has amended this measure by authorizing the issuance of \$50,000,000 in special purpose revenue bonds.

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. 2070, 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. 2070, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Keith-Agaran, Inouye and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Nakashima, Marten, Todd and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 217-22 on S.B. No. 2218

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a five-year food hub pilot program to increase access to local food;
- (2) Provide for the award of grant funding to qualified applicants wishing to establish or expand a food hub or provide certain technical assistance;
- (3) Authorize the issuance of general obligation bonds for the Honalo Marshalling Yard;
- (4) Require reports to the Legislature; and
- (5) Appropriate funds.

Your Committee on Conference finds that food hubs can play an important role in the State's efforts to improve food security and self-sufficiency. Notably, food hubs facilitate the distribution of locally-sourced foods within the State. This measure requires the Department of Agriculture to establish a five-year food hub pilot program, authorizes the issuance of general obligation bonds for the Honalo Marshalling yard, and appropriates funds for the food hub pilot program.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$750,000;
- (2) Authorizing the issuance of \$750,000 in general obligation bonds; and
- (3) Inserting an effective date of July 1, 2022.

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. 2218, 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. 2218, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Hashem, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 218-22 on S.B. No. 2284

The purpose of this measure is to:

- (1) Establish provisions relating to the Department of Agriculture's governing of the business of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as may be necessary to protect indigenous species;
- (4) Require the Department of Agriculture to prepare programmatic environmental impact reports and acquire land for aquacultural purposes; and
- (5) Make appropriations.

Your Committee on Conference finds that aquaculture constitutes an important economic opportunity for the State. However, the current provisions regarding the Department of Agriculture's role in supporting aquaculture are insufficient. This measure establishes new provisions to promote effective governance regarding aquaculture in the State.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation; and
- (2) Inserting an effective date of upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2284, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2284, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Wakai, Kim, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Misalucha).

Representatives Hashem, Quinlan, Kitagawa, Perruso, Matayoshi and Matsumoto.

Managers on the part of the House.

Ayes, 6. Noes, none. Excused, none.

Conf. Com. Rep. 219-22 on S.B. No. 2621

The purpose of this measure is to appropriate funds to the Department of Agriculture to establish bovine tuberculosis control operations on Molokai, including staff, land, and equipment.

Your Committee on Conference finds that bovine tuberculosis poses a significant threat to the State's cattle industry, particularly on the island of Molokai. To better combat the spread of bovine tuberculosis, the Department of Agriculture requires additional resources. This measure appropriates funds to the Department of Agriculture to establish bovine tuberculosis control operations on Molokai.

Your Committee on Conference has amended this measure by inserting an appropriation amount of \$500,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2621, 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. 2621, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Hashem, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 220-22 on S.B. No. 2989

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a Healthy Soils Program;
- (2) Establish a Healthy Soils Program Special Fund; and
- (3) Appropriate funds.

Your Committee on Conference finds that soil health is critical to Hawaii's agricultural industry. Additionally, soil carbon stocks can serve as an important source for carbon sequestration. This measure requires the Department of Agriculture to establish a Healthy Soils Program to help the State meet its sustainability goals.

Your Committee on Conference has amended this measure by:

- (1) Removing the establishment of a Healthy Soils Program Special Fund;
- (2) Inserting an appropriation amount of \$500,000; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2989, 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. 2989, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Kanuha, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Acasio).

Representatives Hashem, Perruso and Matsumoto.

Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 221-22 on S.B. No. 3004

The purpose of this measure is to:

- (1) Establish and appropriate funds for a compost reimbursement program within the Department of Agriculture and for one full-time permanent compost reimbursement program manager position; and
- (2) Require an annual progress report to the Legislature prior to each regular session.

Your Committee on Conference finds that composting has significant environmental and social benefits, including for agricultural operations. Act 89, Session Laws of Hawaii 2018, established a three-year compost reimbursement pilot program that was then repealed on December 31, 2021. This measure establishes and appropriates funds for a compost reimbursement program to be administered by the Department of Agriculture.

Your Committee on Conference has amended this measure by:

- (1) Inserting a definition for “landscaping operation”;
- (2) Inserting appropriation amounts of \$945,000 for the Compost Reimbursement Program and \$55,000 for one full-time equivalent (1.0 FTE) program manager position; and
- (3) Inserting an effective date of July 1, 2022.

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. 3004, 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. 3004, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Keith-Agaran, Acasio and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Marten, Perruso and Matsumoto.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 222-22 on S.B. No. 3197

The purpose of this measure is to:

- (1) Establish a farmer apprentice mentoring program; and
- (2) Make an appropriation to the Department of Agriculture to establish and implement the program.

Your Committee on Conference finds that farming is essential to the State’s agriculture goals, including greater food security and self-sufficiency. However, the State lacks the necessary programs to support beginning farmers. This measure establishes and appropriates funds for a farmer apprentice mentoring program to be administered by the Department of Agriculture.

Your Committee on Conference has amended this measure by:

- (1) Removing certain requirements for the Department of Agriculture regarding the farmer apprentice mentoring program;
- (2) Inserting an appropriation amount of \$300,000; and
- (3) Inserting an effective date of July 1, 2022.

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. 3197, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3197, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Shimabukuro and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Hashem, Perruso and Matsumoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 223-22 on S.B. No. 3325

The purpose of this measure is to:

- (1) Establish the Hawaii Carbon Smart Land Management Assistance Pilot Program to incentivize carbon sequestration activities through incentive contracts that provide compensation for eligible practices by program participants;
- (2) Repeal the Carbon Offset Program; and

- (3) Appropriate funds for positions and assistance.

Your Committee on Conference finds that carbon sequestration is an important tool for reducing the State's contribution to global greenhouse gas emissions. Incentivizing carbon sequestration can have numerous benefits for the State's sustainability goals. This measure establishes the Hawaii Carbon Smart Land Management Assistance Pilot Program to incentivize carbon sequestration activities.

Your Committee on Conference has amended this measure by:

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3325, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3325, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Wakai, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Kitagawa, Marten, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 224-22 on S.B. No. 3379

The purpose of this measure is to appropriate funds for a ports-of-entry biosecurity program.

Your Committee on Conference finds that strengthening biosecurity at the State's ports-of-entry will offer many ecological and economic benefits to Hawaii. In its original form, this measure appropriated funds from funds appropriated to the Department of Land and Natural Resources native resources and fire protection programs to a ports-of-entry biosecurity program. Your Committee on Conference further finds that the Department of Agriculture is better suited to implement a ports-of-entry biosecurity program.

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

- (1) Inserting a general fund appropriation amount of \$525,000; and
- (2) Replacing the Department of Land and Natural Resources with the Department of Agriculture as the expending agency.

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. 3379, 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. 3379, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Lee, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Tarnas, Yamashita, Hashem and McDermott.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 225-22 on S.B. No. 2280

The purpose of this measure is to allow dental assistants to perform limited, essential duties under the general supervision of a dentist in public health settings.

Your Committee on Conference finds that the State lacks adequate and accessible dental public health infrastructure, especially on the neighbor islands. Your Committee on Conference further finds that dental assistants could play an important role in improving access to dental health care across the State. Although the Hawaii Dental Practice Act allows dental hygienists to practice under the general supervision of a dentist in public health settings, dental assistants are prohibited from providing auxiliary support, except under direct supervision. This measure allows dental assistants to provide limited, but essential, auxiliary support under general supervision while in public health settings, which would contribute to the development and sustainable implementation of community-based dental disease prevention programs.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2280, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2280, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Baker and Fevella.

Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Yamane, Kitagawa, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 226-22 on S.B. No. 2274

The purpose of this measure is to:

- (1) Require all nurses to respond to the Center for Nursing Workforce Supply Survey in conjunction with license renewal, but does not penalize a nurse for failure to do so; and
- (2) Increase the additional Center for Nursing fee from \$40 to \$60 per licensing biennium.

Your Committee on Conference finds that the Hawaii State Center for Nursing was created to collect and analyze data related to current and future trends in nursing, and recruit and retain nurses. Since 2003, the Center has made significant progress in creating statewide initiatives and programs to address the nursing shortage and increase access to health care throughout the State. Your Committee on Conference further finds that the Center for Nursing fees, which help to fund the Center's activities, has not increased since 2003, and the State again faces a nursing shortage. This measure requires nurses to respond to the Center for Nursing Workforce Supply Survey in conjunction with license renewal, but does not penalize a nurse for failure to do so, and increases the Center for Nursing fee from \$40 to \$60 per licensing biennium.

Your Committee on Conference has amended this measure by:

- (1) Deleting the requirement that nurses respond to the Center for Nursing Workforce Supply Survey;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2274, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2274, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Baker, Shimabukuro, San Buenaventura and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

Representatives Yamane, Kitagawa, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 2 (Har, Ward).

Conf. Com. Rep. 227-22 on S.B. No. 2624

The purpose of this measure is to appropriate funds to establish a telehealth pilot project and a rural health care pilot project.

Your Committee on Conference finds that many Hawaii residents are unable to obtain timely and appropriate health care and behavioral health care due to shortages of primary, specialty, and behavioral care providers. This is particularly true for elderly or rural residents who experience even greater barriers to provider access, such as fixed or limited financial resources, lack of physical mobility or other disabilities, cognitive impairment, or transportation challenges. Your Committee on Conference finds that multiple strategies are needed to address these problems. One method is greater telehealth adoption. Another avenue is to provide a financial incentive to health care providers to service rural areas. This measure establishes and appropriates funds for a telehealth pilot project and a rural health care pilot project, and requires the Department of Health to submit an evaluation of both pilot projects to the Legislature.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$100,000 for the telehealth pilot project;
- (2) Inserting an appropriation amount of \$100,000 for the rural health care pilot project; and
- (3) Inserting an effective date of July 1, 2022.

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. 2624, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2624, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Baker, Kanuha, San Buenaventura and Fevella.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, none.

Representatives Yamane, Kitagawa, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 228-22 on S.B. No. 1138

The purpose of this measure is to establish the annual expenditure ceiling of the Office of Health Care Assurance Special Fund through the state budget process and to fund increasing operational expenses, including contracts to implement a new management information system and background checks system.

Your Committee on Conference finds that the Office of Health Care Assurance performs all state licensing activities on health care facilities, agencies, and organizations in Hawaii. Although the Office of Health Care Assurance is partially funded through the Office of Health Care Assurance Special Fund, the special fund has a spending ceiling, and any expenses the Office of Health Care Assurance accrues above the spending ceiling must come from general funds. This was problematic during the coronavirus disease 2019 (COVID-19) pandemic, due to the detrimental financial impacts of pandemic response. Your Committee on Conference finds that the Office of Health Care Assurance requires more fiscal flexibility, particularly in a post-COVID-19 world, in order to cover the costs of contracted health care facility inspectors, fund investigations, and modernize operations. Accordingly, this measure establishes the ceiling of the Office of Health Care Assurance Special Fund through the state budget process.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to upon its approval; provided that section 3 of this measure shall take effect on July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1138, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1138, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, none.

Representatives Yamane, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 229-22 on S.B. No. 2473

The purpose of this measure is to:

- (1) Transfer the administrative attachment of the Agribusiness Development Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism;
- (2) Allow the Director of Business, Economic Development, and Tourism to amend the duties, qualifications, and salaries of Agribusiness Development Corporation employees who are exempt from civil service and transferred pursuant to this measure;
- (3) Amend the focus, scope, responsibilities, and powers of the Agribusiness Development Corporation;
- (4) Amend the requirements and responsibilities of the Board of Directors of the Agribusiness Development Corporation;
- (5) Specify the required contents of the Hawaii Agribusiness Plan; and
- (6) Appropriate funds.

Your Committee on Conference finds that the goals and objectives of the Agribusiness Development Corporation (ADC) better align with the general mission of the Department of Business, Economic Development, and Tourism (DBEDT). Your Committee on Conference notes that this measure will not only promote economic diversification, but also acknowledges agriculture's key role in the economic recovery of the State in the post-coronavirus disease 2019 pandemic future.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the newly established position to provide accounting and other fiscal support services to the ADC shall be for one full-time equivalent permanent accountant V position;
- (2) Inserting appropriation amounts of:
 - (A) \$100,000 for a consultant to assist ADC in preparing and finalizing the Hawaii Agribusiness Plan;
 - (B) \$90,000 for one full-time equivalent permanent accountant V position; and
 - (C) \$500,000 for security guard services to address trespassing, abandonment of vehicles on ADC land, and other security issues on vacant ADC land;
- (3) Removing language that would have allowed the Director of Business, Economic Development, and Tourism to amend the duties, qualifications, and salaries of Agribusiness Development Corporation employees who are exempt from civil service and transferred pursuant to this measure; and
- (4) Making it effective on July 1, 2022.

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. 2473, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2473, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Gabbard, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Representatives Hashem, Yamashita, Belatti, Todd and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 230-22 on S.B. No. 3334

The purpose of this measure is to:

- (1) Establish the Director of Business, Economic Development, and Tourism as an ex officio voting member of the Hawaii Tourism Authority Board of Directors, Stadium Authority, and School Facilities Authority Board;
- (2) Repeal the exemption for the Stadium Development Special Fund from the departmental administrative expenses assessment;
- (3) Transfer the Stadium Authority from the Department of Accounting and General Services to the Department of Business, Economic Development, and Tourism;
- (4) Amend the composition of the Stadium Authority;
- (5) Amend the development guidance policies of the Stadium Authority;
- (6) Reduce the amount of general obligation bonds that may be issued to the Stadium Authority for the Stadium Development District; and
- (7) Transfer the School Facilities Authority from the Department of Education to the Department of Business, Economic Development, and Tourism.

Your Committee on Conference finds that consolidating the State's land use expertise and resources will lead to more effective and efficient development and redevelopment of state lands for Hawaii's residents.

Your Committee on Conference has amended this measure by:

- (1) Reducing the amount of members of the Stadium Authority from thirteen to eleven;
- (2) Clarifying that eight of the members of the Stadium Authority are public members;
- (3) Removing language that repeals the exemption for the Stadium Development Special Fund from the departmental administrative expenses assessment;
- (4) Removing all provisions regarding the School Facilities Authority;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making it effective on July 1, 2022; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3334, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3334, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Moriwaki, Kidani, Kanuha, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, 1 (Misalucha).

Representatives Quinlan, Yamashita and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 231-22 on H.B. No. 2240

The purpose of this measure is to:

- (1) Authorize the issuance of general obligation bonds to pay or prepay the State's other post-employment benefits liability under certain conditions; and
- (2) Require the outstanding balance of general obligation bonds issued to pay or prepay the other post-employment benefits liability to be considered in the calculation of a public employer's annual required contribution to the other post-employment benefits trust fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting a \$300,000,000 ceiling on the amount of general obligation bonds the Director of Finance is authorized to issue for fiscal year 2022-2023 for the Other Post-employment Benefits Trust Fund;
- (2) Clarifying the method for calculating the annual required contribution as it relates to the general obligation bonds authorized by this Act, to pay or prepay the State's other post-employment benefits liability; and
- (3) Changing the effective date of section 1 to July 1, 2022.

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. 2240, 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. 2240, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Onishi, Yamashita, Belatti, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Sayama).

Conf. Com. Rep. 232-22 on H.B. No. 2510

The purpose of this measure is to incrementally:

- (1) Increase the State's minimum wage to \$12.00 per hour beginning October 1, 2022; \$15.00 per hour beginning January 1, 2024; and \$18.00 per hour beginning January 1, 2026; and
- (2) Phase out the tip credit.

Your Committee on Conference finds that while the cost of living in the State continues to rise, the minimum wage has not been adjusted to a level that is necessary to offset the higher cost of living. Your Committee on Conference further finds that increasing the minimum wage will help to foster economic stability.

Your Committee on Conference has amended this measure by:

- (1) Inserting a preamble;
- (2) Inserting provisions that make the State earned income tax credit refundable and permanent, and providing for the carryforward of nonrefundable tax credits previously claimed;
- (3) Changing the timespan and staggering of the minimum wage increases from \$12.00 on October 1, 2022; \$15.00 on January 1, 2024; and \$18.00 on January 1, 2026; to \$12.00 on October 1, 2022; \$14.00 on January 1, 2024; \$16.00 on January 1, 2026; and \$18.00 on January 1, 2028; and
- (4) Instead of phasing out the tip credit, increasing the tip credit incrementally to \$1.50 per hour over a six-year period.

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. 2510, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2510, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, none.

Representatives Onishi, Nishimoto, Ilagan and Okimoto.

Managers on the part of the House.

Ayes, 4; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

Conf. Com. Rep. 233-22 on H.B. No. 2288

The purpose of this measure is to facilitate the transfer of a parcel of land from a state agency to the Department of Hawaiian Home Lands.

Specifically, the measure:

- (1) Requires the state agency holding a fee simple interest in the parcel of land designated as TMK (1) 3-2-030-002-0000-000 to transfer the fee simple interest in the parcel to the Department of Hawaiian Home Lands; and
- (2) Appropriates moneys for condemnation proceedings to transfer relevant land from the University of Hawaii to the Department of Hawaiian Home Lands.

Your Committee on Conference notes that the Department of Hawaiian Home Lands maintains a waitlist of more than twenty-eight thousand beneficiaries who qualify for homestead leases. Your Committee on Conference finds that the land transfer authorized by this measure will help the Department of Hawaiian Home Lands to create additional housing inventory to reduce this waitlist and provide housing to more native Hawaiians.

Your Committee on Conference has amended this measure by:

- (1) Establishing that the Department of Hawaiian Home Lands is authorized, rather than mandated, to negotiate with the state agency holding title to the parcel of land designated as TMK (1) 3-2-030-002-0000-000 to transfer the fee simple interest in the parcel to the Department;
- (2) Deleting the appropriation; and
- (3) Making the measure effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2288, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2288, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, Shimabukuro, Wakai and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Takayama, Nakashima, Branco and McDermott.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 234-22 on H.B. No. 2024

The purpose of this measure is to establish a system to jointly oversee and manage state lands on Mauna Kea by the University of Hawaii and a new Mauna Kea Stewardship and Oversight Authority.

Specifically, this measure:

- (1) Establishes the Mauna Kea Stewardship and Oversight Authority (Authority);
- (2) Establishes the composition and powers of the Authority;
- (3) Provides for the joint management and stewardship of Mauna Kea lands by the University of Hawaii and the Authority by:
 - (A) Providing for the University of Hawaii to retain jurisdiction over approximately five hundred fifty acres of Mauna Kea astronomy research lands, comprising the astronomy precinct, Halepohaku complex, and the Mauna Kea access road; and
 - (B) Transferring jurisdiction over approximately 9,450 acres of Mauna Kea conservation lands to the Authority;
- (4) Provides for a transition period of three years for the Authority to assume management of the Mauna Kea conservation lands;
- (5) Declares the support of astronomy to be a policy of the State and authorizes the University of Hawaii to develop a framework to allow astronomy development on Mauna Kea;
- (6) Requires the Authority to establish advisory groups to advise the Authority in its management of Mauna Kea conservation lands;
- (7) Requires the Authority and University of Hawaii to submit annual reports to the Legislature;
- (8) Authorizes the Authority and University of Hawaii to limit commercial use and activities in their respective jurisdictions;
- (9) Establishes the Mauna Kea management special fund;
- (10) Transfers certain rights, duties, and positions from the University of Hawaii to the Authority;
- (11) Exempts positions in the Authority from civil service requirements;
- (12) Appropriates moneys to the Authority for startup costs and to establish one full-time equivalent (1.0 FTE) executive assistant position;
- (13) Requires the Auditor to conduct a performance and financial audit of the Authority; and
- (14) Requires that the management of Mauna Kea shall revert to the University of Hawaii if the Auditor finds that joint oversight between the Authority and the University of Hawaii is unfit to continue.

Your Committee on Conference finds that the critical significance of Mauna Kea for both culture and science offers an urgent and unique opportunity to surmount the existing dichotomy and develop new ways to mutually steward Mauna Kea. Therefore, a reformation of the stewardship of Mauna Kea is an issue of the highest priority of the State.

Your Committee on Conference also finds that it is the policy of the State to support astronomy that is consistent with a mutual stewardship paradigm in which ecology, the environment, natural resources, cultural practices, education, and science are in balance and synergy. This policy is consistent with the approach supported by leaders in the astronomical community in Hawaii and the nation, as evidenced by public statements from the astronomy community pertaining to the management of Mauna Kea, which were released subsequent to the hearings on this measure.

Your Committee on Conference acknowledges that the Directors of W.M. Keck Observatory, Subaru Telescope, and Gemini Observatory released a consensus statement on the principles for the future management of astronomical facilities on Mauna Kea. These principles were subsequently endorsed by the Board of Directors of the Association of Universities for Research in Astronomy, a consortium of forty-seven United States institutions and three international affiliates that operate world-class astronomical

observatories for the National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA). In their statement of principles, the Directors stated:

We strongly believe there is a vibrant and sustainable future for astronomy on Maunakea – a future based on a community model of astronomy in which relationships and partnerships between the community and astronomy thrive, upheld by the values of respect, collaboration, and inclusion.

The observatories are permitted by the state to conduct activities on Maunakea lands – public lands that are important to multiple stakeholders and of great cultural importance to the Hawaiian community. We are grateful for our privilege of observing the universe on Maunakea.

Your Committee on Conference further finds that this statement of principles also refers to the following policy from the Astro2020 Decadal Survey, which guides the future of astronomy research in the United States:

NSF, NASA, [the Department of Education], facility managing organizations, project consortia, individual institutions, and other stakeholders can work to build partnerships with Indigenous and local communities that are more functional and sustained through a Community Astronomy approach, and by increasing the modes of engagement and funding for: (i) meaningful, mutually beneficial partnerships with Indigenous and local communities, (ii) culturally supported pathways for the inclusion of Indigenous members within the profession, and (iii) true sustainability, preservation, and restoration of sites.

Referring to Astro2020, Maunakea Observatories stated, “[i]t is through the lens of this framework that we remain deeply committed to ensuring the local and native Hawaiian community is included as we work together in forging a positive future for Maunakea” and “[w]e seek a community-based mutual stewardship model which will allow astronomy to thrive alongside other interests, sensitive to the needs of the local community.”

Your Committee on Conference notes that while the Conference Draft of the measure includes the operating principles of mauna aloha, opu kupuna, and holomua oi kelakela, it does not include the House Draft No. 1 language describing the Kumu Kanawai, which are a set of statements describing the Native Hawaiian cultural worldview and values relevant to the stewardship of Mauna Kea. Despite the omission of the Kumu Kanawai from the Conference Draft, your Committee on Conference asserts that the Authority should not feel constrained from incorporating the Kumu Kanawai principles into its rules and operational plans.

Upon further consideration and much deliberation, your Committee on Conference envisions a five-year transition period to occur as follows:

	2022-2023	2023-2028	2028-2033	2034+
Administrative attachment	Department of Land and Natural Resources	Department of Land and Natural Resources	Department of Land and Natural Resources	Department of Land and Natural Resources
Land Authority (“Lessor”)	Department of Land and Natural Resources, subject to a moratorium on leases	Department of Land and Natural Resources, subject to a moratorium on leases	Authority	Authority
Which lands	Currently under master lease	Currently under master lease	Proposed Reserve may redefine boundaries	Lands within Reserve (if established)
General Lease	University of Hawaii	University of Hawaii	Authority	To be determined
Day to Day management	University of Hawaii	University of Hawaii	Authority	Authority
Future planning	University of Hawaii	Authority	Authority	Authority
Viewing and Observing time	Fixed under lease	Fixed under lease	Fixed under lease	To be negotiated by the Authority, subject to a mandatory minimum
Potential leasing scenario	Moratorium	Moratorium, but the Authority determines process, criteria, and rules under informal talks	Rules go into effect and formal lease negotiations may occur	New lease or leases permitted

To effectuate the envisioned transition period illustrated in the preceding table, your Committee on Conference has amended this measure by:

- (1) Requiring the Authority to jointly oversee Mauna Kea lands with the University of Hawaii for a transition period of five years and to have exclusive oversight of Mauna Kea lands after the transition period;
- (2) Clarifying the members of the Authority that shall be subject to confirmation by the Senate;
- (3) Deleting the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs from the membership of the Authority;
- (4) Adding the Mayor of the County of Hawaii, or the Mayor’s designee, to the membership of the Authority;
- (5) Requiring that any designee appointed by the Chairperson of the Board of Land and Natural Resources, Mayor of the County of Hawaii, or Chairperson of the Board of Regents of the University of Hawaii serve the entire term of appointment;
- (6) Requiring that the Governor appoint, rather than the members elect, a chairperson of the Authority, and specifying the group of members from which the Governor may appoint the Chairperson;

- (7) Requiring the Authority to adopt a financial plan that strives for financial self-sustainability after the sixth year following the transition period;
- (8) Requiring the Authority to adopt a framework for astronomy-related development on Mauna Kea and allowing the framework to include:
 - (A) Limiting the number of observatories and astronomy-related facilities;
 - (B) Prioritizing, over the use of undeveloped lands, the reuse of footprints of observatories that are scheduled for decommissioning, or have been decommissioned, as sites for new facilities or improvements; and
 - (C) A set of principles for returning lands used for astronomy research to their natural state whenever observatories on those lands are decommissioned or no longer have research or educational value;
- (9) Prohibiting new leases and the renewal of leases during the transition period;
- (10) Clarifying the State's support of astronomy;
- (11) Requiring that after the transition period, leases for astronomical observatories specify at least seven percent of reserved viewing or observing time for the University of Hawaii, and further requiring the University of Hawaii to give priority for reserved viewing or observing time to certain Hawaii students and projects of the University of Hawaii at Hilo Imiloa Astronomy Center;
- (12) Providing the Authority with greater flexibility regarding the establishment of advisory groups;
- (13) Requiring that each annual report by the Authority include, in addition to a review of human uses and the impacts of these uses on the natural and cultural resources of Mauna Kea, a review of the commercial uses of the natural and cultural resources of Mauna Kea and the impacts of the commercial uses on these resources, along with a review of the University of Hawaii's use of its reserved viewing or observing time;
- (14) Authorizing the Authority, rather than the University of Hawaii, to limit commercial use and activities on Mauna Kea;
- (15) Authorizing the Authority to adopt rules before the end of the transition period, provided that the rules shall not take effect until the transition period is completed;
- (16) Requiring that contested cases arising under the newly established chapter shall be subject to Chapter 91, Hawaii Revised Statutes, unless otherwise dictated by the new chapter, and further requiring that appeals from a final decision and order or a preliminary ruling that is of the nature defined by section 91-14(a), Hawaii Revised Statutes, shall be made directly to the Hawaii Supreme Court;
- (17) Authorizing the Authority to retain its own attorneys;
- (18) Requiring the Authority to submit an interim and final report that assesses:
 - (A) Whether a reserve should be established on Mauna Kea lands and, if so, the location of those lands; and
 - (B) Whether the University of Hawaii School of Astronomy should be relocated in whole or in part to the University of Hawaii at Hilo;
- (19) Providing two additional years for the Auditor to complete a performance and financial audit of the Authority;
- (20) Providing that the transfer of the University of Hawaii's powers over Mauna Kea to the Authority shall be completed by July 1, 2028;
- (21) Clarifying that the General Leases between the Board of Land and Natural Resources and the University of Hawaii regarding Mauna Kea lands shall remain in effect until those General Leases expire;
- (22) Repealing Chapter 304A, part IV, subpart O, and section 304A-2170, Hawaii Revised Statutes, relating to the Mauna Kea lands management special fund, effective July 1, 2028;
- (23) Requiring the University of Hawaii to decommission the California Institute of Technology Submillimeter Telescope and the University of Hawaii at Hilo Hoku Kea Teaching Telescope;
- (24) Specifying that the \$14,000,000 appropriated for the startup costs of the Authority shall also be expended for transition planning and hiring the executive assistant of the Authority;
- (25) Appropriating \$350,000 for K-12 public education programs in astronomy-related fields of learning at the University of Hawaii at Hilo, Imiloa astronomy center;
- (26) Specifying that the transfer of the moneys from the Mauna Kea lands management special fund to the Mauna Kea management special fund shall occur on June 30, 2028;
- (27) Deleting the provisions requiring that the management of Mauna Kea shall revert to the University of Hawaii if the Auditor finds that joint oversight between the Authority and the University of Hawaii is unfit to continue;
- (28) Changing the effective date to July 1, 2022; and
- (29) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2024, 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. 2024, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Kim, Keith-Agaran, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 4. Noes, none. Excused, none.

Representatives Tarnas, Nakashima, Branco, Eli and McDermott.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 235-22 on H.B. No. 2260

The purpose of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries;
- (2) Increase the allowable number of plants for production centers;
- (3) Increase the number of production centers that may be allowed under a dispensary license;
- (4) Increase the number of retail dispensing locations that may be allowed under a dispensary license; and
- (5) Redefine the term “medical cannabis production center” to include any series of structures located within the same secured perimeter fence-line.

Your Committee on Conference finds that the State’s Medical Cannabis Dispensary Program was established to ensure that qualifying patients have safe and legal access to medical cannabis. Your Committee on Conference also finds that the Medical Cannabis Dispensary Program needs to be updated to increase access to medical cannabis in rural areas, provide the Department of Health with improved administrative control, and increase the supply of medical cannabis in the State.

Your Committee on Conference further finds that to ensure that the existing medical dispensary licensing framework sufficiently meets the needs of qualifying patients in a cost-effective manner, an assessment of the dispensary licensing framework is necessary. In order to maintain the status quo while the assessment is being conducted, an extension of the deadline by which primary caregivers can no longer cultivate cannabis for a qualifying patient is therefore necessary.

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

- (1) Extending the date after which a primary caregiver is no longer authorized to cultivate cannabis for a qualifying patient to December 31, 2024;
- (2) Deleting provisions that would have increased the number of retail dispensing locations allowed under a dispensary license;
- (3) Limiting licensees to no more than fifteen thousand cannabis plants in total across all of the licensee’s production centers;
- (4) Requiring the Department of Health to establish the fee structure for the submission of applications for additional production centers and for dispensary-to-dispensary sales;
- (5) Permitting a selling dispensary to transport no more than eight hundred ounces of cannabis or manufactured cannabis products to a purchasing dispensary within a thirty-day period;
- (6) Inserting an appropriation amount of \$50,000 for an assessment of the medical cannabis dispensary licensing framework by the Department of Health;
- (7) Changing its effective date to July 1, 2022; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2260, 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. 2260, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Baker, Rhoads, Kanuha and Fevella.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, none.

Representatives Yamane, Johanson, Tam, Har and Ward.
Managers on the part of the House.
Ayes, 4. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 236-22 on S.B. No. 514

The purpose and intent of this measure is to dispose of excess tax revenues pursuant to article VII, section 6, of the Hawaii State Constitution.

Specifically, the measure:

- (1) Provides an income tax credit of an unspecified amount to every resident individual taxpayer;
- (2) Provides an income tax refund of an unspecified amount to every qualifying resident taxpayer;
- (3) Appropriates an unspecified sum of moneys for deposit into the other post-employment benefits trust fund; and
- (4) Appropriates an unspecified sum of moneys for deposit into the emergency and budget reserve fund.

Your Committee on Conference finds that article VII, section 6, of the Hawaii State Constitution requires the Legislature to dispose of excess general fund revenues whenever the state general fund balance at the close of each of two successive fiscal years exceeds five percent of general fund revenues for each of the two fiscal years. Your Committee on Conference finds that the general fund balance has met this threshold for two successive fiscal years, and further finds that this measure is an appropriate vehicle for fulfilling the applicable constitutional requirement.

Your Committee on Conference has amended this measure by:

- (1) Removing language referring to an income tax credit;
- (2) Clarifying that the income tax refund shall be provided as follows:
 - (A) \$300 for individuals earning less than \$100,000 and couples earning less than \$200,000; or
 - (B) \$100 for individuals earning \$100,000 or more and couples earning \$200,000 or more, multiplied by the number of the taxpayer's qualified exemptions;
- (3) Setting forth the dollar amount and the rate by which the general fund expenditure ceiling will be exceeded and the reasons for exceeding the expenditure ceiling;
- (4) Appropriating \$300,000,000 for deposit into the pension accumulation fund, rather than the other post-employment benefits trust fund; and
- (5) Appropriating \$500,000,000 for deposit into the emergency and budget reserve fund.

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. 514, 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. 514, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Keith-Agaran, Kidani and Fevella.
Managers on the part of the Senate.
Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Luke, Yamashita and McDermott.
Managers on the part of the House.
Ayes, 2. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 237-22 on S.B. No. 2657

The purpose of this measure is to:

- (1) Reestablish the Hawaii Medical Education Council Special Fund to enable the John A. Burns School of Medicine, in consultation with the Hawaii Education Council Special, to provide funding for medical education and training in Hawaii;
- (2) Appropriate funds to the John A. Burns School of Medicine to expand medical education and training in Hawaii, with an emphasis on supporting residency training on the neighbor islands and in medically underserved areas throughout the State; and
- (3) Appropriate funds to the John A. Burns School of Medicine to create further medical residency and training opportunities through a partnership between the John A. Burns School of Medicine and the United States Department of Veterans Affairs.

Your Committee on Conference finds that the State faces a severe shortage of health care providers. The ongoing shortage threatens individual health and may pose adverse effects to the State's health care costs. The neighbor islands have been disproportionately affected by shortages of physicians in all areas of practice. Your Committee on Conference finds that medical school graduates who complete their residency training in Hawaii are more likely to remain in Hawaii to practice. Similarly, medical residents who train on the neighbor islands are more likely to subsequently practice on the neighbor islands. Thus, providing funds for medical education is vital to address the physician shortage in Hawaii. Furthermore, there is strong collaboration between the John A. Burns School of Medicine and the United States Department of Veterans Affairs. The United States Department of Veterans Affairs health system currently invests in Hawaii-based residency positions using a separate federal pool of resources for support. This measure appropriates funds to the John A. Burns School of Medicine to expand medical education and training in Hawaii and to create further residency and training opportunities in partnership with the United States Department of Veterans Affairs.

Your Committee on Conference has amended this measure by:

- (1) Removing the provision that reestablishes the Hawaii Medical Education Council Special Fund;
- (2) Inserting an appropriation amount of \$2,700,000 for the creation of additional medical residencies and training opportunities for medical students in counties with populations of five hundred thousand or less;

- (3) Inserting an appropriation amount of \$4,000,000 for the expansion of medical residency and training opportunities in partnership with the United States Department of Veterans Affairs; and
- (4) Inserting an effective date of July 1, 2022.

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. 2657, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2657, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Kim, Kidani, San Buenaventura and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Yamane, Takayama, Tam, Har and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 238-22 on S.B. No. 2597

The purpose of this measure is to appropriate funds for the Hawaii State Loan Repayment Program administered through the University of Hawaii John A. Burns School of Medicine, subject to a matching funds requirement.

Your Committee on Conference finds that there is a shortage of health care professionals in the State, particularly in rural communities. This shortage threatens not only individual health, but the entire State's health care system. Your Committee on Conference also finds that individuals who receive loan repayments from the Hawaii State Loan Repayment Program in exchange for work commitments in underserved practice areas in Hawaii are highly likely to remain at the site they performed their service. Health care professionals who have benefited from the Hawaii State Loan Repayment Program serve on all islands and in rural and underserved communities. This measure appropriates funds for the Hawaii State Loan Repayment Program to continue to provide a financial incentive to health care professionals working in health care shortage areas.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 for the Hawaii State Loan Repayment Program; and
- (2) Inserting an effective date of July 1, 2022.

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. 2597, 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. 2597, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Kim, Misalucha, San Buenaventura and Fevella.

Managers on the part of the Senate.

Ayes, 5. Noes, none. Excused, none.

Representatives Yamane, Takayama, Tam, Har and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Har).

Conf. Com. Rep. 239-22 on S.B. No. 2600

The purpose of this measure is to:

- (1) Beginning July 1, 2022, prohibit the issuance of permits for future large capacity underground storage tank systems mauka of the underground injection control line; and
- (2) Beginning January 1, 2023, prohibit the operation of, and renewal of permits for, large capacity underground storage tank systems located mauka of the underground injection control line.

Your Committee on Conference finds that article XI, section 7, of the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Aging underground storage tanks threaten to leak hazardous substances into the ground and contaminate the State's precious supply of drinking water. In November 2021, the State experienced such an occurrence when the United States Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility, contaminating a portion of Honolulu's water supply. This measure reduces the risks of hazardous substances leaking from large capacity underground storage tank systems into the State's drinking water by prohibiting permits for and operations of these systems.

Your Committee on Conference has amended this measure by:

- (1) Changing the prohibition date for the operation of, and renewal of permits for, large capacity underground storage tank systems located mauka of the underground injection control line to July 1, 2022;
- (2) Allowing the operation of large capacity underground storage tanks systems after July 1, 2022, provided the operation is necessary to address maintenance required to safely support defueling, environmental requirements, any operations directly related to defueling, or requirements under section 342L-9, Hawaii Revised Statutes;
- (3) Adding a definition for "mauka" consistent with the Hawaii Administrative Rules;

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2600, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2600, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Keohokalole, Gabbard, Acasio, Wakai and Fevella.
Managers on the part of the Senate.
Ayes, 5. Noes, none. Excused, none.

Representatives Yamane, Lowen, Johanson, Tam and Ward.
Managers on the part of the House.
Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 240-22 on S.B. No. 2784

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (3) and for their excluded counterparts.

Your Committee on Conference finds that on April 22, 2022, the State received notification that an agreement was issued concerning the Hawaii Government Employees Association, collective bargaining unit (3). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (3) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2784, 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. 2784, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 241-22 on S.B. No. 2785

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (4) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (4). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (4) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2785, 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. 2785, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.
Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 242-22 on S.B. No. 2787

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (6) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 12, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (6). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (6) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2787, 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. 2787, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 243-22 on S.B. No. 2788

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (7) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 8, 2022, concerning the University of Hawaii Professional Assembly, collective bargaining unit (7). An agreement with the University of Hawaii Professional Assembly regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (7) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2788, 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. 2788, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 244-22 on S.B. No. 2789

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (8) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (8). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (8) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2789, 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. 2789, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 245-22 on S.B. No. 2792

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (11) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 25, 2022, concerning the Hawaii Firefighters Association, collective bargaining unit (11). An agreement with the Hawaii Firefighters Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (11) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2792, 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. 2792, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.
Managers on the part of the Senate.
Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.
Managers on the part of the House.
Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 246-22 on S.B. No. 2795

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (14) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (14). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (14) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and

- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2795, 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. 2795, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 247-22 on S.B. No. 2783

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (2) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 19, 2022 concerning the Hawaii Government Employees Association, collective bargaining unit (2). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (2) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2783, 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. 2783, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 248-22 on S.B. No. 2794

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (13) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (13). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (13) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Inserting specific amounts for legislative salary cost items;
- (3) Changing the effective date to upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2794, 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. 2794, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Misalucha and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, none. Excused, 1 (Fevella).

Representatives Onishi, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, none.

Conf. Com. Rep. 249-22 on S.B. No. 3289

The purpose of this measure is to establish a Hawaii Retirement Savings Program to be administered by the Hawaii Retirement Savings Board in consultation with the Department of Labor and Industrial Relations and Department of Budget and Finance, that provides a state-facilitated payroll-deduction individual retirement savings plan to private sector employees who do not have access to employer-sponsored retirement savings plans.

Your Committee on Conference finds that there is an imminent retirement security crisis in Hawaii, with many individuals not having access to an employer-sponsored retirement savings plan, and therefore, at significant risk of lacking sufficient retirement income to cover their basic expenses during retirement. Your Committee on Conference also finds that, due to Hawaii's high cost of living, many workers continue to work beyond normal retirement age, and many of those workers work more than one job. This measure will allow private sector employees in Hawaii to participate in a state-facilitated payroll-deduction retirement savings plan that will promote retirement savings needed for a secure retirement, improve the employee's financial security, and reduce wealth disparity in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Amending the powers and duties of the Hawaii Retirement Savings Board;
- (2) Allowing the Hawaii Retirement Savings Board to authorize matching contributions of up to \$500 per participant account from the Hawaii Retirement Savings Special Fund for the first 50,000 covered employees who participate for twelve consecutive months after initial enrollment; and
- (3) Amending the expenditure allowances for moneys in the Hawaii Retirement Savings Special Fund; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3289, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3289, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Taniguchi, Kanuha, Ihara and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Onishi, Johanson, Sayama and Okimoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, none.

Conf. Com. Rep. 250-22 on S.B. No. 2021

The purpose of this measure is to:

- (1) Establish the Office of Hawaiian Affairs' pro rata share of the moneys derived from the public land trust;
- (2) Establish a working group to determine pro rata share of income and proceeds from the public land trust and back amounts due; and
- (3) Appropriate funds from the carry-forward trust holding account to the Office of Hawaiian Affairs.

Your Committee on Conference finds that it is incumbent upon the Legislature to uphold its trust responsibilities and duty of care to native Hawaiians pursuant to the Hawaii State Constitution, which requires that twenty percent of the income and proceeds from the Public Land Trust go to the Office of Hawaiian Affairs to benefit the Native Hawaiian community. This measure will ensure that the State fulfills its constitutional obligations by establishing and providing for the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust.

Your Committee on Conference further finds that the past-due sum owed to the Office of Hawaiian Affairs for any and all underpayments of the pro-rata portion of the income and proceeds of the Public Land Trust for the period from July 1, 2012, to June 30, 2022, is \$64,000,000, and that this sum is intended to represent the cumulative impact of an inflation adjustment for that period.

Your Committee on Conference has amended this measure by:

- (1) Deleting language amending section 10-13.5, Hawaii Revised Statutes, to require a minimum amount of \$21,500,000 to be transferred annually from the Public Land Trust to the Office of Hawaiian Affairs and replacing it with language amending Act 178, Session Laws of Hawaii 2006, to the same substantive effect;
- (2) Removing the requirement that the working group determine the past-due sum owed to the Office of Hawaiian Affairs;
- (3) Requiring any department or agency that uses, manages, or receives income, proceeds, or any other fund derived from the Public Land Trust to cooperate with the working group in submitting a report to the Legislature;

- (4) Requiring the Office of Hawaiian Affairs, instead of the Department of Budget and Finance, to provide administrative support to the working group;
- (5) Making a general fund appropriation of \$64,000,000 to be deposited into the Native Hawaiian Trust Fund and expended by the Office of Hawaiian Affairs instead of appropriating \$31,000,000 from the Carry-Forward Trust Holding Account to the Office of Hawaiian Affairs;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2021, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2021, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Keohokalole, Dela Cruz, Fevella and Kidani.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Luke, Eli, Holt and Ward.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 251-22 on S.B. No. 2474

The purpose of this measure is to require the Public Utilities Commission to establish reliability standards and interconnection requirements for renewable energy projects and community-based renewable energy projects.

Your Committee on Conference finds that facilitating the timely interconnection of utility-scale renewable energy projects will help set standards for grid-reliability, support the State's renewable energy goals, and reduce the risks of project delays and variables; thereby benefiting ratepayers and the State.

Your Committee on Conference has amended this measure by deleting its contents and replacing it with language that:

- (1) Requires the Public Utilities Commission to contract with a qualified consultant to conduct a study on the accessibility of Hawaii's electrical system and procedures for interconnection to Hawaii's electrical system;
- (2) Requires a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (3) Appropriates funds for the Public Utilities Commission to contract with a qualified consultant to conduct a study on the accessibility of and procedures for interconnection to Hawaii's electrical system;
- (4) Makes it effective on July 1, 2022; and
- (5) Makes technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2474, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2474, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Wakai, Baker, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Lowen, Johanson, Marten, Perruso and Matsumoto.

Managers on the part of the House.

Ayes, 5. Noes, none. Excused, none.

Conf. Com. Rep. 252-22 on S.B. No. 2290

The purpose of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of a personal care product, except a non-prescription drug, that contains plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of a personal care product, except a non-prescription drug, that contains plastic microbeads;
- (3) Beginning July 1, 2024, ban the sale or offer for sale of a non-prescription drug that contains plastic microbeads; and
- (4) Exempt rinse-off cosmetics or rinse-off cosmetics that are also non-prescription drugs regulated by the federal Microbead-Free Waters Act of 2015.

Your Committee on Conference finds that plastic microbeads, which are common in many personal care products, can accumulate in Hawaii's waters and damage marine ecosystems. Additionally, microbeads that are ingested by marine wildlife can eventually progress through the food chain to fish for human consumption. Consequently, plastic microbeads also present a risk to human health. This measure establishes prohibitions on products that contain plastic microbeads in three phases.

Your Committee on Conference has amended this measure by:

- (1) Amending the definitions of “personal care product” and “plastic microbead”; and
- (2) Inserting an effective date of upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2290, 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. 2290, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Baker, Acasio and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Lowen, Kitagawa, Marten, Tam and Matsumoto.

Managers on the part of the House.

Ayes, 5; Ayes with Reservations (Matsumoto). Noes, none. Excused, none.

Conf. Com. Rep. 253-22 on H.B. No. 1147

The purpose of this measure is to appropriate monies for capital improvement project costs of the State for the fiscal biennium 2021-2023.

Your Committee on Conference has amended this measure by:

- (1) Removing the capital improvement projects for fiscal biennium 2021-2023;
- (2) Appropriating funds to the Department of Business, Economic Development, and Tourism;
- (3) Appropriating funds out of the Convention Center Enterprise Special Fund;
- (4) Appropriating funds to the University of Hawaii;
- (5) Making it effective 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 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. 1147, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1147, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Dela Cruz, Keith-Agaran, Kidani and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Luke, Yamashita and McDermott.

Managers on the part of the House.

Ayes, 2. Noes, none. Excused, 1 (McDermott).

Conf. Com. Rep. 254-22 on H.B. No. 2466

The purpose of this measure is to provide a general excise tax exemption for the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State.

Your Committee on Conference has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Repealing the measure on June 30, 2027.

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. 2466, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2466, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Gabbard, Shimabukuro, Rhoads and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, none. Excused, none.

Representatives Perruso, Quinlan, Luke, Eli and Matsumoto.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 1 (Matsumoto).

Conf. Com. Rep. 255-22 on H.B. No. 2511

The purpose of this measure is to provide funds to the Department of Hawaiian Home Lands to pursue a multi-pronged approach to eliminating its waitlist. Specifically, this measure:

- (1) Requires the Department of Hawaiian Home Lands to submit annual reports to the Legislature regarding expenditures from the Native Hawaiian Rehabilitation Fund and the number of beneficiaries removed from the waitlist for Hawaiian home lands through the use of funds from the Native Hawaiian Rehabilitation Fund; and
- (2) Appropriates \$600,000,000 into and out of the Native Hawaiian Rehabilitation Fund for:
 - (A) Hawaiian home lands lots and related projects; and
 - (B) Down payment assistance and mortgage payment assistance to Department of Hawaiian Home Lands beneficiaries.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$600,000,000 to the Department of Hawaiian Home Lands for certain purposes, instead of into and out of the Native Hawaiian Rehabilitation Fund;
- (2) Authorizing the Department of Hawaiian Home Lands to prioritize and determine the amount of assistance according to the income or receipt of other funds by the applicant or qualified relative, including wages, litigation settlement proceeds, and other monies received by the applicant or qualified relative;
- (3) Requiring the Department of Hawaiian Home Lands to develop a strategic plan to address applicant preferences reflected in the 2020 Beneficiaries Study Applicant Report;
- (4) Amending the requirements for the annual report from the Department of Hawaiian Home Lands;
- (5) Inserting a severability clause;
- (6) Changing the effective date to upon approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2511, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2511, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Senators Shimabukuro, Keohokalole, Keith-Agaran and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 1 (Fevella).

Representatives Nakashima, Luke, Eli, Holt, Tam and Ward.

Managers on the part of the House.

Ayes, 6. Noes, none. Excused, none.

STANDING COMMITTEE REPORTS

SCRep. 2001 Labor, Culture and the Arts on S.B. No. 2018

The purpose and intent of this measure is to incrementally increase the minimum wage for certain employees from the current \$10.10 per hour to:

- (1) \$12.00 per hour beginning October 1, 2022;
- (2) \$15.00 per hour beginning January 1, 2024; and
- (3) \$18.00 per hour beginning January 1, 2026.

Your Committee received testimony in support of this measure from the Office of the Governor; Department of Labor and Industrial Relations; Department of Human Services; Office of the Prosecuting Attorney of the County of Kauai; one member of the County Council of the County of Maui; American Association of University Women; Americans for Democratic Action; Common Cause Hawaii; Community Alliance on Prisons; Democratic Party of Hawai'i; Democratic Party of Hawai'i Education Caucus; Democratic Party of Hawai'i Stonewall Caucus; Democratic Party of Hawai'i Labor Caucus; Faith Action for Community Equity/Raise UP Hawaii Coalition; Free Access Coalition; Hawai'i Alliance for Community-Based Economic Development; Hawai'i Alliance for Progressive Action; Hawai'i Alliance of Nonprofit Organizations; Hawaii Appleseed Center for Law and Economic Justice; Hawai'i Children's Action Network Speaks!; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Health & Harm Reduction Center; Hawai'i Public Health Institute; Hawai'i State AFL-CIO; Hawaii State Teachers Association; Hawaii Youth Services Network; Imua Alliance; International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii; Living Wage Hawaii; Planned Parenthood Alliance Advocates; Pono Hawaii Initiative; Pride at Work – Hawai'i; St. Michael the Archangel Parish, Kailua-Kona; UNITE HERE Local 5; United Public Workers, AFSCME Local 646, AFL-CIO; and forty-four individuals. Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii; Aloha Hula Supply; Envisions Entertainment & Productions, Inc.; Hawaiian Chip Company; Hawaii Food Manufacturers Association; Hawai'i Restaurant Association; Hawaiian Candies & Nuts, Ltd.; Highway Inn; Kona-Kohala Chamber of Commerce; National Federation of Independent Business; Tanaka of Tokyo Restaurants; Society of Human Resource Management Hawaii; Honolulu County Republican Party; and thirty-four individuals. Your Committee received comments on this measure from the Associated Builders and Contractors-Hawaii Chapter; Hawaii Food Industry Association; Maui Chamber of Commerce; Retail Merchants of Hawaii, Inc.; Grassroot Institute of Hawaii, Inc.; and one individual.

Your Committee finds that a majority of credible studies conclude that higher minimum wages appreciably boost workers' earnings with little or no effect on employment. A 2018 study by the U.S. Census Bureau found that raising the minimum wage benefits a large majority of low-income workers by putting them on the path to higher earnings in the long-term and decreasing income inequality. Your Committee further finds that there is currently a significant difference between Hawaii's minimum wage and what is needed to afford basic needs in the State. According to a report titled "Self-Sufficiency Income Standard – Estimates for Hawaii 2020" issued by the Department of Business, Economic Development, and Tourism in December 2021, approximately 18.2 percent of two-adult couples with no children, and 34.7 percent of two-adult couples with two children had incomes below the self-sufficiency standard in 2020. For single-adult with no children, single-adult with one child, and single-adult with two children 43.1 percent, 50.0 percent, and 80.0 percent had incomes below the self-sufficiency level, respectively. Furthermore, despite the State's high cost of living, according to the Department of Labor and Industrial Relations, twenty-two states and the District of Columbia have minimum wages higher than Hawaii. Your Committee also finds that the annual inflation rate in the United States accelerated to seven percent in the last month of 2021, the highest since June of 1982, which will further increase in the cost of living in the State.

This measure will incrementally increase Hawaii's minimum wage to \$18.00 per hour by 2026, which will raise the quality of life for Hawaii residents, reduce poverty, increase economic activity in the State, and appropriately address inflation and the resulting increase of the cost of living in the State.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2018 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2002 Ways and Means on S.B. No. 2018

The purpose and intent of this measure is to increase the minimum wage from \$10.10 per hour to \$12.00 per hour beginning on October 1, 2022; to \$15.00 per hour beginning on January 1, 2024; and to \$18.00 per hour beginning January 1, 2026.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations; Executive Office on Early Learning; Council Chair of the Maui County Council; Americans for Democratic Action, Hawaii; Hawaii Government Employees Association; Stonewall Caucus of the Democratic Party of Hawaii; Pride @ Work - Hawaii; Hawaii Youth Services Network; Hawaii Health and Harm Reduction Center; United Public Workers, AFSCME Local 646; Hawaii Alliance of Nonprofit Organizations; Planned Parenthood Alliance Advocates; Hawaii State Teachers Association; Democratic Party of Hawaii Labor Caucus; Hawaii Workers Center; Leeward Community College Student Government; AAUW of Hawaii; Hawaii Alliance for Community-Based Economic Development; HOPE Services Hawaii; League of Women Voters Hawaii; Faith Action for Community Equity; Hawaii Workers Center, Raise Up Hawaii; Hawaii Children's Action Network Speaks!; Imua Alliance; Democratic Party of Hawaii Education Caucus; St. Michael the Archangel Parish; Pono Hawaii Initiative; Hawaii Alliance for Progressive Action; Living Wage Hawaii; Community Alliance on Prisons; Hawaii State AFL-CIO; Hawaii Building and Construction Trades Council; Leeward Community College Student Government; Hawaii Appleseed Center for Law and Economic Justice; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts, Local 665; Save Medicaid Hawaii; Ai Pohaku; Hawaii Public Health Institute; and numerous individuals.

Your Committee received written comments in opposition to this measure from Island Pacific Bags, Inc.; Hawaii Food Manufacturers Association; Society of Human Resource Management; National Federation of Independent Business; Hawaii Restaurant Association; Associated Builders and Contractors Hawaii Chapter; Chamber of Commerce Hawaii; Envisions Entertainment and Productions, Inc.; Kona-Kohala Chamber of Commerce; Retail Merchants of Hawaii; Magics Beach Grill; Tiki's Grill & Bar; Shorefyre/Skybox; Beast Culinary Company, LLC, d/b/a: Da Sugar Mill Bistro; Hawaii Republican Party; Language Services Hawaii, LLC; Il Gelato Hawaii; and five individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Common Cause Hawaii, Grassroot Institute of Hawaii, Maui Chamber of Commerce, Hawaii Food Industry Association, and Hawaii Lodging and Tourism Association.

Your Committee finds that incrementally increasing the minimum wage so that it reaches \$18.00 per hour beginning on January 1, 2026, is an appropriate way to address inflation and the increased cost of living in the State.

Your Committee requests that, as the minimum wage increases over time, the Department of Budget and Finance ensure that all state employees be paid no less than the applicable minimum wage rate.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2018 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Wakai). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2003 Judiciary on S.B. No. 988

The purpose and intent of this measure is to establish clear guidelines for unpaid internships under the state wage and hour law.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations.

Your Committee finds that upholding labor laws and the minimum wage requirements are among the State's highest priorities. Since 2018, the United States Department of Labor has put forth numerous guidelines to ensure individuals are not being taken advantage of by companies under the guise of offering unpaid internships. However, these guidelines have not yet been codified in the United States Code Annotated, nor have they been incorporated into the Hawaii Revised Statutes. This measure will incorporate those guidelines into state law to ensure that unpaid internships at for-profit companies or institutions are carefully regulated.

Your Committee notes that during the hearing there was a discussion regarding the status of true volunteers. Your Committee agrees with the Department of Labor and Industrial Relations that as long as volunteers understand that they are volunteers only and no wages were promised to them, then volunteers do not qualify as employees and are ineligible to receive wages. This measure exempts anyone working in a volunteer capacity.

Your Committee has amended this measure by amending section 1 to reference the federal Fair Labor Standards Act rather than the Fair Wages Act.

As affirmed by the record of votes of 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. 988, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 988, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2004 Judiciary on S.B. No. 416

The purpose and intent of this measure is to:

- (1) Clarify the applicable reimbursement to the State or defendant for expert witness fees, as it pertains to testimony, preparation, and in-court attendance in State court criminal proceedings; and
- (2) Increase per diem payments for all witnesses required to travel and stay overnight to testify in a criminal case.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kaua'i, and Department of the Prosecuting Attorney of the County of Maui.

Your Committee finds that the ability to utilize expert witnesses, especially in cases involving homicide or sexual assault where medical, scientific, or other expert testimony is often a requirement, is an important factor in whether justice can effectively be served. Despite this, the Department of Budget and Finance enacted a policy change on March 2, 2017, which would discontinue reimbursement of certain expert witness fees for county prosecutors, indigent defendants represented by the Office of the Public Defender, and private conflict counsel. In response, the Governor issued Governor's Administrative Directive No. 18-01, which re-established guidelines and procedures regarding expert witness reimbursements. However, Governor's Administrative Directive No. 18-01 officially expired as of June 30, 2018, and the Department of Budget and Finance has continued following these procedures simply as a courtesy. Your Committee believes that statutory changes are needed to make these guidelines and procedures permanent and that these changes are necessary to support both a defendant's constitutional right to a defense and the State's ability to prosecute violations of the law. This measure will codify the guidelines and procedures allowing for reimbursement of expert witness fees while also assisting crime victims and witnesses in covering the rising costs of travel.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 416, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 416, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2005 Judiciary on S.B. No. 212

The purpose and intent of this measure is to increase the amount of fines that may be assessed against a noncandidate committee for violations of organizational report requirements and the amount of fines that may be assessed for violations of advertisement disclaimer requirements.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and four individuals.

Your Committee finds that campaign spending and disclosure requirements are important to the health of the electoral process. Your Committee further finds that fines and other penalties should ideally be flexible enough to be an effective deterrent to candidate and noncandidate committees of various levels of financial resources. Your Committee additionally finds that linking the maximum fine amount to the level of expenditure made by the violating committee is an effective way to accomplish that flexibility. Your Committee notes that the intent of this measure is to provide the ability to target large dollar campaign spenders rather than to go after groups spending small amounts.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that the increase in the amount of fines for violations of advertisement disclosure requirements shall be assessed against only noncandidate committees; and
- (2) Inserting an effective date of July 30, 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. 212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 212, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2006 Judiciary on S.B. No. 352

The purpose and intent of this measure is to prohibit the use of lead-based paint on outdoor structures.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Children's Action Network Speaks!, and two individuals.

Your Committee finds that lead poisoning has been shown to cause neurological damage, behavioral and learning disabilities in children, and various other medical conditions. There is no safe level of exposure to lead and no way to reverse the damage caused by lead exposure. Your Committee further finds that lead-based paints have historically been used and continue to be allowed on outdoor structures. 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 will prohibit the use of lead-based paint on outdoor structures and reduce the amount of lead poisoning and contamination occurrences in the State.

Your Committee has amended this measure by clarifying that the use of lead-based paint on outdoor structures is prohibited after December 31, 2022.

As affirmed by the record of votes of 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. 352, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 352, S.D. 2.

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

SCRep. 2007 Judiciary on S.B. No. 206

The purpose and intent of this measure is to prohibit discrimination in real estate transactions and requirements, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority; Governor's Coordinator on Homelessness; Hawaii State Council on Developmental Disabilities; Hawai'i Civil Rights Commission; one member of the Honolulu City Council; Stonewall Caucus of the Democratic Party of Hawai'i; Catholic Charities Hawai'i; Partners In Care; Hope Services Hawai'i, Inc.; Hawai'i Health & Harm Reduction Center; Hawai'i Children's Action Network Speaks!; Hawaii Substance Abuse Coalition; The Radical Hale; and one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that low-income individuals, who are the most likely participants in housing assistance programs, experience extreme difficulty in finding affordable rentals in Hawai'i and are often faced with discrimination based on their source of income. Your Committee further finds that discrimination against recipients of housing assistance programs is prohibited in twelve states and the District of Columbia, as well as numerous cities and counties throughout the United States. Your Committee additionally finds that

a prohibition against discrimination based on participation in a housing assistance program or requirements related to participation in a housing assistance program does not alter or restrict the standard industry practices to vet prospective renters. However, since there is no general federal law that prohibits discriminating against a tenant based on "source of income", this discrimination continues to widely occur. This measure is critically necessary to break down this significant discriminatory barrier to accessing affordable housing and to improve geographic mobility for low-income families.

Your Committee notes that during the ongoing coronavirus disease 2019 (COVID-19) pandemic, reluctance to rent to clients in housing assistance programs has adversely impacted the utilization of new federal resources, such as the United States Department of Housing and Urban Development Emergency Housing Vouchers (EHVs) and the United States Department of Treasury Emergency Rental Assistance (ERA). For example, even though seven hundred and eight EHVs have been allocated statewide in Hawai'i since mid-2021, only thirty-six of those households have been able to find housing as of January 20, 2022. With limited search periods to lease with a voucher of normally sixty or ninety days, refusal to accept an EHV or other voucher can cause people to lose their rental assistance and extend situations of housing insecurity and homelessness. In addition, providers have shared stories of homeless individuals who were approved for prospective rent through ERA after eviction from a prior unit and are not able to find a landlord willing to accept this assistance in a new unit.

Your Committee has amended this measure by inserting additional findings to further clarify this measure's importance.

As affirmed by the record of votes of 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. 206, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 206, S.D. 2.

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

SCRep. 2008 Judiciary on S.B. No. 1347

The purpose and intent of this measure is to require the Department of Education to offer training for teachers, educational officers, and school-based behavioral health specialists on sex trafficking prevention and response.

Your Committee received testimony in support of this measure from the Department of Education, Department of Human Services, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Teachers Association, Hawaii Youth Services Network, Imua Alliance, Opportunity Youth Action Hui, Hawai'i Children's Action Network Speaks!, Rainbow Family 808, Democratic Party of Hawai'i Education Caucus, Parents and Children Together, Sex Abuse Treatment Center, and three individuals. Your Committee received testimony in opposition to this measure from Harm Reduction Hawaii.

Your Committee finds that sex trafficking is a form of modern-day slavery. Your Committee further finds that education can prevent sexual exploitation. By empowering students to protect themselves from harm and build healthy relationships, training school staff in how to respond to at-risk youth in a trauma-informed manner, and creating sexual health programs that include providing information about sex trafficking, schools can equip students with the knowledge and skills needed to prevent themselves from becoming victims of sexual exploitation, as minors and upon reaching adulthood. This measure will assist teachers, educational officers, and other school staff with resources to better protect Hawai'i's children and young people from sex trafficking throughout the State.

Your Committee has amended this measure by:

- (1) Clarifying that school-based personnel including security, custodial, and support staff shall also receive training on sex trafficking prevention and response;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1347, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1347, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2009 Judiciary on S.B. No. 573

The purpose and intent 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 one member of the Hawai'i County Council, Hawai'i Wildlife Center, Kauai Albatross Network, Center for Biological Diversity, Save Our Shearwaters, Conservation Council for Hawai'i, and twenty-two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Clean Power Alliance. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Hawaii's unique ecosystem is under constant threat by natural and manmade causes. Your Committee further finds that habitat conservation plans are one means of mitigating against this threat and protecting the health and longevity of the State's ecosystem. Presently, habitat conservation plans do not require a response plan that sets forth an agreement with a permitted response organization to ensure response resources are available for injured wildlife treatment and rehabilitation expertise when needed. This measure will help ensure that permitted, professionally staffed, wildlife response resources are available to help native wildlife adversely affected by human activities.

Your Committee has amended this measure by inserting an effective date of July 30, 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. 573, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 573, S.D. 1.

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

SCRep. 2010 Judiciary on S.B. No. 1140

The purpose and intent of this measure is to:

- (1) Amend the newborn hearing screening statute to mandate reporting of diagnostic audiologic evaluation results to improve hearing follow-up of infants; and
- (2) Update definitions and terminology.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Early Learning, Hawaii State Council on Developmental Disabilities, Early Childhood Action Strategy, Kaiser Permanente Hawaii, and one individual.

Your Committee finds that the State's public health screening program helps deaf or hard of hearing children reach their developmental milestones and be language-ready for school. However, the Department of Health Newborn Hearing Screening Program does not receive diagnostic audiologic evaluation results for all newborns who fail to pass newborn hearing screening. This measure ensures consistent reporting of diagnostic audiologic evaluation results for all infants who fail to pass hearing screening and facilitates the appropriate follow-up and support through early intervention services.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health shall adopt rules for the reporting of all infant hearing screening results, not just those results from infants identified as deaf or hard of hearing;
- (2) Clarifying that the Department of Health shall adopt rules for the reporting of diagnostic audiologic evaluation and results for infants who fail newborn hearing screening; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1140, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1140, S.D. 2.

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

SCRep. 2011 (Majority) Judiciary on S.B. No. 152

The purpose and intent of this measure is to:

- (1) Amend requirements for the restraint of child passengers;
- (2) Require rear-facing child safety seats for children under two years of age;
- (3) Repeal exceptions for compliance; and
- (4) Increase certain fines for violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Hawai'i Police Department, Keiki Injury Prevention Coalition, and Kapi'olani Medical Center.

Your Committee finds that existing motor vehicle laws lack any requirement that children of any age be restrained in a rear facing child safety seat. Your Committee further finds that motor vehicle injuries continue to be a leading cause of death for Hawai'i's children and youth. According to the American Academy of Pediatrics guidelines, infants and toddlers need to be in a rear-facing car safety seat until they reach the highest weight or height allowed by the seat. Your Committee also finds that sixteen states have requirements that children under the age of two be rear-facing. This measure aligns Hawai'i law with other jurisdictions that protect children under the age of two by requiring that they be restrained in a rear-facing child safety seat.

As affirmed by the record of votes of 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. 152 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Kim, Fevella). Noes, 1 (Acasio). Excused, none.

SCRep. 2012 Judiciary on S.B. No. 1016

The purpose and intent of this measure is to require the Office of Enterprise Technology Services to establish policies, in collaboration with departments and agencies, to provide infrastructure and resources to permit authorized employees to securely access remote computing services.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of Enterprise Technology Services, and Department of Accounting and General Services. Your Committee received comments on this measure from Transform Hawai'i Government.

Your Committee finds that the coronavirus disease 2019 pandemic has required many state employees to work from home or other remote locations to maintain social distancing and minimize the spread of the SARS-CoV-2 virus. However, the relocation of state employees to non-traditional work environments has left an indelible impression on the possibilities of how state work can be accomplished. Your Committee further finds that working from home or other off-worksites locations has demonstrated cost-effectiveness and productivity in rendering public services. Employees working off-site enables the State to make better use of its limited resources, including but not limited to office space, furnishing, equipment, electrical and data requirements, storage space, and other traditional needs of employees who work at state facilities. This measure will require the Office of Enterprise Technology Services to define parameters that will strengthen the ability of state employees to continue to work remotely.

As affirmed by the record of votes of 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. 1016, S.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. 2013 Education on S.B. No. 2821

The purpose and intent of this measure is to require public schools to provide menstrual products free of charge to all students, on all school campuses, and to appropriate funds for the same.

Your Committee received testimony in support of this measure from the Department of Education; Department of Human Services; State Public Charter School Commission; State Council on Developmental Disabilities; Hawai'i State Commission on the Status of Women; Ma'i Movement Hawai'i; 'Ilima Intermediate Activist Club; Stonewall Caucus of the Democratic Party of Hawai'i; Hawaii State Teachers Association; Community Alliance on Prisons; Women's Caucus of the Democratic Party of Hawai'i; Zonta Club of Kauai; Pono Hawai'i Initiative; Hawaii Youth Services Network; American Association of University Women of Hawaii; Children's Network Speaks!; HawaiiKidsCAN; Hawaii Women's Coalition; Achieve Zero; Hawai'i Health & Harm Reduction Center; Education Caucus of the Democratic Party of Hawai'i; Waianae Coast Comprehensive Health Center; American College of Obstetricians and Gynecologists, Hawai'i, Guam, and Samoa Section; Breastfeeding Hawaii; and one hundred eighty-two individuals. Your Committee received no testimony in opposition to this measure. Your Committee received comments on this measure from one individual.

Your Committee finds that the lack of access to menstrual products in schools limits full participation in school, contributes to higher rates of school absenteeism and missed activities, and negatively impacts students' ability to learn. A 2021 study conducted by the Hawaii State Commission on the Status of Women and Ma'i Movement Hawai'i found that forty-two percent of student respondents missed class or left school because they did not have access to period products and nearly twenty-two percent missed school entirely. Illustrating the impact of this problem, of those who missed school entirely, nearly twelve percent missed three to five school days and six percent missed six to ten school days in an academic year. Because chronic absenteeism is one of the most powerful predictors of student success or failure, it should be a priority for Hawaii public schools to minimize or eliminate it.

In addition, your Committee also finds that the lack of adequate quantity and quality of period products directly and adversely impacts student health. Using period products for a length of time beyond that recommended by the manufacturer, or utilizing substandard alternatives, jeopardizes the safety and health of students and increases the risk of serious medical issues, including preventable infections that can result in death.

Your Committee further finds that there is convincing evidence that free period products have positive impacts on education. A pilot project and study of students and faculty in Hawaii conducted between August 2021 and January 2022 revealed that reducing the barriers to access resulted in fewer missed classes and absences. In recognition of these types of findings, more than ten states, including Arkansas, California, Colorado, Delaware, Georgia, Illinois, Nevada, New Hampshire, New York, Oregon, Rhode Island, and Washington State have laws or policies advancing menstrual equity in their public school and higher education systems. In addition, the United States Congress also introduced The Menstrual Equity Act for All this year, seeking to comprehensively address period poverty in schools and menstrual inequity in other spaces.

Your Committee has amended this measure by:

- (1) Adding a purpose section; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the appropriation required for this measure is \$1,000,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2821, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2821, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2014 Energy, Economic Development, and Tourism on S.B. No. 2076

The purpose and intent of this measure is to clarify the duties of the Hawaii Broadband and Digital Equity Office (Office) by:

- (1) Defining broadband equity;
- (2) Amending the definition of digital equity;
- (3) Incorporating broadband equity into the duties of the Office; and
- (4) Removing the requirement for the Office to advise the Department of Business, Economic Development, and Tourism on best practices involving remote work promotion.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Labor and Industrial Relations' Office of Community Services; Common Cause Hawaii; Hawaii Primary Care Association; League of Women Voters of Hawaii; Chamber of Commerce Hawaii; Ocean Networks, Inc.; Broadband Hui; Maunakea Observatories; Maui Chamber of Commerce; and two individuals.

Your Committee finds that the development of broadband technology is vital to the well-being of the State's residents and communities. Accordingly, the Legislature enacted Act 225, Session Laws of Hawaii 2021, which, in part, established the Office to broaden access to this technology throughout the State. Your Committee further finds that it is important to integrate broadband equity into the duties of the Office to provide access to students and teachers engaged in remote learning; workers performing their duties remotely; health professionals and patients, including kupuna, who rely on telemedicine; and others in rural, unserved, and underserved communities. Your Committee also finds that the broadened scope of duties of the Office necessitates an increase of resources for the Office to perform its additional responsibilities.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that allows the Hawaii Broadband and Digital Equity Office to procure professional services to carry out its duties;
- (2) Inserting an appropriation of \$867,500 for five full-time equivalent (5.00 FTE) administrative positions; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2076, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2076, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2015 Energy, Economic Development, and Tourism on S.B. No. 2173

The purpose and intent of this measure is to allow an electric utility to own, operate, lease, plan, construct, install, maintain, and replace broadband facilities, including middle mile infrastructure, to help facilitate the development of and investment in broadband facilities in rural, unserved, underserved, and urban communities throughout the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaiian Electric Company, Kaaui Island Utility Cooperative, and League of Women Voters of Hawaii. Your Committee received testimony in opposition of this measure from Charter Communications. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Public Utilities Commission, Hawaiian Telcom, and Common Cause Hawaii.

Your Committee finds that to ensure the timely provision of broadband facilities and services throughout the State, leveraging the existing infrastructure of electric public utilities through a limited grant of authorization and minimal regulation is reasonable and necessary. Your Committee further finds that a streamlined application process will not only facilitate the development of and investment in broadband infrastructure, but also ensure that the costs of deployment are not solely borne by electric customers. Your Committee also finds that through this measure, deploying broadband infrastructure through a middle mile infrastructure network results in cost savings for broadband service providers.

Your Committee acknowledges testimony expressing concern on the lack of competition and abuse of monopoly power that may occur. However, your Committee believes that oversight from the Public Utilities Commission (PUC) is sufficient to maintain fair competition in broadband deployment throughout the State.

Accordingly, your Committee has amended this measure by:

- (1) Adding language that:
 - (A) Provides for a streamlined application process for the sale, lease, assign, mortgage, disposal, or encumbrance of any utility property used for broadband deployment; and
 - (B) Requires that the application for an electric utility to sell, lease, assign, mortgage, dispose of, or encumber any utility property to be used for broadband deployment be filed with minimal information, as determined by the PUC;
- (2) Clarifying that, with respect to the merger and consolidation of public utilities pursuant to section 269-19, Hawaii Revised Statutes, an electric utility may sell, lease, assign, mortgage, dispose, or encumber any utility property used for the purposes of this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee acknowledges that with the enactment of this measure, not only may the PUC need to amend established rules that regulate transactions between utility affiliates, but that it and the Consumer Advocate may require additional resources to maintain oversight of the broadband activities of electric utilities and ensure that electric customers are protected from cross-subsidization and unreasonable electricity rates.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2173, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2173, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2016 (Majority) Energy, Economic Development, and Tourism on S.B. No. 2212

The purpose and intent of this measure is to hold telecommunication service providers and third-party spoofing providers accountable by making certain robocalls and spoofing unlawful.

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 received comments on this measure from the Department of the Attorney General and Hawaiian Telcom.

Your Committee finds that this measure is necessary to combat the increase in consumer fraud through robocalls and spoofing. Your Committee acknowledges testimony from the Department of the Attorney General, commenting that this measure may violate the dormant Commerce Clause. However, your Committee believes that the privacy and protection of our citizens, especially vulnerable kupuna, are paramount and notes that within the past two years, other states, such as Arkansas, Kentucky, Maine, Nebraska, Tennessee, and Virginia, have already passed legislation to address robocalls, caller ID spoofing, and other telemarketing issues.

Your Committee has amended this measure by:

- (1) Providing an exemption for voice service providers that comply with the federal Pallone-Thune TRACED Act (2019), which expanded the Federal Communications Commission's authority to combat robocall and spoofing violations; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2212, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2017 Energy, Economic Development, and Tourism on S.B. No. 2568

The purpose of this measure is to:

- (1) Prohibit a production from qualifying for the motion picture, digital media, digital media, and film production tax credit if the production hires or compensates an employee of the State or county whose official capacity is related to motion picture, digital media, or film production for certain services; and
- (2) Require a taxpayer claiming the motion picture, digital media, digital media, and film production tax credit to identify any such employee in the statement submitted to Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Screen Actors Guild – American Federation of Television and Radio Artists and one individual. Your Committee received testimony in opposition of this measure from Island Film Group and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; University of Hawai'i System; Academy for Creative Media at the University of Hawaii at Manoa; Tax Foundation of Hawaii; and International Alliance of Theatrical Stage Employees Local 665.

Your Committee finds that this measure seeks to eliminate any conflicts of interest or undue influence by persons employed by the State or counties whose official capacity is related to motion picture, digital media, or film production in the State. Your Committee heard the testimony of various stakeholders and acknowledges that clarifying language is needed to ensure that there are no unintended consequences that may inadvertently and negatively impact the local film, television, and digital media industries.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying "compensation for services" to mean monetary compensation; and
- (2) Specifying that this measure applies to:
 - (A) Employees of the State of Hawaii film office,
 - (B) Employees of a county film commission, and
 - (C) Companies of which an employee of the State of Hawaii film office or a county film commission is a stakeholder.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2568, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2568, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2018 Energy, Economic Development, and Tourism on S.B. No. 2079

The purpose of this measure is to:

- (1) Establish a tax withholding requirement for all payments to loan-out companies for services performed in Hawaii for persons claiming the motion picture, digital media, and film production income tax credit;
- (2) Prohibit the defense against an erroneous claim for refund or credit that the claim for refund was generated by a tax credit;
- (3) Set the penalty for an erroneous claim for refund or credit that was generated by a tax credit at ten percent;
- (4) Require taxpayers claiming the motion picture, digital media, and film production income tax credit to submit a sworn statement and verification review to the Department of Business, Economic Development, and Tourism only if qualified production costs exceed \$1,000,000;
- (5) Require reports by the Department of Business, Economic Development, and Tourism to the Legislature on the motion picture, digital media, and film production income tax credit to identify the dollar amount claimed, name of company, and name of program claiming the credit;
- (6) Extend the period during which excess motion picture, digital media, and film production income tax credits may be claimed to December 31, 2032;
- (7) Require qualified productions that claim the motion picture, digital media, and film production income tax credit to withhold a certain amount and remit that amount within thirty calendar days to the Department of Taxation to the credit of the general excise tax account of the loan-out company; and
- (8) Amend the uses of the Tax Administration Special Fund.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Motion Picture Association – America, Inc.; International Alliance of Theatrical Stage Employees Local 665; and one individual. Your Committee received testimony in opposition of this measure from the Island Film Group and one individual. 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 the motion picture, digital media, and film production income tax credit (income tax credit) stimulates the economy and creates quality employment while promoting Hawaii as a premier destination for both the film industry and visitors. According to testimony from the Department of Business, Economic Development, and Tourism, 2021 was a record year for motion picture, digital media, and film production in the State with \$432,000,000 in direct expenditures and the creation of four thousand five hundred new jobs. Your Committee further finds that amending certain criteria for the income tax credit will enable the State to continue this production momentum and diversify its economy.

Accordingly, your Committee has amended this measure by:

- (1) Relocating the language of the tax withholding requirement from chapter 235, Hawaii Revised Statutes, relating to income tax to chapter 237, Hawaii Revised Statutes, relating to general excise tax;
- (2) Clarifying the language of the tax withholding requirement to:
 - (A) Apply to persons that make payments to a loan-out company;
 - (B) Establish the withholding amount at the rate of ten percent of all payments to loan-out companies; and
 - (C) Establish deadlines for remitting payment and penalties for non-compliance;
- (3) Amending the amount for qualified productions that claim the income tax credit to withhold at 4.5 percent of the qualified production costs;
- (4) Adding language allowing the Department of Taxation to:
 - (A) Impose application processing fees for the income tax credit; and
 - (B) Establish four full-time equivalent tax auditor positions funded by the Tax Administration Special Fund to examine claims for the income tax credit and other tax expenditures;
- (5) Removing language that prohibits a taxpayer from invoking the defense against an erroneous claim for a refund or credit if the claim or refund was generated by a tax credit; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2079, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2079, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2019 Energy, Economic Development, and Tourism on S.B. No. 2167

The purpose and intent of this measure is to:

- (1) Create a nonrefundable twenty percent film infrastructure tax credit for film infrastructure projects that spend at least \$3,000,000 on buildings, facilities, or installations; and
- (2) Cap the nonrefundable twenty percent film infrastructure tax credit at \$10,000,000 per year.

Your Committee received testimony in support of this measure from University of Hawai'i System, Screen Actors Guild – American Federation of Television and Radio Artists, Island Film Group, International Alliance of Theatrical Stage Employees Local 665, and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Department of Taxation; and Tax Foundation of Hawaii.

Your Committee finds that Hawaii is one of a few states that have yet to adopt a film infrastructure tax credit. Your Committee recognizes that the Hawaii has lost opportunities to increase state revenues and enhance job creation as motion picture, digital media, and film companies have left the State to complete production due to a lack of physical infrastructure for interior shooting, visual effects, and other post-production work. In addition to the creation of film studios, sound stages, interior sets, and other much-needed buildings, facilities, and installations; according to testimony received by your Committee, there is also a need to upgrade existing facilities, such as the Hawaii Film Studio at Diamond Head and the Kalaeloa Film Studio at the old naval air station at Barbers Point, to include and support new production and post-production technologies that current productions need. Your Committee further finds that incentivizing the physical capacity of the Hawaii's film industry is essential to strengthening and diversifying the State's economy.

Your Committee also finds that the adoption of a film infrastructure tax credit necessitates an increase of resources for the Creative Industries Division of the Department of Business, Economic Development, and Tourism to perform its responsibilities.

Accordingly, your Committee has amended this measure by:

- (1) Adding language that appropriates an unspecified amount to the Creative Industries Division of the Department of Business, Economic Development, and Tourism to establish two full-time staff positions for the operation and management of the film infrastructure tax credit;
- (2) Clarifying the definition of eligible infrastructure costs;
- (3) Removing language that:
 - (A) Allowed the film infrastructure tax credit to be sold, assigned, or transferred to another taxpayer;
 - (B) Exempted the film infrastructure tax credit from any post-certification remedy; and
 - (C) Limited the remedy of a taxpayer's fraud or misrepresentation to the collection of the taxpayer's film infrastructure tax credits; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2167, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2020 Energy, Economic Development, and Tourism on S.B. No. 2805

The purpose and intent of this measure is to:

- (1) Create the Hawaii Start-Up Business Loan Program;
- (2) Establish the Hawaii Start-Up Business Loan Program Special Fund; and
- (3) Appropriate an unspecified amount to the Hawaii Start-Up Business Loan Program Special Fund.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawai'i Technology Development Corporation; Hawaii Green Infrastructure Authority; Chamber of Commerce Hawaii; Hawaii Food Industry Association; and Hawaii Credit Union League. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the loan program established by this measure provides an alternative source of financial assistance to new businesses and enterprises to expand and become stronger financially. According to testimony received by your Committee, many entrepreneurs that started new businesses during the coronavirus disease 2019 pandemic are having difficulty accessing capital at reasonable rates and terms. Your Committee further finds that the loan program established by this measure will not only provide immediate working capital and equipment to these new businesses but also help them establish the business credit history necessary to receive financial support from conventional financial institutions in the future. Your Committee also finds that this measure will encourage the diversification of economic opportunities for Hawaii's residents and communities.

Your Committee has amended this measure by:

- (1) Increasing the cap on the amount of the loans made under the Hawaii Start-Up Business Loan Program from \$10,000 to \$20,000;
- (2) Reclassifying the Hawaii Start-Up Business Loan Program Special Fund to a revolving fund;
- (3) Inserting language that:
 - (A) Includes community development financial institutions in the definition of financial institutions under this chapter; and
 - (B) Requires any payments of the principal and/or interest from any loans issued under the Hawaii Start-Up Business Loan Program to be deposited into the Hawaii Start-Up Business Loan Program Revolving Fund;

- (4) Inserting an effective date of July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2805, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2021 Energy, Economic Development, and Tourism on S.B. No. 2075

The purpose and intent of this measure is to require the Hawaii Tourism Authority to offer performance-based incentives in its professional services contracts.

Your Committee received no testimony on this measure.

Your Committee finds that performance-based incentives in professional services contracts have been used to reduce costs and motivate contractors to implement best practices to perform the contracted work closely to the scope solicited. The Hawaii Tourism Authority's website currently reports that its active solicitations, not including those for the Hawaii Visitors and Convention Bureau, Hawaii Community Foundation, and Hawaii Convention Center, have a total award amount of nearly \$9,000,000. Your Committee believes that this measure will help increase the accountability and quality of professional services that are provided through the Hawaii Tourism Authority's procurement contracts.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2075 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2022 Energy, Economic Development, and Tourism on S.B. No. 2806

The purpose and intent of this measure is to appropriate \$1,500,000 to the Hawaii Technology Development Corporation for the Hawaii Small Business Innovation Research Program.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation; University of Hawai'i System; Chamber of Commerce Hawaii; Hawaii Food Industry Association; Maui Chamber of Commerce; Simonpetri Enterprises; Island Plastic Bags, Inc.; Shifted Energy; Studio Kinection, Inc., Premier Solutions HI LLC; Praxis Bioresearch, LLC; Skywriting by...nico; Hawaii Food Products; Makai Ocean Engineering, Inc.; TeleVoice 2000; Nalu Scientific, LLC; Bear Machinery Inc.; Purple Mai'a Foundation; Hawaii Aquaculture & Aquaponics Association; XLR8HI; Sultan Ventures; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Oceanit Laboratories, Inc.

Your Committee finds that the Hawaii Small Business Innovation Research Program provides matching grant funding to assist startups in their early efforts to research and develop new technologies and innovations. These funds are crucial as they allow local startups to develop new technology to promote commercial enterprise, thereby strengthening and diversifying the economy of our State. According to testimony received by your Committee, the State has been able to leverage every dollar invested in the Hawaii Small Business Innovation Research Program into twenty federal dollars. Your Committee notes that due to the budget shortfalls caused by the coronavirus disease 2019 pandemic, the Hawaii Small Business Innovation Research Program was not funded for the 2021 fiscal year.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2806 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2023 Energy, Economic Development, and Tourism on S.B. No. 2807

The purpose and intent of this measure is to appropriate \$1,500,000 to the Hawaii Technology Development Corporation for the Manufacturing Assistance Program.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation; University of Hawai'i System; Chamber of Commerce Hawaii; Hawaii Food Industry Association; Maui Chamber of Commerce; Simonpetri Enterprises; Diamond Bakery Co., Ltd.; Hawaii Business Group Incorporated; Hawaiian Chip Company; Island Plastic Bags, Inc.; Aloha Edibles Inc.; Shifted Energy; Advanced Silicon Carbide Materials; TEN TOMORROW; Praxis Bioresearch, LLC; Hawaii Food Products; Makai Ocean Engineering, Inc.; TeleVoice 2000; Bear Machinery Inc.; Purple Mai'a Foundation; Alakoko; Hawaii Aquaculture & Aquaponics Association; XLR8HI; Sultan Ventures; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Manufacturing Assistance Program provides a twenty percent reimbursement to qualified manufacturers for equipment upgrades, technical training, energy efficiency projects, and manufacturing feasibility studies. These funds are crucial as they allow local manufacturers to become more globally competitive, thereby strengthening and diversifying the economy of our State. According to testimony received by your Committee, this measure would not only assist local manufacturers to meet the increasing global demand for "Made in Hawaii" products, but also support local companies looking to maintain quality

control of their products by manufacturing them locally. Your Committee notes that due to the budget shortfalls caused by the coronavirus disease 2019 pandemic, the Manufacturing Assistance Program was not funded for the 2021 fiscal year.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2807 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2024 Energy, Economic Development, and Tourism on S.B. No. 2808

The purpose and intent of this measure is to appropriate \$1,500,000 to the Hawaii Technology Development Corporation for the State Small Business Credit Initiative Program.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation, Hawaii Green Infrastructure Authority, Chamber of Commerce Hawaii, Hawaii Food Industry Association, and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State Small Business Credit Initiative Program is a program that will provide federal funds in three tranches over the next seven years for states to expand and develop certain programs to provide access to capital to small businesses. According to testimony received by your Committee, Hawai'i Technology Development Corporation (HTDC), in partnership with the Hawaii Green Infrastructure Authority (HGIA), will be launching:

- (1) A collateral support program to provide cash collaterals to lending institutions to cover the collateral of:
 - (A) Mid-market sized companies;
 - (B) Companies of hard-to-finance industries; and
 - (C) Companies of socially and economically disadvantaged individuals; and
- (2) A loan participation program to:
 - (A) Directly lend to projects with community impact; and
 - (B) Support community development financial institutions to provide loans to very small businesses and businesses in underserved markets.

Your Committee notes that neither HTDC nor HGIA currently have the necessary staff positions, such as compliance consultants or auditors, to implement these programs.

According to testimony from HTDC, if state funds are not available to cover necessary expenses that are ineligible under federal funds, the collateral support program and the loan participation program may be scaled back and delayed. Your Committee further notes that the reduction and delay of these programs may affect the State's ability to receive the second round of federal funding aimed at socially and economically disadvantaged businesses, as funding from the second tranche will not be available to the State until eighty percent of the first tranche is utilized.

Your Committee believes that this measure is essential for small businesses to not only recover from the economic effects of the coronavirus disease 2019 pandemic, but to grow and expand within the State.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2808 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2025 Education on S.B. No. 3095

The purpose and intent of this measure is to provide an emergency appropriation for the Department of Education to secure critically needed maintenance base yard facilities.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that, on July 1, 2005, the Department of Education and Department of Accounting and General Services entered into a memorandum of understanding to supplement the transfer of resources from the Department of Accounting and General Services to the Department of Education pursuant to Act 51, Session Laws of Hawaii 2004. This memorandum included a provision allowing the Department of Education to use facilities at Shafter Flats to house its maintenance base yard.

Your Committee further finds, however, that the economic downturn in 2020 and limited amount of available resources resulted in a request made by the Department of Accounting and General Services on June 4, 2021, to have the Department of Education relocate from the Shafter Flats facility by October of 2021. Your Committee additionally finds that since June of 2021, the Department of Education has actively sought new facilities to house its maintenance base yard.

Accordingly, your Committee finds that the emergency appropriation made by this measure is necessary and vital for the Department of Education to secure new facilities for warehouse and storage use so that the Department of Education may continue to service all of its facilities, including two hundred and fifty-seven public schools, thirty-seven charter schools, and nearly one hundred eighty thousand students statewide.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3095 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2026 Education on S.B. No. 3098

The purpose and intent of this measure is to provide an emergency appropriation to the Department of Education for vital lead abatement measures to repair or replace plumbing fixtures shown to have more than five parts per billion lead at Department of Education elementary schools.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, and Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that, according to the United States Environmental Protection Agency, there is no known safe level of lead in a child's blood, and lead is harmful to health, especially for children. Results of the recently completed first phase of a United States Environmental Protection Agency's, Water Infrastructure Improvements for the Nation Act grant programs found Department of Education elementary schools with old plumbing fixtures that are resulting in trace amounts of lead being found in drinking water sources.

Accordingly, your Committee finds that the lead abatement measures to be funded by this measure are necessary and vital to the health and well-being of students across the State.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3098 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2027 Education on S.B. No. 2180

The purpose and intent of this measure is to amend the nomination, appointment, and confirmation procedure for Board of Education members and clarify the law with respect to holdover members on the board.

Your Committee received no testimony regarding this measure.

Your Committee finds that the existing nomination, appointment, and confirmation procedure for Board of Education members is inefficient and in need of improvement. Inefficiencies and undue delays in the nomination, appointment, and confirmation of Board of Education members negatively impact the operation of the board. In particular, this measure addresses the lack of consistency from the Governor in diligently adhering to the lawful appointment process, and seeks to curb recent manipulation of the holdover member provisions of existing law by withdrawing nominees prior to their confirmation or non-confirmation by the Senate.

Accordingly, your Committee finds that this measure will increase efficiency in the nomination, appointment, and confirmation of Board of Education members, close the holdover member loophole that has recently been exploited, and promote the sound operation of the Board of Education.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2180 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, 5. Noes, none. Excused, none.

SCRep. 2028 Education on S.B. No. 2817

The purpose and intent of this measure is to repeal certain reporting requirements for the Department of Education.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that certain reporting requirements for the Department of Education are no longer necessary. Your Committee further finds that the expenditure of time and resources on unnecessary reporting does not benefit the State. Accordingly, your Committee finds that this measure will promote efficiency and good governance within the Department of Education.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2817 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2029 Education on S.B. No. 2189

The purpose and intent of this measure is to remove the governor's power to appoint the chairperson of the Board of Education and instead authorize a majority of the members of the Board of Education to elect a chairperson of the board from among their own members.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that existing law requires the Governor to select the chairperson of the Board of Education, subject to the advice and consent of the Senate. This method of selecting a chair is inconsistent with the practice of most boards in the State. Your Committee additionally finds that this selection process leads to delays and undue interruptions in the normal operation of the Board of Education.

Accordingly, your Committee finds that empowering the Board of Education to elect its chairperson from among its own members is consistent with the practice of most boards within the State, and will streamline the process for selecting a chairperson and promote the efficient functioning of the Board of Education.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2189 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2030 Education on S.B. No. 2181

The purpose and intent of this measure is to require certain unlicensed but accredited private schools to annually submit health and safety documentation to fall within the definition of "private schools" under compulsory attendance law, section 302A-1132, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from Hawaii Catholic Schools and Hawaii Association of Independent Schools.

Your Committee finds that the health and safety of students in the State is of paramount importance. Your Committee further finds that this measure will increase transparency and accountability in the operation of private schools and help ensure that private schools follow best practices regarding student health and safety.

Your Committee has amended this measure by adding Hawaii Catholic Schools as the entity responsible for reviewing the annual health and safety documentation required by this measure from certain Catholic schools in the State.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2181, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2031 Education on S.B. No. 3209

The purpose and intent of this measure is to appropriate funds for teacher professional development.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter Schools Commission, University of Hawai'i System, and Hawaii State Teachers Association. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that professional development for teachers is a vital way of ensuring that our teachers can use the best, research-based educational practices within their classrooms. In particular, job-embedded professional development can often prove to be more effective than stand-alone training sessions.

Your Committee notes that, according to the Office of Collective Bargaining, the professional development covered by this measure, prior to amendment, is subject to bargaining under chapter 86, Hawaii Revised Statutes.

Your Committee further finds that in the collectively-bargained agreement between the Board of Education and the Hawaii State Teachers Association that expired on June 30, 2021, there was a memorandum of understanding that allowed for twenty-one additional hours to be added to the teachers' workday without students. Those twenty-one hours were to be used for job-embedded professional development to provide benefits, including a formalized structure for organizing training and learning time, reducing the need for substitute teachers, and eliminating teacher absences from classes for training. However, as noted by testimony, the memorandum of understanding expired on June 30, 2021, and was not renewed because funding was not available.

In light of the testimony received, your Committee finds that amendments are necessary to fund professional development for teachers that was previously agreed upon but not implemented. Your Committee notes that S.B. No. 3097 (Regular Session of 2022) is a substantially similar measure that also addresses the same funding needs for implementing teacher professional development.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3097, a substantially similar measure, which appropriates funds for fiscal year 2022-2023 for twenty-one additional hours of professional development for teachers to replace the hours that were lost when the memorandum of understanding expired on June 30, 2021;
- (2) Making it effective on July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3209, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3209, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2032 Education on S.B. No. 2819

The purpose and intent of this measure is to fund an experimental modernization project, pursuant to section 78-3.5, Hawaii Revised Statutes, to address compensation equity issues and to make the necessary discretionary salary adjustments for approximately eight thousand seven hundred experienced senior teachers by recognizing their professional service to the department of education through discretionary salary adjustments.

Your Committee received testimony in support of this measure from the Department of Education; State Public Charter School Commission; Executive Office on Early Learning; University of Hawai'i System; College of Hawaiian Language, University of Hawai'i at Hilo; Hawaii State Teachers Association; Hui for Excellence in Education; Hawaii Public Charter Schools Network; Education Caucus of the Democratic Party of Hawai'i; and two hundred and sixty individuals. Your Committee received no testimony in opposition to this measure. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii continues to face a chronic teacher shortage, which undermines student learning and achievement. Your Committee also finds that teacher salaries are unequal when experienced senior teachers are aligned with less senior teachers in their placement within the existing salary schedules. To address this problem, an increasing number of school districts around the country are utilizing compensation methods and strategies designed to improve the recruitment and retention of qualified teachers.

Accordingly, your Committee finds that this measure will help address the State's chronic teacher shortage by promoting equitable compensation practices. Your Committee further finds that to accomplish this intent, section 302A-624(c), Hawaii Revised Statutes, should be repealed as it inhibits the allocation of compensation proposed by this measure.

Your Committee has amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;
- (2) Repealing section 302A-624(c), Hawaii Revised Statutes, to accomplish the intent of this measure;
- (3) Clarifying that the parties to the negotiations required by section 4 of this measure are the governing boards of the State's public charter schools and a representative from collective bargaining unit (5); and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the estimated appropriation necessary for this measure is \$94,000,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2819, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2819, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2033 Education on S.B. No. 2820

The purpose and intent of this measure is to appropriate funds for teacher differentials to help address labor shortages in the areas of special education, hard-to-staff geographic locations, and Hawaiian language immersion programs.

Your Committee received testimony in support of this measure from the Department of Education; State Public Charter School Commission; Executive Office on Early Learning; College of Hawaiian Language, University of Hawai'i at Hilo; College of Education, University of Hawai'i at Manoa; Special Education Advisory Council; Hawaii State Teachers Association; Hui for Excellence in Education; Education Caucus of the Democratic Party of Hawai'i; Children's Action Network Speaks!; Labor Caucus of the Democratic Party of Hawai'i; Ho'okāko'o Corporation; and one hundred and nine individuals. 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 Fiscal Services and two individuals.

Your Committee finds that Hawaii continues to face a chronic teacher shortage, which undermines student learning and achievement. This is particularly true with respect to special education, hard-to-staff geographic locations, and Hawaiian language immersion programs. Your Committee therefore finds that funding teacher differentials identified in this measure will help address the State's teacher shortage in these areas.

Your Committee has amended this measure by:

- (1) Clarifying that the parties to the negotiations required by section 3 of the measure are the governing boards of the State's public charter schools and a representative from collective bargaining unit (5); and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the estimated appropriation necessary for this measure is \$34,500,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2820, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2820, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2034 Human Services on S.B. No. 2169

The purpose and intent of this measure is to appropriate \$2,000,000 for fiscal year 2022-2023 to fund the operation of the food banks in each county of the State that locally administer The Emergency Food Assistance Program (TEFAP).

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations Office of Community Services; Hawaii Food Industry Association; Hawaii Foodbank, Inc.; Maui Food Bank, Inc.; The Food Basket Inc.; AlohaCare; Tiki's Grill & Bar; Waianae Coast Comprehensive Health Center; Hawaii Primary Care Association; Kaiser Permanente; Chef Point of View Consulting; Hawai'i Agricultural Foundation; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Uluono Initiative; Hawai'i Health & Harm Reduction Center; Hawai'i State AFL-CIO; Hawai'i Farm Bureau; and fifteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Labor and Industrial Relations' Office of Community Services is the state administrator of TEFAP, a federal program that helps supplement the diets of low-income households by providing them with emergency food assistance at no cost. The Office of Community Services contracts with a food bank for each of the State's four counties, to establish, maintain, and supervise a network of eligible recipient agencies that distribute food received through TEFAP in designated areas of each county.

Your Committee also finds that the coronavirus disease 2019 (COVID-19) pandemic heavily impacted food security levels in Hawaii, increasing the volume of food collectively distributed in Hawaii by the food banks in fiscal year 2020-2021 to 36,500,000 pounds, which is more than double the volume distributed before the pandemic. Your Committee further finds that more than eighty-two thousand children in the State are projected to struggle with hunger in 2022, placing Hawaii as a state with the second highest rate of child food insecurity in the country. Your Committee acknowledges that the federal funds and donations that enabled the food banks to meet demands of the State during the height of the pandemic have declined considerably, and without additional funds, the food banks will not be able to continue meeting the food security needs of Hawaii residents. This measure will appropriate the funds necessary for the food banks to continue meeting the food security needs of the people in Hawaii.

Your Committee has reviewed the written testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that of the sum appropriated:
 - (A) Five percent shall be allocated to the Office of Community Services to administer the funds pursuant to this measure;
 - (B) Ten percent shall be allocated to the food banks in each county as administrative funds, based on the county's share of the State's poverty population set forth in the latest small area income poverty estimates issued by the U.S. Census Bureau (SAIPE formula); and
 - (C) The remainder shall be allocated to food banks in each county as food purchase funds using the SAIPE formula; and
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2169, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2035 Human Services on S.B. No. 2461

The purpose and intent of this measure is to appropriate funds for the Hawaii Healthy Aging Partnership (HHAP) program to further its role in improving the health and well-being of Hawai'i's kupuna.

Your Committee received testimony in support of this measure from the Department of Health Executive Office on Aging; County of Hawaii Office of Aging; AARP Hawai'i; Policy Advisory Board on Elderly Affairs; Hawaii Family Caregiver Coalition; and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the HHAP program is a statewide coalition of more than sixty partners, dedicated to embedding evidence-based health promotion programs in Hawai'i's aging services network. Led by the Department of Health's Executive Office on Aging and Chronic Disease Prevention and Health Promotion Division, the program was formed in 2003 to improve the health status of older adults by empowering residents to make healthy decisions and engage in healthier lifestyles. Your Committee finds that the prohibitions against in-person classes due to the coronavirus disease 2019 (COVID-19) pandemic forced the HHAP program to close all physical locations. However, the program overcame this challenge by developing and offering programs in alternative formats, including online virtual exercise classes, remote disease self-management programs, and served close to four hundred kupuna. As the State recovers from the effects of the pandemic, your Committee believes that the HHAP program is ready to scale its programs up in both remote and in-person formats to help more kupuna stay healthy. However, funding for the HHAP program is not included in the current administration's budget. Accordingly, this measure will appropriate \$500,000 for fiscal year 2022-2023, to fund the continued operation of the HHAP program to improve the health and well-being of Hawai'i's kupuna.

Your Committee has reviewed the written testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2461, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2461, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2036 Human Services on S.B. No. 1294

The purpose and intent of this measure is to appropriate 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 and pursues all funding sources, including private grants, prior to expending any general fund appropriations.

Your Committee received testimony in support of this measure from the Department of Human Services; State Council on Developmental Disabilities; AlohaCare; Hawaii Dental Association; AARP Hawai'i; Kaiser Permanente Hawai'i; The Queen's Health Systems; Ho'ōla Lāhui Hawai'i; Hawaii Disability Rights Center; Arc of Maui County; Hawai'i Health & Harm Reduction Center; 'Ohana Health Plan; Hawai'i Children's Action Network Speaks!; Bay Clinic, Inc.; American College of Obstetricians and Gynecologists, Hawai'i Section; Hawaii Association of Health Plans; Hawaii Medical Service Association; Hawai'i State Rural Health Association; Kōkua Kalihi Valley Comprehensive Family Services; Hawaii Primary Care Association; United Healthcare; Early Childhood Action Strategy; Hawaii Dental Hygienists' Association; Papa Ola Lōkahi; Waimānalo Health Center; Hawai'i Oral Health Coalition; Full Life; Easterseals Hawaii; Hawaii Family Caregiver Coalition; and thirty-nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that despite oral disease being a significant health problem that affects the overall health and well-being of many Hawaii residents, in 2009, the State terminated all preventive and restorative dental care services for adult Medicaid recipients and reduced coverage to emergency-only care that is limited to pain relief, injuries, trauma, and tooth removal and extraction. Your Committee further finds that recent research shows a disproportionate number of adult Medicaid enrollees ages twenty-one to forty-four years using the emergency room to receive emergency dental services. Your Committee is concerned that the lack of preventive and restorative dentistry services for adult Medicaid beneficiaries increases potential health care complications for Hawaii residents, especially those who have co-existing chronic diseases, such as diabetes and heart disease, which may lead to increased disability or death. Investing in preventive dental benefits for Medicaid-enrolled adults will, in the long term, lead to reductions in medical costs paid by Medicaid. Therefore, your Committee believes it is in the best interest of the State and its residents to reinstate coverage over diagnostic, preventive, and restorative dental benefits for adult Medicaid enrollees. This measure will appropriate funds to enable the State to do so.

Your Committee has reviewed the written testimony of the Department of Budget and Finance stating that the Executive Supplemental Budget for fiscal year 2022-2023 already includes \$3,466,328 in general funds and \$6,728,754 in federal funds for Department of Human Services (Human Services 401) to reinstate certain adult dental benefits. As such, your Committee finds that this measure will become unnecessary if the funding in the Executive Supplemental Budget is approved. Your Committee further notes that Senate Bill No. 2401, Regular Session of 2022, is a substantially similar measure with updated information included.

Accordingly, your Committee has amended this measure by:

- (1) Replacing the purpose section with the updated language for Senate Bill No. 2401, Regular Session of 2022;
- (2) Clarifying that the funds appropriated by this measure are for the purpose of reinstating coverage of the basic package of diagnostic, preventive, and restorative dental benefits for adult Medicaid enrollees;
- (3) Inserting an appropriation amount of \$10,195,082;
- (4) Inserting an effective date of December 31, 2050, to allow further discussion on whether the funding in the Executive Supplemental Budget for fiscal year 2022-2023 for the Department of Human Services (Human Services 401) to reinstate certain adult dental benefits will be appropriated or authorized; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1294, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1294, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2037 Human Services on S.B. No. 2481

The purpose and intent of this measure is to establish within the Department of Human Services Office of Youth Services, a Youth Crisis Center Branch that will implement and oversee the operation of regional Youth Crisis Centers with the primary objective of addressing the immediate safety and service needs of at-risk youth.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Human Services Social Services Division Child Welfare Services Branch, Department of Human Services Office of Youth Services, Office of the Public Defender, Hawaii Youth Services Network, Opportunity Youth Action Hui, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that instances of crisis occurring among the State's most vulnerable youth are increasing, especially in communities that have a high incidence of poverty, homelessness, crime, school truancy, school suspensions, runaways, physical and mental abuse, illegal drug use, juvenile crime, and crimes against youth including sex trafficking. These communities lack sufficient resources and services to respond to the immediate needs of these at-risk youth, yet there is no collaboration among various state agencies to provide comprehensive, data-based services to adequately identify the needs and conditions of crises experienced by the State's youth. Your Committee also finds that there are a limited number of emergency shelter beds dedicated for youth who are not actively engaged with child welfare or criminal justice systems. Your Committee believes that this measure is essential in creating a framework of institutionalized Youth Crisis Centers that continue to operate even in the absence of grant funding to disrupt the school-to-prison pipeline, encourage the continuation of education, provide safer environments, and ensure continued services towards individual achievement of the State's at-risk youth.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2481, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2481, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2038 Human Services on S.B. No. 2415

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to expunge a report or reports in the Hawaii Child Abuse and Neglect Registry when the department finds that a miscarriage of justice would persist if the report or reports were not expunged;
- (2) Require the Department of Human Services to provide notice to all parties who are placed on the Hawaii Child Abuse and Neglect Registry; and
- (3) Provide an avenue for persons on the Hawaii child abuse and neglect registry to petition for removal from the registry.

Your Committee received written testimony in support of this measure from three individuals. Your Committee received written testimony in opposition to this measure from the Hawaii Family Advocacy Team and one individual. Your Committee received written comments on this measure from the Department of Human Services, Department of Human Services Social Services Division Child Welfare Services Branch, and one individual.

Your Committee finds that prior to 2015, the Department of Human Services did not consistently notify individuals who were confirmed as a perpetrator of child abuse or neglect that their records have been placed on Hawaii's central registry of reports of child abuse and neglect. As such, there have been incidences in which individuals were not made aware that their names were on the registry for years, until an event occurs requiring a background check, such as applying for the adoption of a child or employment in a position that involves children or vulnerable adults. Your Committee also finds that existing rules of the Department of Human Services make it extremely difficult, if not impossible, for an individual who had been erroneously placed in the registry to have their records expunged. This measure seeks to provide a statutory remedy for individuals who have been placed on Hawaii's Central Registry of Reports of Child Abuse and Neglect without being given proper notice or who have been denied due process in expunging their records.

Your Committee has reviewed the written testimony of the Department of Human Services expressing concern about the measure's lack of clarity regarding the circumstances that would permit confirmed reports of child abuse or neglect to be expunged from the registry and circumstances that falls under the definition of "miscarriage of justice". Your Committee finds that these issues raise concerns that merit further consideration and respectfully requests that your Committee on Judiciary further examine those issues and concerns raised by the written testimonies on this measure.

Your Committee has amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2415, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2415, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Ihara). Noes, none. Excused, 1 (Misalucha).

SCRep. 2039 Human Services on S.B. No. 2150

The purpose and intent of this measure is to authorize the Department of Human Services to provide housing assistance subsidies of up to \$500 per month to temporary assistance for needy families (TANF) and temporary assistance for other needy families (TAONF) program participants who are also participating in the First-to-Work program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, County of Maui Department of Housing and Human Concerns, Catholic Charities Hawai'i, HOPE Services Hawai'i, Hawai'i Health and Harm Reduction Center, Hawai'i Children's Action Network Speaks!, Hawai'i Budget and Policy Center, and Partners in Care. Your Committee received comments on this measure from the State Procurement Office and Department of Budget and Finance.

Your Committee finds that as of December 2021, there was an average of 4,547 families participating in the TANF program, a federally-funded financial assistance program designed to help families in need achieve self-sufficiency; and 1,127 families participating in the TAONF program, a state-funded program that mirrors TANF and is designed to assist Hawaii families with minor children who are not eligible to receive TANF program benefits due to their citizenship. According to the Department of Human Services, eighty-two percent of TANF recipients and eighteen percent of TAONF recipients participated in the First-to-Work program, which, in addition to assisting the recipient families in obtaining employment, also provides housing allowances to participating families.

Your Committee finds that nearly one-third of households in Hawaii who rent their homes spend over half of their monthly income on rent and utilities. As housing prices continue to skyrocket, your Committee believes that low-income families participating in the First-to-Work program will likely require assistance to meet their housing costs; however, the program currently lacks the funds to accommodate this critical need. Your Committee therefore finds that this measure is necessary to address a key barrier to housing for many low-income families in Hawaii, including those experiencing homelessness or are at risk of homelessness.

Your Committee has reviewed the written testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$3,557,520 necessary for fiscal year 2022-2023 to fund the housing assistance subsidies for the TAONF program from the general revenues of the State;
- (2) Inserting an appropriation amount of \$16,206,480 necessary for fiscal year 2022-2023 to fund the housing assistance subsidies for TANF program participants from the federal funds received by the State;
- (3) Inserting an appropriation amount of \$200,000 necessary for the Department of Human Services to make enhancements to its case management and payment system to implement this measure;
- (4) Inserting an effective date of December 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2150, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2150, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2040 Human Services on S.B. No. 2343

The purpose and intent of this measure is to make decisions of the family court directly appealable to the Supreme Court rather than the Intermediate Court of Appeals.

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

Your Committee finds that delays experienced by parents and children while awaiting the disposition of appeals from family court decisions undermine the 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 in recent years, some parties have had to wait up to eight years for their family court cases to be resolved. Your Committee is concerned that these 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 final child custody order makes its way through the appeals process. Your Committee therefore finds that this measure is necessary to expedite the disposition of appeals from family court decisions.

However, your Committee has heard the concerns of the Judiciary that this measure as drafted would significantly expand the caseload of the Supreme Court, which would detract from its ability to timely resolve other pressing matters, including its own direct appeals.

Accordingly, your Committee has amended this measure by:

- (1) Allowing cases within the jurisdiction of the Intermediate Court of Appeals involving a judgment, order, or decree of a family court that affect the custody of a child or minor, including involuntary termination of parental rights, to be transferred to the Supreme Court, instead of making all family court decisions directly appealable to the Supreme Court;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2041 Higher Education on S.B. No. 91

The purpose and intent of this measure is to amend the law relating to the University of Hawaii.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with language to remove the Special Funds of the University of Hawaii and the Hawaii Cancer Research Special Fund from the list of special funds that are exempt from the requirement to reimburse the Department of Budget and Finance for expenses incurred from administering the funds.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 91, as amended herein, and recommends that it be recommitted to your Committee on Higher Education, in the form attached hereto as S.B. No. 91, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2042 Judiciary on S.B. No. 1346

The purpose and intent of this measure is to increase compensation for a juror or a prospective juror from \$30 to \$50 for each day of attendance at court after serving five consecutive days.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the payment for jury service under chapter 612, Hawaii Revised Statutes, represents the Legislature's acknowledgement and appreciation of the sacrifice the citizenry makes to serve as jurors. Despite this intent, the last increase in juror fees was in 1986 when the rate was raised from \$20 per day to the current \$30 per day. Your Committee believes that the State should continue to recognize the sacrifice the citizenry makes to serve as jurors. This measure will exhibit the State's acknowledgement of this sacrifice by increasing juror fees for the first time since 1986.

Your Committee has amended this measure by:

- (1) Changing a juror's or prospective juror's per diem compensation from \$30 to \$50 for each day of actual attendance at court, rather than requiring a juror or prospective juror to serve for five consecutive days before receiving a pay increase from \$30 to \$50 per day; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1346, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2043 Health on S.B. No. 2022

The purpose and intent of this measure is to improve the early identification of children with hearing or vision loss by establishing consistent protocols for hearing and vision screening and follow-up, screener training, and data collection and reporting.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office of Early Learning, State Council on Developmental Disabilities, Kaiser Permanente Hawaii, Early Childhood Action Strategy, and Hawai'i Children's Action Network Speaks!

Your Committee finds that the early identification of hearing and vision loss, with appropriate follow-up services, is essential for the development of children's language and communication skills needed for learning in school. Currently, screening providers and community programs vary in their protocols and training for screenings and follow-up. This measure will require the Department of Health to set recommended standards based on national guidelines and best practices for screening, training, and data collection and reporting, which will ensure that hearing and vision screenings are based on evidence and best practices.

As affirmed by the record of votes of 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. 2022 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, 5. Noes, none. Excused, none.

SCRep. 2044 Health on S.B. No. 2024

The purpose and intent of this measure is to require that the diagnostic audiologic evaluation results of newborns who did not pass newborn hearing screening, or infants whose hearing status changes, are provided to the Department of Health in a timely manner.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Early Learning, State Council on Developmental Disabilities, Kaiser Permanente Hawaii, Early Childhood Action Strategy, Hawaii Children's Action Network Speaks!, and one individual.

Your Committee finds that the Department of Health's Newborn Hearing Screening Program helps children who fail hearing screening to receive diagnostic testing and assists children who are deaf or hard of hearing to enroll in early intervention services to support their communication development. Your Committee further finds that when a newborn does not pass hearing screening, the results are not required to be reported to the Newborn Hearing Screening Program. In these cases, the program is unable to aid these newborns in a timely manner. Requiring data reporting will allow the program to increase the percentage of deaf or hard of hearing infants to receive early intervention services and develop communication skills.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2024, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2024, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2045 Hawaiian Affairs on S.B. No. 2122

The purpose and intent of this measure is to increase the Office of Hawaiian Affairs' pro rata share of the monies derived from the public land trust and to transfer monies to the Office of Hawaiian Affairs for income and proceeds due from the use of the public land trust lands between July 1, 2012, and June 30, 2022, that was misallocated, underreported, or underpaid to the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from Native Hawaiian and Pacific Islander COVID-19 Hawaii Response, Recovery, and Resilience Team; Kupuna for the Mo'opuna; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Center for Hawaiian Sovereignty Studies, and one individual. Your Committee received comments on this measure from the Department of Agriculture, Hawaii Health Systems Corporation, Department of the Attorney General, and Department of Budget and Finance.

Your Committee finds that there is a constitutional obligation for the State to provide a sufficient sum of income and proceeds as the pro rata share of the public land trust for the betterment of the conditions of native Hawaiians. Act 178, Session Laws of Hawaii 2006 (Act 178), put in place annual payments of \$15,100,000 from the pro rata portion of the public land trust to the Office of Hawaiian Affairs in acknowledgment of the State's constitutional obligation. However, Act 178 was passed with the intention that it would be an interim measure until the Legislature could further assess the complexities of the issue, including in part gathering information on revenue-generating public trust lands and amounts derived from those lands.

Your Committee finds that in a 2015-2016 financial review initiated by the Office of Hawaiian Affairs, the minimum amount of total gross receipts from sources that the Office of Hawaiian Affairs has historically claimed was approximately \$394,322,163 in the fiscal year 2015-2016. Twenty percent of this amount is approximately \$78,900,000. Therefore, this measure seeks to increase the amount of the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust beginning in fiscal year 2022-2023. Furthermore, an undecided sum of monies shall be transferred to the Office of Hawaiian Affairs for income and proceeds due from the use of the public land trust lands between July 1, 2012, and June 30, 2022, that was misallocated, underreported, or underpaid to the Office of Hawaiian Affairs while requiring the continued annual accounting of all receipts from lands described in section 5(f) of the Admission Act.

Your Committee has amended this measure by:

- (1) Deleting \$78,900,000 and inserting an unspecified amount as the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust beginning in fiscal year 2022-2023;
- (2) Deleting \$638,000,000 and inserting an unspecified amount as the sum to be transferred to the Office of Hawaiian Affairs for income and proceeds due from the use of the public land trust lands between July 1, 2012, and June 30, 2022, that was misallocated, underreported, or underpaid to the Office of Hawaiian Affairs; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2122, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2046 Hawaiian Affairs on S.B. No. 2021

The purpose and intent of this measure is to:

- (1) Require agencies that collect receipts for any disposition of the Public Land Trust to transfer to the Office of Hawaiian Affairs twenty percent of each receipt from the disposition on a quarterly basis;
- (2) Return to the Office of Hawaiian Affairs certain monies previously claimed as Public Land Trust overpayments to the office; and
- (3) Establish a Public Land Trust Revenues Negotiating Committee.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, University of Hawai'i System, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Information Practices, and the League of Women Voters of Hawaii.

Your Committee finds that existing law requires that twenty percent of the income and proceeds from the Public Land Trust go to the Office of Hawaiian Affairs to benefit the Native Hawaiian community. However, the definition of "income and proceeds" as well as the question of which lands are a part of the Public Land Trust have made the amount that the Office of Hawaiian Affairs should receive unclear.

This measure is an interim measure that returns to the Office of Hawaiian Affairs certain monies the Office of Hawaiian Affairs returned to the State under claims of overpayment, and ensures that claimed overpayments for fiscal years 2021-2022 and 2022-2023 do not have to be repaid to the State. Furthermore, any shortfalls in quarterly amounts paid to the Office of Hawaiian Affairs shall be rectified in a timely manner.

This measure also establishes a Public Land Trust Revenues Negotiating Committee to make recommendations to the Legislature for resolving the matter of how much income and proceeds from the Public Land Trust should be received by the Office of Hawaiian Affairs annually.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2021 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 2047 (Joint) Hawaiian Affairs and Water and Land on S.B. No. 2067

The purpose and intent of this measure is to establish an inter-division program between the State Historic Preservation Division, county burial councils, Office of Conservation and Coastal Lands, and the Office of Hawaiian Affairs that addresses the location, movement, and restoration of Hawaiian burial sites, or 'iwi, exposed or likely to be exposed by coastal erosion.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that rising sea levels and coastal erosion are endangering Native Hawaiian burial sites. These sites are of vital importance to Hawaiian culture as ancestral links to the past. This measure will create an inter-division program between the State Historic Preservation Division, the Burial Councils from each county, the Office of Conservation and Coastal Lands, and the Office of Hawaiian Affairs to address the location of Hawaiian burial sites threatened to exposure due to coastal erosion as well as methods for safe movement and restoration of the remains.

Your Committees have amended this measure by adopting recommendations from the Department of Land and Natural Resources, including:

- (1) Adding the Land Division as one of the collaborators of the inter-division program;
- (2) Deleting language that would have required the inter-division program to identify iwi across the State that may be impacted by coastal erosion and examine the role of climate change on burial sites;
- (3) Clarifying that the inter-division program shall take steps to relocate 'iwi within the same moku;
- (4) Expanding the scope of the appropriation by including the development of policies and procedures for the movement of restoration of 'iwi; and
- (5) 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 Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2067, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2067, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 5; Ayes with Reservations (Acasio, Ihara). Noes, none. Excused, none.
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2048 (Majority) Water and Land on S.B. No. 2752

The purpose and intent of this measure is to:

- (1) Establish an income tax credit for taxpayers who are required to fill and seal abandoned wells on their real property;
- (2) Require sellers of real property to disclose the existence of wells on the property;
- (3) Require an owner or prior owner of an abandoned well to repair or fill and seal the well at their own expense; and
- (4) Appropriate funds for three full-time equivalent ground surveyor positions in the Commission of Water Resource Management.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of Realtors. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that wells in a state of disuse or disrepair can become conduits through which contaminants can be introduced to ground water. Abandoned wells can also become receptacles for disposal of waste, resulting in additional potential for contamination and associated risk to public health and environmental degradation.

Your Committee finds that this measure will allow for greater accountability to protect water resources. However, your Committee received testimony from the Department of Land and Natural Resources that this measure, as drafted, would not clarify key differences between sealed and abandoned wells, along with qualified compliance costs. Amendments to this measure are therefore necessary to address the Department of Land and Natural Resources' concerns raised in the department's testimony.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have listed exclusions in the definition of "qualified compliance costs";
- (2) Clarifying the procedures for sealing an abandoned well and applying for a well sealing permit;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2752, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2752, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2049 Water and Land on S.B. No. 3380

The purpose and intent of this measure is to provide matching grant-in-aid funds to the County of Hawaii to hire an engineering firm to study, plan, assist, and conduct preliminary design and concept work for a two-phase project to restore Kahaluu Beach Park.

Your Committee received testimony in support of this measure from the County of Hawaii Department of Parks and Recreation, Hawaii Reef and Ocean Coalition, The Kohala Center, Friends of Hanauma Bay, Kahalu'u Bay Education Center, Mālama Pūpūkea-Waimea, Kona-Kohala Chamber of Commerce, and forty-five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Kahaluu Beach Park, the top visited beach park in the County of Hawaii, has split jurisdiction between the State, which extends from the Bay's shoreline to the high water mark, and the County of Hawaii, which owns and operates the Kahaluu Beach Park facility. Kahaluu Bay has historically been regarded as a sacred place to Native Hawaiians, adorned with heiau, fishponds, and barrier rock walls. Despite its historical significance and recent conservation efforts by the University of Hawaii, in partnership with the Kohala Center's Kahalu'u Bay Education Center, the ecosystem is not entirely shielded by the impacts of global warming.

During the 2021 Regular Session, the Senate adopted Senate Concurrent Resolution No. 52, S.D. 1, which requested the Department of Land and Natural Resources and the County of Hawaii to collaborate to identify sea level rise at Kahaluu Bay to avoid further deterioration and damage caused by rising sea levels. The Kahaluu Bay Restoration Working Group, comprised of state and county officials and community leaders, formed to address and plan for the restoration of Kahaluu Beach Park. However, greater resources are needed to effectuate the restoration plan. Kahaluu Bay is a public resource with intergovernmental jurisdiction and Bay can serve as a model for restoration of public resources and an example of state and county partnership.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation amounts to allow the Committee on Ways and Means to determine appropriate amounts; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3380, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3380, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2050 Judiciary on S.B. No. 449

The purpose and intent of this measure is to require sellers of buildings or structures that are wholly or partially occupied for residential purposes to be equipped with working smoke alarms.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, and Maui Fire Department.

Your Committee finds that smoke alarms that are properly installed and maintained play a vital role in reducing fire deaths and injuries. In the event of a fire, smoke spreads quickly and smoke alarms maximize occupants' chance of escape. Your Committee believes that requiring residential buildings be sold with installed, functioning smoke detectors benefits public safety. This measure will reduce casualties from residential fire by requiring sellers of residential real property to provide working smoke alarms in the building.

As affirmed by the record of votes of 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. 449 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, 6. Noes, none. Excused, 1 (Lee).

SCRep. 2051 Judiciary on S.B. No. 741

The purpose and intent of this measure is to:

- (1) Require an elector to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group they represent and invalidate an elector's vote for failure to vote accordingly; and
- (2) Require an alternate to vote in place of the original elector if the original elector fails to vote for the proper candidate.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, and one individual.

Your Committee finds that the formalities of presidential and vice-presidential selection under the United States Constitution have revolved around the electoral college. Despite this formal constancy, the realities of the selection process have changed dramatically over the years, to the point that the electoral college actually functions in a way that could hardly have been imagined by those who promulgated the constitutional provisions. The dissonance between formality and reality has opened room for what are called "faithless electors," members of the electoral college who vote for candidates for president or vice president other than those for whom the popular electoral majority assumed it was casting its votes for. Faithless electors hold the potential for serious damage to the democratic processes. This measure renders a vote by a faithless elector invalid thereby establishing a safeguard from electors who seek to subvert the will of the people.

Your Committee has amended this measure by:

- (1) Clarifying that if an alternate elector fails to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group which the alternate elector represents the alternate elector's vote shall be invalidated; and
- (2) Providing for a definition for "mentally disabled."

As affirmed by the record of votes of 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. 741, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 741, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2052 (Majority) Judiciary on S.B. No. 448

The purpose and intent of this measure is to repeal certain laws prohibiting counties from adopting residential fire sprinkler codes.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Maui Fire Department, and Hawai'i Fire Department. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii, Hawaii Council of Community Associations, and Complete Construction Services Corporation.

Your Committee finds that automatic fire sprinkler systems have proven to be effective in saving lives and property from fire. Death rates and property loss are substantially reduced when these systems are installed and properly maintained. However, section 46-19.8, Hawaii Revised Statutes, and Act 53, Session Laws of Hawaii 2017, prevent counties from adopting residential fire sprinkler codes. Your Committee believes that the State should not forbid counties from enacting fire safety requirements that could ultimately save lives. This measure will allow counties to regulate the installation of residential fire protection sprinkler systems.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 448, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Gabbard, Kim). Noes, 1 (Fevella). Excused, 1 (Lee).

SCRep. 2053 Judiciary on S.B. No. 665

The purpose and intent of this measure is to:

- (1) Establish that knowingly or intentionally providing false information concerning the name or address of a person paying for a campaign advertisement is a class C felony;
- (2) Repeal certain exemptions from criminal prosecution for campaign finance violations;
- (3) Repeal certain state of mind prerequisites with respect to the Campaign Spending Commission's referral of complaints for criminal prosecution;
- (4) Increase from four years to ten years the period from which a person convicted for a criminal violation of campaign finance law shall be disqualified from holding elective office; and
- (5) Establish that the exercise of enforcement authority by the Attorney General or Prosecuting Attorney may be the basis for prosecution of campaign finance law violations.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that an advertisement with a false disclaimer was published in the 2020 elections. Election advertisements, with their abilities to influence the public's vote, need to disclose truthfully and honestly the person who is underwriting the advertisement for full transparency in the electoral process. This measure will make the false reporting of the name and address of the person paying for the advertisement a felony, to deter that conduct.

Your Committee has amended this measure by:

- (1) Specifying that for each advertisement that contains false information about the time, place, or means of voting, there will be a fine of \$25 or less, not to exceed an aggregate amount of \$5,000; and
- (2) Clarifying that the Campaign Spending Commission may refer a complaint to the Attorney General or County Prosecutor at any time it believes the respondent may have recklessly, knowingly, or intentionally committed a campaign finance law violation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 665, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 665, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2054 Judiciary on S.B. No. 204

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to use in-lieu fee mitigation to restore, create, enhance, preserve, or any combination thereof aquatic habitats or resources as compensatory mitigation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that aquatic in-lieu fee mitigation is an effective mechanism to restore, create, enhance, and preserve aquatic habitats or resources to recover the ecological functions, services, and values of aquatic resources that are lost or anticipated to be lost due to adverse impacts to other similar aquatic habitats. Aquatic in-lieu fee mitigation is widely used across the United States to achieve ecologically valuable conservation. This measure will provide the Department of Land and Natural Resources with an innovative mechanism to improve state stewardship of aquatic public trust resources and habitats, increase accountability for aquatic resource damage, and provide higher quality remediation to make damaged resources whole again.

As affirmed by the record of votes of 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. 204, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2055 Judiciary on S.B. No. 1141

The purpose and intent of this measure is to amend the hearing and vision program statute to increase the early identification of children with hearing or vision loss by establishing consistent protocols for hearing and vision screening and follow-up, screener training, and data collection for quality improvement.

Your Committee received testimony in support of this measure from the Department of Health, Executive Office on Early Learning, State Council on Developmental Disabilities, Early Childhood Action Strategy, Kaiser Permanente Hawaii, Rainbow Family 808, and one individual.

Your Committee finds that the early identification of hearing and vision loss, with appropriate follow-up services, is critical for the development of children's language and communication skills needed for learning in school. The Department of Health operated a hearing and vision program for school children from 1978 to 1995, but the program ended due to budget reductions and with the assumption that primary care providers would provide the hearing and vision screening. Currently, primary care providers and community programs lack consistency regarding protocols for hearing and vision screening and follow-up; screeners vary in their training and skills for conducting screenings; and there is no uniform data collection for quality improvement. This measure improves hearing and vision screening for children in the State by establishing consistent protocols for screenings and comprehensive data collecting and reporting.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1141, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2056 Judiciary on S.B. No. 570

The purpose and intent of this measure is to amend the definition of “historic property” under the Historic Preservation laws.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Historic Hawai‘i Foundation, Building Industry Association of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai‘i, Society for Hawaiian Archaeology, Our Revolution Hawaii, and two individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

Your Committee finds that the current definition for “historic property” merely considers the property’s age of construction, which is not equivalent to its historic importance. Your Committee further finds that this definition is overly inclusive and has created a backlog of reviews for properties. This measure will allow state and county agencies and the Department of Land and Natural Resources to focus efforts on properties of greater historic significance rather than attend to all properties that are merely old.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 570, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 570, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Lee).

SCRep. 2057 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2056

The purpose and intent of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to conduct a study of the suitability of the Land Study Bureau soil overall (master) productivity rating system in the regulation of agricultural lands in the State and make recommendations for the use of soil classification systems for agricultural land use regulation; and
- (2) Appropriate funding for the study.

Your Committees received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawaii State Energy Office, and the University of Hawai‘i System. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the State has not completed a comprehensive soil study or completed a sufficient agricultural soil mapping in over fifty years. The first and only statewide soil mapping, classification, and characterization study was conducted by the Land Study Bureau of the University of Hawaii from 1965 to 1972. As the Land Study Bureau classification system reflects the agricultural activities of plantation sugar cane and pineapple production prevalent at the time of the study, the data does not accurately reflect the current conditions of soil in the State.

To meet key state food sustainability goals, an accurate, updated soil dataset must be collected to reflect soil characteristics, soil properties, and soil suitability for various purposes, including optimization for public and private investments in Hawaii’s agriculture. This measure will allow the Office of Planning and Sustainable Development to conduct a study of the suitability of the Land Study Bureau soil overall (master) productivity rating system and other soil classification systems that govern regulations of agricultural lands in the State and report findings and recommendations for the use of soil classification systems for agricultural land use.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2056 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2058 Water and Land on S.B. No. 2626

The purpose and intent of this measure is to appropriate funds for the Department of Land and Natural Resources Division of Forestry and Wildlife Maui Branch to purchase new vehicles.

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

Your Committee finds that the Department of Land and Natural Resources possesses an aging fleet of vehicles necessary for the navigation of difficult terrain, especially in areas across West Maui. The vehicle fleet is essential for the Department of Land and Natural Resources to perform its duties and responsibilities safely and efficiently in areas with difficult terrain. This measure will appropriate funds to the Department of Land and Natural Resources to purchase new vehicles to effectively carry out duties and responsibilities in Maui.

Your Committee has amended this measure by:

- (1) Appropriating funds for the Department of Land and Natural Resources Division of State Parks, Maui Parks Section, rather than the Department of Land and Natural Resources Division of Forestry and Wildlife, Maui Branch, to purchase new vehicles; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2626, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2626, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2059 Water and Land on S.B. No. 2659

The purpose and intent of this measure is to appropriate funds to the Division of Conservation and Resource Enforcement for purchasing equipment, funding training, and establishing twenty full-time equivalent positions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, Mālama Pūpūkeka-Waimea, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources has a broad mandate that includes wildlife protection, resource conservation, boating and fishing enforcement, and maritime patrols. As Conservation and Resources Enforcement officers engage in maritime search and rescue efforts, conduct vessel inspections to detect and deter criminal activity, and investigate and police the harassment and harm of endangered and federally protected species, there is a need to ensure the Division is able to fulfill all aspects of its mandate in all counties.

This measure will appropriate funds to the Division of Conservation and Resources to purchase equipment, fund training, and establish twenty full-time equivalent (20.0 FTE) positions within the Division.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2659, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2659, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2060 Water and Land on S.B. No. 2760

The purpose and intent of this measure is to appropriate funds for the establishment of a permanent full-time equivalent land and access specialist position and a permanent full-time equivalent abstractor position to adequately address the Nā Ala Hele program's needs regarding statewide public trail access.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Statewide Trail and Access Program, known as Nā Ala Hele, was established in 1988 in response to public concern about the loss of public access to certain trails and the threat to historic trails from development pressure. Many of Hawaii's most popular trails are listed in guidebooks and increasingly publicized on social media, which involve trespassing on private property. In areas lacking public access to trails, challenges arise from safety, landowner liability, and public access. Therefore, your Committee finds that greater resources are needed to balance the interests of public access to and protection of Hawaii's trails.

This measure establishes a land and access specialist position and abstractor position to address the Na Ala Hele program needs regarding the expansion, access, and protection of public trail access statewide.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount for the land and access specialist and abstractor positions;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2760, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2760, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2061 (Joint) Health and Agriculture and Environment on S.B. No. 2172

The purpose and intent of this measure is to:

- (1) Prohibit the department of health from issuing new permits for underground fuel storage tanks within one— half mile from the outer edge of an aquifer;

- (2) Prohibit the renewal of permits for underground fuel storage tanks within one-half mile from the outer edge of an aquifer, beginning January 1, 2050; and
- (3) Create a new definition for “underground fuel storage tanks” to include tanks with a capacity at or greater than one hundred gallons.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; City and County of Honolulu Board of Water Supply; one member of the Hawai‘i County Council; Sierra Club of Hawai‘i; Hawaii State Teachers Association; Hawai‘i Public Health Institute; Honolulu Youth Commission; Faith Action for Community Equity; Environmental Caucus of the Democratic Party of Hawai‘i; Americans for Democratic Action Hawai‘i; Hawai‘i Peace and Justice; Council for Native Hawaiian Advancement; Earthjustice; Hawai‘i Food+ Policy; 350 Hawai‘i; Hawai‘i Alliance for Progressive Action; Hawai‘i SEED; Hawai‘i Workers Center; Hawai‘i Youth Climate Coalition; Honolulu County Republican Party; Livable Honolulu; Native Hawaiian & Pacific Islander Hawai‘i COVID-19 Response, Recovery, and Resilience; Protect Kaho‘olawe ‘Ohana; Papa Ola Lōkahi; Puakalehua Early Learning Consortium; Surfrider Foundation Hawai‘i Region; Hawai‘i Alliance for Community-Based Economic Development; Ke One O Kākuhihewa; Ko‘olauloa Hawaiian Civic Club; Kanaeokana Network; Lahui Foundation; Moanalua Gardens Foundation; Windward Coalition; and two hundred eighty individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Health, City and County of Honolulu Department of Transportation Services, City and County of Honolulu Department of Facility Maintenance, Hawaii Petroleum Marketers Association, Hawaii Military Affairs Council, and three individuals.

Your Committees find that underground storage tanks containing fuel and their related plumbing have a significant risk of leaking and contaminating potable drinking water aquifers. In December 2021, the United States Navy confirmed that the Red Hill Bulk Fuel Storage Facility on Oahu leaked petroleum into the Navy’s water system. This measure mitigates that risk by prohibiting the installation or continuance of underground fuel storage tanks within one-half mile of the outer edge of aquifers.

Your Committees heard testimony from the Honolulu Board of Water Supply and Sierra Club, which noted that the measure as currently drafted could have unintended consequences by unnecessarily limiting viable sites for above-ground storage tanks and adversely impacting underground storage tank operators that pose little risk of contamination. Your Committees also heard concerns that the measure, as drafted, could be read as legislation targeting specific federal facilities, namely the Red Hill Bulk Fuel Storage Facility, which would subject it to federal preemption. Your Committees note that this measure does not target the Red Hill Bulk Fuel Storage Facility, but rather is intended to apply to any underground storage tank that threatens to leak fuel into the State’s aquifer system of freshwater supply.

Therefore, your Committees have amended this measure by:

- (1) Amending the preamble to reflect the following changes including deleting references to any particular underground fuel storage facility to accurately reflect the purpose of this measure;
- (2) Amending the prohibited area in which a person can operate an underground fuel storage tank from within one-half mile of the outer edge of an aquifer to mauka of the underground injection control line as recommended by the Department of Health;
- (3) Removing the Department of Health’s authority to issue a permit for replacing an underground fuel storage tank within the prohibited area after July 1, 2022, and instead authorize the Department of Health to issue permits to remove such underground fuel storage tanks;
- (4) Amending the date by which any person is prohibited from operating an underground fuel storage tank in the prohibited area from January 1, 2050 to January 1, 2023;
- (5) Amending the definition of “underground fuel storage tank”;
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2172, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2172, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2062 Education on S.B. No. 2334

The purpose and intent of this measure is to:

- (1) Require the Board of Education to hold a minimum of six community forums annually, with at least one forum being held in each county;
- (2) Require the Board of Education to include an open forum on non-agenda items at the conclusion of the regular meeting agenda for any public meeting properly noticed by the board; provided that matters to be discussed during the open forum are within the board’s purview; and
- (3) Require the Board of Education to report to the Legislature on the implementation of open forums.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the development and implementation of policy in public schools benefits from public input. Your Committee further finds that parents are entitled to have the opportunity to comment on important matters concerning the education of their children. Your Committee notes the testimony of the Office of Information Practices, which commented that this measure creates a permitted interaction for holding a community forum that is an improvement over the existing statutory language. Accordingly, your Committee finds that this measure will increase engagement and transparency by providing more opportunities for public input in the policy-making process for public schools.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2334, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2334, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2063 Education on S.B. No. 2188

The purpose and intent of this measure is to establish a workforce readiness program within the Department of Education's Community School for Adults program.

Your Committee received testimony in support of this measure from the Department of Education, McKinley Community School for Adults, Waipahu Community School for Adults, Chamber of Commerce Hawaii, and fourteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that students in the State would benefit from increased opportunities to access workforce readiness training. Your Committee further finds that effective workforce readiness training requires collaboration among administrators, educators, and employers. Accordingly, your Committee finds that the workforce readiness preparation provided by this measure will help students across the State in transitioning from the classroom to the workforce by offering training, credentialing, and industry connections.

Your Committee has amended this measure by inserting a blank appropriation amount.

Your Committee notes that the estimated appropriation required for this measure is \$200,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2188, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2064 Education on S.B. No. 2824

The purpose and intent of this measure is to amend the minimum qualifications for members of the Board of Education to:

- (1) Require more industry and workforce relevant experience; and
- (2) Clarify that the Board of Education's best practices should align with those of organizations such as the National Association of State Boards of Education (NASBE), to the fullest extent practicable.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the field of education is changing rapidly to meet the needs of the local and global workforce and communities. In order to bolster Hawaii's economy and stem the local brain drain of talent leaving the State, your Committee understands that it is important for Hawaii's students to attain quality work-based learning opportunities and connections to local employers prior to graduation.

Your Committee finds that the Board of Education serves an important policy-making function for the Hawaii education system. As schools expand their career readiness programs and partnerships with employers, the board will need to have a comprehensive understanding of policy related to these areas. Your Committee further finds that the NASBE recommends, among other things, that board members represent all students and families, maintain student achievement as a north star, view all decisions through an equity lens, make clear decisions, and remain future-oriented.

Accordingly, your Committee finds that Hawaii's education system will benefit from a greater diversity of backgrounds, expertise, and perspectives on the Board of Education, and that individuals serving on the board should conduct themselves in accordance with best practices from expert organizations, such as NASBE. Your Committee further finds that amending the qualifications as proposed by this measure will diversify the composition of the Board of Education and help bring an industry and workforce perspective to the development and implementation of education policy in public schools in the State.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2824, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2824, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2065 Health on S.B. No. 2032

The purpose and intent of this measure is to establish the Hawaii Genetic Information Privacy Act (Privacy Act), which:

- (1) Requires direct—to—consumer genetic testing companies to adhere to certain requirements pertaining to its collection, use, and disclosure of genetic data;
- (2) Establishes fines for violations of the Privacy Act;
- (3) Allows the Executive Director of the Office of Consumer Protection, by and through the Attorney General, to bring civil action against violators on behalf of the State or consumers for injunctions, collection of civil penalties, and recovery damages; and
- (4) Allows the State to recover the costs of suit and reasonable attorneys' fees for violations of the Privacy Act.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the number of companies offering direct—to—consumer genetic tests, such as ancestry tests, at—home genetic tests, and genealogy tests, has been growing. These direct—to—consumer genetic tests provide consumers with direct access to their genetic information without the involvement of health care providers and health plans. The federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) established national standards to protect an individual's medical records and other personal health information, including genetic information. However, HIPAA applies only to health plans, health care clearinghouses, and certain health care providers; it does not apply to direct—to—consumer genetic testing companies. Currently, Hawaii law does not provide adequate guidelines for the use of genetic data collected by companies outside of the protective ambit of state and federal health privacy laws. This measure fills this gap by creating the Hawaii Genetic Information Privacy Act.

Your Committee acknowledges the testimony of the Department of Commerce and Consumer Affairs, which notes that the penalty and enforcement provisions of the Privacy Act can be better accomplished by incorporating the already existing penalty and enforcement provisions in statute.

Therefore, your Committee has amended this measure by:

- (1) Deleting sections five and six of the Privacy Act and replacing them with a new provision that deems any violation of the Privacy Act to be an unfair or deceptive act or practice in the conduct of any trade or commerce within the meaning of section 480-2, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2032, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2032, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2066 Health on S.B. No. 2132

The purpose and intent of this measure is to restore ninety—nine positions to the Department of Health's Adult Mental Health Division and appropriate funds to fill those positions.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, and Hawai'i Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that, due to the economic effects of the coronavirus disease 2019 pandemic, the State was required to reduce staff statewide. The Department of Health's Adult Mental Health Division (Division) saw an eleven percent reduction of its staff. This loss of staff has limited the Division's ability to provide critical services for individuals living with serious mental illness. Your Committee finds that given the State's positive economic outlook, these critical positions should be restored so that essential mental health services can be provided.

Your Committee has amended this measure by inserting an effective date of January 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. 2132, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2132, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2067 Health on S.B. No. 2276

The purpose and intent of this measure is to make comprehensive updates to chapter 436E, Hawaii Revised Statutes, regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including thirty hours of continuing education per licensing biennium.

Your Committee received testimony in support of this measure from the Board of Acupuncture; Hawaii Acupuncture Association; Longevity Health Center Ltd.; AcuPlan Hawaii; Institute of Clinical Acupuncture and Oriental Medicine, Inc.; and twenty-two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association, American Academy of Medical Acupuncture, and five individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that existing law regulating acupuncturists and the acupuncture profession have not been updated in over twenty years. Since that time, standards in national certifications and accredited education programs for acupuncture have evolved. This measure makes comprehensive updates to the State's acupuncture licensing law to reflect modernized scopes of practice, titles, and licensing and renewal requirements.

Your Committee acknowledges the testimony of the Board of Acupuncture (Board), which noted that the measure's current implementation date of January 1, 2023, does not provide the Board or the Department of Commerce and Consumer Affairs sufficient time to prepare for the new requirements. Your Committee also acknowledges the Board's concerns that the amendments to the Board's powers are unclear and that the added provisions are better left to administrative rulemaking.

Therefore, your Committee has amended this measure by:

- (1) Moving this measure's implementation date from January 1, 2023, to July 1, 2023;
- (2) Deleting section 9 of this measure, which amends the Board's powers and duties;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2276, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2276, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2068 Health on S.B. No. 3120

The purpose and intent of this measure is to remove the spending ceiling of the Office of Healthcare Assurance Special Fund to meet expanding program needs and diminish dependence on appropriations from the general fund.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments to this measure from the Tax Foundation of Hawaii.

Your Committee finds that section 321-1.4, Hawaii Revised Statutes, establishes the Office of Healthcare Assurance Special Fund. The money in the fund is to be used for, among other things, educational program expenses, public health outreach efforts, community development, and administering the durable medical equipment supplier license program. Currently, there is a \$327,000 spending cap on the special fund and any amount more than \$387,500 in the fund on June 30 of each year, must be deposited into the general fund. The Department of Health and Office of Healthcare Assurance has found the spending cap to be unrealistic, as the costs of the program often exceed the spending cap and must therefore be supplemented by appropriations from the general fund. This measure removes the spending ceiling of the special fund and the requirement that money from the special fund be deposited into the general fund.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3120, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3120, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2069 Health on S.B. No. 3123

The purpose and intent of this measure is to increase the marriage license fee to support the Hawaii Birth Defects Program, fund the modernization of the vital statistics system, and more fairly compensate marriage license agents.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that currently, the marriage license fee is \$60. Approximately sixty percent of marriage licenses were issued to non-residents. Of the \$60 collected, no portion is allocated to maintaining the statewide marriage license registration system. This system is over twenty years old and needs to be modernized. Your Committee further finds that the purpose of the Hawaii Birth Defects Program (Program) is to collect, analyze, and report data on birth defects and other adverse reproductive outcomes in the State. The Program's staff salaries and expenses have doubled from 2002 to 2021. Furthermore, marriage license fees also support two special funds benefiting victims of spousal and child abuse. Finally, a portion of the marriage license fees are allocated to marriage license agents, whose fees have remained the same since 1998. This measure, which increases the marriage license fee, will fund the modernization of the State's vital statistics system, fund the Hawaii Birth Defects Program and two spousal and child abuse funds, and more fairly compensate marriage license agents.

Your Committee has amended this measure by:

- (1) Inserting blank fee amounts; and
- (2) Inserting an effective date of January 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. 3123, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3123, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Moriwaki, San Buenaventura, Fevella). Noes, none. Excused, none.

SCRep. 2070 Health on S.B. No. 3114

The purpose and intent of this measure is to repeal fees related to obtaining a license to solemnize civil marriage ceremonies to assure equity among religious, judicial, and civil performers.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that prior to the enactment of Act 211, Session Laws of Hawaii 2021 (Act 211), which authorizes the issuance of civil licenses to solemnize marriages, only individuals with religious affiliations or judicial appointments could obtain a license to solemnize marriages. Act 211 authorizes non-religious and non-judicial performers to solemnize marriages; however, it imposes a fee for civil licenses where none for religious and judicial licenses exists. Such a discrepancy could expose the State to liability for claims that the State is discriminating on the basis of religion. This measure creates equity among religious, judicial, and civil performers of marriage solemnization by eliminating the fee for civil licenses.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3114, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3114, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2071 Health on S.B. No. 2241

The purpose and intent of this measure is to:

- (1) Permit minors to consent to medical care related to the diagnosis or treatment of Human Immunodeficiency Virus (HIV) or the prevention of HIV;
- (2) Provide that a minor, under certain circumstances, shall not be liable for payment for treatment or prevention of HIV; and
- (3) Authorize physician assistants, in addition to physicians and advanced practice registered nurses, to render medical care and services to minors.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Health & Harm Reduction Center, Stonewall Caucus for the Democratic Party of Hawai'i, Hawaii Youth Services Network, Kaiser Permanente Hawaii, and six individuals.

Your Committee finds that existing law allows a minor to receive services related to sexual health, but does not allow a minor to access medications to prevent HIV. Minors who are at risk for HIV are often unwilling or unable to talk to their parents about their risk behaviors. Further, minors may avoid seeking care for sexually transmitted disease if they must involve their parents or guardian. This measure allows minors age fourteen to seventeen to obtain treatment for sexually transmitted disease without parent or guardian involvement.

Your Committee notes the concerns of the Hawai'i Health & Harm Reduction Center, which testified that the measure should also ensure that if a minor accesses HIV prevention and treatment that is covered by a parent or guardian's health plan, the health plan should not disclose to the parent or guardian that the minor sought treatment.

Accordingly, your Committee has amended this measure by:

- (1) Prohibiting health plans of the parents or guardians of minors, which cover the minor's treatment or prevention of HIV, from notifying the parents or guardians that the minor sought HIV treatment or prevention;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2241, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2241, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2072 Ways and Means on S.B. No. 118

The purpose and intent of this measure is to amend the law relating to the state budget.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by replacing its contents with language that repeals provisions that exempt certain special funds from the requirement that each special fund pay a pro rata share of the administrative expenses incurred by the department responsible for operations supported by that special fund.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 118, as amended herein, and recommends that it be recommitted to your Committee on Ways and Means, in the form attached hereto as S.B. No. 118, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Misalucha, Shimabukuro).

SCRep. 2073 Water and Land on S.B. No. 2351

The purpose and intent of this measure is to:

- (1) Increase the percentage of the Land Conservation Fund that may be used for costs related to the operation, maintenance, and management of lands acquired by the fund;
- (2) Increase the maximum dollar amount of the conveyance tax distribution to the Land Conservation Fund; and
- (3) Appropriate funds from the Land Conservation Fund for the resource land acquisition.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ke Ao Hali'i, Sierra Club Maui, Ma'alaea Village Association, Livable Hawaii Kai Hui, and two individuals. Your Committee received testimony in opposition to this measure from Hawai'i Association of REALTORS. Your Committee received comments on this measure from Hawai'i Land Trust, The Nature Conservancy, and The Trust for Public Land.

Your Committee finds that previous caps on the conveyance tax reduced Land Conservation Fund revenues. However, recent escalation in real estate market values has eroded the buying power of the Land Conservation Fund relative to its inception. Various heritage, recreational, biological, and cultural sites and lands across the State have been supported through contributions and key resources from the Land Conservation Fund. This measure will continue to support many cultural and recreational lands across the State.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2351, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2074 Water and Land on S.B. No. 3027

The purpose and intent of this measure is to include in the State's policies for the physical environment under the Hawaii State Planning Act, the development of a statewide beach assessment study and a restoration and conservation plan.

Your Committee received comments on this measure from the Department of Land and Natural Resources and University of Hawai'i System.

Your Committee finds that shoreline erosion is a growing issue due to climate change impacts. Current trends of significant shoreline erosion stem from historical erosion mapping projects regularly updated by the Department of Land and Natural Resources since 2011. Other programs such as the Climate Resiliency Initiative at the University of Hawaii at Manoa focuses on various projects related to climate change impacts, such as shoreline erosion. To address growing concerns of climate change impacts on shoreline erosion, this measure includes in the State's policies, under the Hawaii State Planning Act, the development of a statewide beach assessment study and a restoration and conservation plan to protect Hawaii's shorelines.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3027, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3027, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2075 Water and Land on S.B. No. 3330

The purpose and intent of this measure is to require the Department of Land and Natural Resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program and appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Mālama Pūpūkea-Waimea, Kua'āina Ulu 'Auamo, Hawaii Reef and Ocean Coalition, Hi'ipaka LLC, Center for Biological Diversity, Friends of

Hanauma Bay, and eighteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Pupukea Marine Life Conservation District, a one hundred-acre marine life reserve, is one of only three state-designated marine life conservation districts on the island of Oahu; the other two districts are Hanauma Bay and Waikiki. In contrast to Hanauma Bay, which has many protections ranging from limited foot and vehicle traffic to a reservation system and twice weekly closure requirements, the Pupukea Marine Life Conservation District and the associated Waimea and Pupukea Beach Parks, Kapoo Tidepools, and Shark's Cove areas are accessible from multiple locations along the shoreline and adjacent beach parks, every day of the week, all year long. The results of unlimited human access to sensitive areas of the Pupukea Marine Life Conservation District include but are not limited to: trampling of marine life, damage to the marine habitat, damage to coral, harassment and touching of marine life, disrespect to cultural norms, and increased pollution.

This measure will require the Department of Land and Natural Resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program to ensure proper management of this important resource.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3330, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3330, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2076 Human Services on S.B. No. 2919

The purpose and intent of this measure is to require the Department of Human Services to submit a report focused on the health disparities experienced by individuals with disabilities in Hawaii to the Legislature before the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Department of Human Services, State Council on Developmental Disabilities, Full Life, Special Olympics Hawaii, and two individuals.

Your Committee finds that the core mission of public health, which is to improve the health of all populations, is increasingly framed in terms of health disparities or health inequities. Health equity is achieved when all individuals are given the opportunity to optimize their health, and health inequities create disparities in the people's length of life; quality of life; rates of disease, disability, and death; severity of disease; and access to treatment. According to the Center for Disease Control and Prevention (CDC), individuals with a disability face many challenges in achieving optimal health and accessing high-quality health care. However, people with disabilities have largely been unrecognized as a population for public health attention. The CDC also reports that as of 2019, an estimated one in four adults in Hawaii report having a disability, including impairments in mobility, cognition, hearing, vision, ability to live independently, and ability to selfcare. This measure will help the State and lawmakers obtain the necessary information to assess the status of disabled individuals in Hawaii, determine if health inequity exists between the disabled and non-disabled populous, and if so, measures that can be taken to prevent or mitigate the inequity.

Your Committee notes the testimony from the Department of Human Services stating that it will defer this matter to the Department of Health, as it does not have access to population health level information for people with disabilities. Your Committee also acknowledges that the Department of Health, on the other hand, does not have access to information on individuals with disabilities who participate in the Department of Human Services' Division of Vocational Rehabilitation programs or Med-QUEST plans. Your Committee also notes the testimony from the State Council on Developmental Disabilities that it is willing to take on the responsibility of compiling the report required under this measure; provided it will need to contract with outside sources to obtain the necessary information.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the State Council on Developmental Disabilities to submit a report focused on the health disparities experienced by individuals with disabilities in Hawaii to the Legislature, rather than the Department of Human Services;
- (2) Appropriating an unspecified amount of funds to the State Council on Developmental Disabilities to compile and submit the report; and
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2919, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2919, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2077 Energy, Economic Development, and Tourism on S.B. No. 2283

The purpose and intent of this measure is to:

- (1) Require the Hawaii Natural Energy Institute to:

- (A) Conduct a study to examine the State's ability to advance hydrogen production from local renewable energy resources; and
- (B) Develop the Hawaii Hydrogen Strategic Plan utilizing the results of its study, which shall be reviewed and updated every four years;
- (2) Require a report to the Legislature; and
- (3) Appropriate an unspecified amount of funds for the completion of the study and the development of the Hawaii Hydrogen Strategic Plan.

Your Committee received testimony in support of this measure from the Hawaii Center for Advanced Transportation Technologies; Hawaiian Electric Company, Inc.; Hawaii Gas; Hawaii Clean Power Alliance; Servco Pacific Inc.; Alliance for Automotive Innovators; Ulupono Initiative; Environmental Caucus of the Democratic Party of Hawai'i; and one individual. Your Committee received testimony in opposition of this measure from six individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawai'i Natural Energy Institute, Hawaii State Energy Office, and three individuals.

Your Committee finds that hydrogen has the potential to be an integral component of Hawaii's energy system, whether as a carbon-free energy storage mechanism, potential means of providing grid support, or provider of pollution-free fuel for both electricity and transportation. Your Committee further finds that the long-term hydrogen plan developed by this measure should align with the State's existing energy planning goals.

According to testimony from the Hawai'i Natural Energy Institute (HNEI); although it has sufficient funds from its portion of the State Environmental Response, Energy, and Food Security Tax revenues to conduct the study, it needs additional time to complete a report and plan of this magnitude.

Accordingly, your Committee has amended this measure by:

- (1) Delaying the submission deadline for the Hawaii Hydrogen Strategic Plan for one year;
- (2) Inserting language that requires:
 - (A) HNEI to submit an interim progress report to the Legislature no later than twenty days prior to the convening of the regular session of 2023;
 - (B) HNEI to also consult with gas utilities in conducting the study and developing the Hawaii Hydrogen Strategic Plan; and
 - (C) The Hawaii Hydrogen Strategic Plan to align with the existing long-term energy plans of the State;
- (3) Relocating certain actionable considerations of the study to be required in the Hawaii Hydrogen Strategic Plan;
- (4) Removing the appropriation for the completion of the study and the development of the Hawaii Hydrogen Strategic Plan; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2283, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2283, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2078 Energy, Economic Development, and Tourism on S.B. No. 2570

The purpose and intent of this measure is to:

- (1) Rename Hawaii's Electric Vehicle Charging System Rebate Program to the Zero-Emission Vehicle Fueling System Rebate Program; and
- (2) Add the installation and upgrade of hydrogen refueling stations to the Zero-Emission Vehicle Fueling System Rebate Program.

Your Committee received testimony in support of this measure from the Hawaii Center for Advanced Transportation Technologies, Hawaii State Energy Office, Hawaii Gas, Alliance for Automotive Innovation, Ulupono Initiative, and one individual. Your Committee received testimony in opposition of this measure from Climate Protectors Hawai'i and five individuals. Your Committee received comments on this measure from the Public Utilities Commission, Hawai'i Energy, and one individual.

Your Committee finds that incentivizing the installation and upgrade of available electric vehicle charging stations and hydrogen refueling stations is essential to promoting the growth of electric and hydrogen fuel cell vehicle use in the State, which will then lessen the State's reliance on fossil fuels.

According to testimony submitted by Hawai'i Energy, which manages Hawaii's Electric Vehicle Charging System Rebate Program (rebate program), the standard rebate levels for a hydrogen refueling station with an estimated baseline cost of \$2,000,000 range between \$200,000 and \$600,000. Your Committee recognizes that an increase in the spending cap of the rebate program is necessary to continue the expansion of electric vehicle charging systems and support both electric and hydrogen fuel cell incentives.

Your Committee notes that the opposition to this measure was based on the inclusion in the rebate program of hydrogen refueling stations that may possibly store and dispense hydrogen fuel produced with fossil fuels. Your Committee further recognizes that hydrogen that is produced with fossil fuels is not therefore a zero-emissions fuel and its inclusion in the rebate program is contrary to the purpose and intent of this measure.

Accordingly, your Committee has amended this measure by:

- (1) Setting the rebate amount for the installation or upgrade of a hydrogen refueling system at \$200,000;
- (2) Increasing the spending cap of the rebate program from \$500,000 to \$700,000;
- (3) Limiting the rebate to hydrogen refueling systems that do not store and dispense hydrogen fuel that is produced using fossil fuels;
- (4) Renaming the rebate program to the Zero-Emission Vehicle Infrastructure Rebate Program; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee further notes that with the provision to limit the rebate to newly installed or upgraded hydrogen refueling stations that only store and dispense hydrogen fuel that is produced without fossil fuels, the Public Utilities Commission, who administers the rebate program in conjunction with the State Energy Office, may need to develop rules and/or procedures to enforce this provision.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2570, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2079 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2305

The purpose and intent 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 Department of Public Safety, Hawai'i Correctional System Oversight Commission, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Common Cause Hawaii, and seven individuals.

Your Committee finds that existing sentencing laws provide that the courts are responsible for setting maximum terms of imprisonment in accordance with applicable statutes. The Hawaii Paroling Authority establishes the minimum terms at which point the inmate becomes eligible for release into the community on parole. Additionally, the Department of Public Safety is required to develop and implement comprehensive reentry plans to help each inmate. Comprehensive reentry plans promote community safety by preparing inmates, upon parole eligibility, to make the difficult transition from the highly structured prison setting to life in the community. When offenders are held until their maximum terms expire, they have more difficulty adjusting to life in the community and are not subject to parole supervision. Your Committee believes that this measure will promote public safety by clarifying that programs and services that are part of the comprehensive offender reentry system result in the timely release of inmates on parole when the minimum term, rather than maximum term, has been served.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2305 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2080 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2373

The purpose and intent of this measure is to appropriate funds for a program named "Project Reset" which will help prisoners with reentry, rehabilitation, employment, and housing post-sentence.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Chamber of Commerce Hawaii, Hawaii Substance Abuse Coalition, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that inmates who were homeless prior to their arrest as well as those who lost their housing while incarcerated have the best chance of success when released directly into a treatment program. However, not all inmates have access to those resources because there are not enough beds available for every inmate that qualifies for early release to a program. Furthermore, coordinating inmate release to treatment programs has been extremely difficult during the pandemic due to quarantine and social distancing requirements at programs as well as numerous outbreaks at correctional facilities. Some inmates are released from custody with no money, no identification, no housing, no food, no bus pass, and no phone. Due to the lack of comprehensive programs that focus on transitioning inmates through the process of reentry, rehabilitation, employment, and housing, many inmates either immediately join the ranks of the homeless upon release, or shortly thereafter. Your Committee believes that reentry programs are the best weapon the State has to combat recidivism. This measure will assist the State in reducing recidivism rates by creating and funding "Project Reset", a program that will provide comprehensive programs to assist inmates through the process of reentry, rehabilitation, employment, and housing after release.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2373 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2081 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2433

The purpose and intent of this measure is to:

- (1) Encourage inmates to participate in correctional educational programs and vocational training by offering subsidized tuition, housing, and health care benefits to qualifying inmates;
- (2) Increase the quality and quantity of correctional mentorship, counseling, educational, and vocational training programs available to interested inmates; and
- (3) Appropriate funds to expand model programs to include more quality educational and vocational programs and to fund rewards for inmates who participate in correctional education programs while incarcerated.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Common Cause Hawaii, Community Alliance on Prisons, and eight individuals. Your Committee received comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that educational programs in prisons have significant benefits. Studies have shown that individuals who participate in any type of educational program while in prison are forty-three percent less likely to return to prison. Additionally, prisons with college programs have less violence among incarcerated individuals, which creates a safer environment for both incarcerated individuals and prison staff. The significant personal benefits of prison education include increased personal income, lower unemployment, greater political engagement and volunteerism, and improved health outcomes. Your Committee believes that promoting inmate participation in prison educational programs will benefit inmates and the community. This measure will incentivize inmates to participate in educational, vocational, and mentorship programs while incarcerated by appropriating funds for reward programs for inmates who participate in certain model programs and increasing the quality and quantity of programs available to inmates.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2433 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2082 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2532

The purpose and intent of this measure is to establish a working group to reduce recidivism by providing inmates with business and entrepreneurial skills and financial literacy education to establish a foundation for the inmates to succeed after their release from incarceration.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Chamber of Commerce Hawaii, Hawaii Substance Abuse Coalition, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that providing education, training, and mentoring for employment once inmates are released from incarceration is proven to reduce recidivism and help inmates get back on their feet. Forty-nine percent of convicted felons return to prison within one year of release. However, inmates who seek and attain education while in prison are forty-three percent less likely to recidivate than those who do not. Your Committee believes that providing inmates the opportunity to receive an education centered around obtaining employment after being released is an effective way to reduce the recidivism rate. This measure will assist the State in providing the necessary support for released inmates by establishing a working group to provide inmates with business and entrepreneurial skills and financial literacy education.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2532 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2083 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2637

The purpose and intent of this measure is to

- (1) Mandate that there be a community-based work furlough program for all incarcerated women in the State; and
- (2) Appropriate funds to the Department of Public Safety to extend the contract for community-based work furlough for women and ensure that it is not only continued but expanded to all incarcerated women.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Hawaii Substance Abuse Coalition, Common Cause Hawaii, Community Alliance on Prisons, and seven individuals. Your Committee received comments on this measure from the Department of Public Safety and the Department of Budget and Finance.

Your Committee finds that community-based work furlough programs provide benefits for incarcerated women. Offenders who work for private companies while imprisoned obtain employment more quickly, maintain employment longer, and have lower recidivism rates than those who work in traditional correctional industries or are involved in other-than-work activities. Community-based work furlough programs also provide preparation for handling responsibility outside of the correctional facility, practical and

functional life skills training, and general technical skills knowledge. Your Committee believes that community-based work furlough programs benefit inmates and the community. This measure will allow the State to reduce recidivism by mandating a community-based work furlough program for all incarcerated women and appropriating funds for the Department of Public Safety to extend the contract for existing community-based work furlough programs.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2637 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2084 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2639

The purpose and intent of this measure is to require the Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders.

Your Committee received testimony in support of this measure from the Hawai'i Correctional Systems Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that criminal justice policies, practices, and programs have traditionally been designed for men and applied to women without regard to the unique needs of women. Gender responsive risk and need assessment tools better identify interventions which connect women to programs and treatment to address their needs and reduce recidivism. Additionally, women's pathways to crime differ significantly from those of men, too often beginning in childhood with physical and sexual abuse. Women are far more likely than men to commit crimes related to poverty, such as prostitution and credit card fraud, and drug-related offenses. As women are often the primary caretakers of children, parental issues present unique challenges for impoverished women. Your Committee believes that gender response programs and treatments best address the needs of women. This measure will assist the State in addressing the needs of incarcerated women by requiring the Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2639 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2085 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2771

The purpose and intent of this measure is to require the Department of Public Safety to develop and conduct a pretrial female risk and needs assessment tool that considers factors important to women when considering their risk to reoffend and treatment needs.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that women's pathways to incarcerations, their risk factors for recidivism, and their rehabilitation needs differ from those of men and are not adequately identified or addressed by assessment tools that were originally developed for males in the justice system. For example, factors that may predict stability for men, such as family relationships, are more complex for women dealing with domestic abuse or caregiving or parenting stress. Furthermore, women's pathways to incarceration overwhelmingly relate to social and economic marginalization. Parenting stress, lack of childcare, and the need as single mothers to support their family are among risk factors and needs not identified in non-gender responsive assessments. This measure will lead to more accurate identification of women's risk factors and needs which will result in more effective interventions and services for women in the state justice system by requiring the Department of Public Safety to develop and conduct a pretrial female risk and needs assessment tool that considers factors important to women when considering their risk to reoffend and treatment needs.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2771 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2086 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2774

The purpose and intent of this measure is to provide funding for the Women's Community Correctional Center to further expand reentry planning circles, also known as huikahi circles, which are a part of a reentry planning process shown to decrease recidivism.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, Women's Prison Project, Hawaii Substance Abuse Coalition, and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that reentry planning by incarcerated people is vital for their successful return to the community and their desisting from crime. Huikahi circles are for incarcerated people who take responsibility for their behavior and want to make amends with harmed loved ones and the community. Huikahi circles have been provided pro bono and with private grants to state prisons. Except for the State's 2021 Governor's Emergency Education Relief grant, the State has never funded the program for adults. Huikahi

circles are healing for children of incarcerated parents and other loved ones and have been shown to reduce recidivism. This measure will assist incarcerated women to transition back into the community and reduce Hawaii's prison population by appropriating funds for the Women's Community Correctional Center to further expand huikahi circles.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2774 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2087 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3137

The purpose and intent of this measure is to clarify that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification necessary to transition into the workforce, access social services, and secure housing, rather than to issue civil identification cards.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Human Services, Hawai'i Health & Harm Reduction Center, and six individuals. Your Committee received comments on this measure from the Hawai'i Correctional System Oversight Commission and Common Cause Hawaii.

Your Committee finds that individuals in the State's custody who will soon re-enter the community need valid government-issued identification to support their reentry. Government-issued identification is required to gain employment, obtain housing, and obtain certain necessary prescribed medications. This measure will allow individuals to more easily obtain government-issued identification from the proper government agencies by clarifying that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification rather than to issue civil identification cards.

Your Committee has heard the testimony of Common Cause Hawaii expressing concerns that it is unclear as to how this assistance will interface with automatic voter registration. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committee on Judiciary further examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3137 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, 5. Noes, none. Excused, none.

SCRep. 2088 Human Services on S.B. No. 2437

The purpose and intent of this measure is to require the Department of Human Services to establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program that supplements existing statewide services by providing training and other services to neighbor island residents who are blind or visually impaired.

Your Committee received testimony in support of this measure from the National Federation of the Blind of Hawai'i, Hawaii State Committee of Blind Vendors, and seven individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and one individual.

Your Committee finds that approximately two thousand neighbor island residents who are blind or visually impaired do not have access to or are ineligible for existing state and local support services, including training, adjustments to blindness services, and transportation. The Neighbor Islands Blind and Visually Impaired Service Pilot Program to be established pursuant to this measure will supplement existing statewide services and enable these individuals to receive the necessary training and other services that would enable them to have full and integrated lives in their existing communities.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Human Services shall work with neighbor island transportation service providers and other individuals and entities to develop a special needs transportation assistance service network to serve program participants;
- (2) Defining "neighbor island"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2437, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2437, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2089 Judiciary on S.B. No. 2088

The purpose and intent of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the Career Criminal Prosecution Unit.

Your Committee received testimony in support of 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 Budget and Finance.

Your Committee finds that a disproportionate amount of serious crimes are committed by a relatively small number of multiple and repeat felony offenders, commonly known as "career criminals". To address this ongoing problem, the State created the Career Criminal Prosecution Unit, which it originally funded annually. However, the Department of the Prosecuting Attorney of the City and County of Honolulu's Career Criminal Prosecution Unit was periodically scaled back when there was insufficient funding to maintain full staffing. Your Committee believes that money spent on the Career Criminal Prosecution Unit is an efficient use of resources, as it provides citizens with swift and effective justice, reducing heavy caseloads and long court delays. This measure will assist the Department of the Prosecuting Attorney of the City and County of Honolulu in protecting the public from career criminals by appropriating funds for the Career Criminal Prosecution Unit.

Your Committee has amended this measure by inserting an appropriation amount of \$653,360.

As affirmed by the record of votes of 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. 2088, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2088, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2090 Judiciary on S.B. No. 2087

The purpose and intent of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the Victim Witness Assistance Program.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Legislature has supported the Victim Witness Assistance Program since 1983, and in 1986 enacted section 28-111, Hawaii Revised Statutes, establishing the Victim Witness Assistance Program on a statewide basis. Although this statute established the program in the Department of the Attorney General, all direct services are provided by each county's prosecuting attorney in order to provide the most current information, assistance, funding, and support services to the crime victims and witnesses in their respective counties. Your Committee believes that adequate funding is necessary for the Department of the Prosecuting Attorney of the City and County of Honolulu to be able to continue these vital services. This measure will assist the Department of the Prosecuting Attorney of the City and County of Honolulu by appropriating funds for the Victim Witness Assistance Program.

Your Committee has amended this measure by inserting an appropriation amount of \$371,722.

As affirmed by the record of votes of 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. 2087, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2087, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2091 Judiciary on S.B. No. 1048

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Criminal Justice Data Center to establish reasonable and necessary fees for all services the Hawaii Criminal Justice Data Center provides through the administrative rulemaking process; and
- (2) Remove the fee waiver that exempts county agencies from paying fees related to employment background checks.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that currently, section 846-10.5(a), Hawaii Revised Statutes, provides set fees for certain services provided by the Criminal Justice Data Center. In 1998, the Legislature amended section 846-10.5(d), Hawaii Revised Statutes, to authorize the Hawaii Criminal Justice Data Center to adopt rules to establish reasonable fees for services provided by the Hawaii Criminal Justice Data Center. This measure would clarify that the Hawaii Criminal Justice Data Center has the authority to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to establish reasonable fees for all services it provides. In addition, your Committee finds that the removal of the county fee exemption for employment background checks will increase the annual revenue collected by the Hawaii Criminal Justice Data Center by approximately \$30,000.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1048, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2092 Water and Land on S.B. No. 2757

The purpose and intent of this measure is to appropriate funding to the Department of Land and Natural Resources State Historic Preservation Division to expedite development of a comprehensive, complete inventory of historic properties and burial sites located across the State and to conduct relevant archaeological surveys necessary to provide further information for the inventory.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Society for Hawaiian Archaeology. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that comprehensive statewide inventories of historic properties and burial sites are critical to managing and protecting historic properties and grave sites across Hawaii. The Department of Land and Natural Resources State Historic Preservation Division has the responsibility of creating and maintaining inventories. However, as the State Historic Preservation Division currently relies on documentation submitted in support of project reviews and expert individuals who contribute new information to existing databases and inventories, and some historic properties and burial sites are also located in restricted areas, maintaining current, accurate knowledge remains a difficult task.

The lack of key information can impact planning processes at points when significant resources have already been expended, or create conflict within communities, causing construction projects to be redesigned or delayed. To provide the public with complete and detailed knowledge of historic properties and burial sites across the State, this measure will appropriate funds to the State Historic Preservation Division to expedite and develop a complete, comprehensive statewide inventory of historic properties and burial sites.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation amounts;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2757, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2093 Water and Land on S.B. No. 3019

The purpose and intent of this measure is to require the Department of Land and Natural Resources to seek and obtain accreditation for the Conservation and Resources Enforcement Program from the Commission on Accreditation for Law Enforcement Agencies, Inc.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Center for Biological Diversity; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Conservation and Resources Enforcement Program of the Department of Land and Natural Resources has many responsibilities that are integral to preserving the public peace and safety for Hawaii's lands and waters. Other law enforcement departments such as the Honolulu and Maui Police Departments are accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc.

However, accreditation requirements were inadvertently repealed in section 8 of Act 183, Session Laws of Hawaii 2021. To provide enforcement officers of the Conservation and Resources Program with proper training and certification, this measure reimplements the requirement for certification of the Department of Land and Natural Resources Conservation and Resources Program and appropriates funds to pursue accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3019, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3019, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2094 Water and Land on S.B. No. 3179

The purpose and intent of this measure is to direct the Department of Land and Natural Resources to establish a feral herd management pilot program under the Division of Forestry and Wildlife to manage axis deer populations in Maui County and appropriates funds to conduct a pilot program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Maui County Council; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Maui County Farm Bureau; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the overpopulation of axis deer poses a significant threat to the ecological security and the health of local communities on several islands in Maui County. Integration of state management efforts and local hunting practices would allow for a

more effective response to axis deer overpopulation, which has become a nuisance and threat to the local communities. To address concerns from the overpopulation of axis deer across Hawaii, this measure will appropriate funds to the Department of Land and Natural Resources Division of Forestry and Wildlife to conduct a pilot program for feral herd management on Maui, Molokai, and Lanai.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3179, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3179, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2095 (Majority) Water and Land on S.B. No. 3375

The purpose and intent of this measure is to:

- (1) Repeal requirements for lessees to seek approval for lease extensions from the Board of Land and Natural Resources; and
- (2) Require the Department of Land and Natural Resources to utilize the current tax assessed value for lease extensions.

Your Committee received testimony in support of this measure from HPM Building Supply; Hawai'i Island Chamber of Commerce; Hilo Fish Company; Big Island Toyota, Inc. De Luz Chevrolet; and six individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, League of Women Voters of Hawaii, and six individuals.

Your Committee finds that under existing laws, many public land lessees in the Hilo Community Economic District face uncertain futures following the expiration of their leases. The lengthy application process stalls many lease extensions, as the Board of Land and Natural Resources must approve all modifications and improvements, including minor changes. Despite East Hawaii's role as a major tourism hub, the uncertainty over tenancy and the lack of improvements causes infrastructure to deteriorate and enter into a state of disrepair. This measure amends requirements for lease extension approval to allow the Hilo Community Economic District to develop, revitalize, and flourish.

Your Committee has amended this measure by:

- (1) Substituting the word "department" for "board", where appropriate;
- (2) Clarifying that the Department of Land and Natural Resources shall confirm, rather than consider lease extensions;
- (3) Requiring all applications for an extension of fixed rental periods or lease terms to be made to the Department of Land and Natural Resources within 180 days;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3375, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3375, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Keith-Agaran, Riviere). Noes, 1 (Fevella). Excused, none.

SCRep. 2096 Energy, Economic Development, and Tourism on S.B. No. 2478

The purpose and intent of this measure is to:

- (1) Create a renewable fuels production tax credit; and
- (2) Clarify the definition of renewable feedstocks as used in the measure to include other renewable organic material, including but not limited to logs, wood chips, wood pellets, and wood bark.

Your Committee received testimony in support of this measure from Hawaii Center for Advanced Transportation Technologies, Hawaii State Energy Office, Hawaii Gas, Hawaii Clean Power Alliance, Alliance for Automotive Innovation, Biotechnology Innovation Organization, Pacific Biodiesel Technologies, and one individual. Your Committee received testimony in opposition of this measure from Life of the Land, Climate Protectors Hawai'i, 350Hawaii.org, and fourteen individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, and two individuals.

Your Committee finds that a renewable fuels production tax credit incentivizes the production of renewable fuels, which facilitates the development and integration of renewable energy systems, diversifies energy technology, enhances energy resiliency, and furthers the realization of Hawaii's renewable energy goals. According to testimony received by your Committee, the production of renewable fuels not only provides local jobs and other economic benefits in the energy and agricultural sectors, but also encourages the production of value-added products and other innovations that support the economic diversification of the State.

Your Committee notes that the addition of renewable fuels produced from renewable organic material, such as logs, wood chips, wood pellets, and wood bark in this measure has fueled most of the testimony in opposition submitted. Your Committee recognizes that several other measures introduced this session specifically seek to exclude trees, wood pellets, and other wood products made for burning from certain biomass sources considered to generate or produce renewable energy, and believes that the primary purpose of this measure to reinstate a renewable fuels production tax credit merits further consideration.

Your Committee further notes that an important feature of this tax credit would prevent taxpayers from utilizing more than one tax benefit on the same expenditure in producing renewable fuels.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that prevents a taxpayer from circumventing the five-year credit period by forming a new entity to qualify for additional credits;
- (2) Adding wastewater to the list of sources from which renewable fuels may be generated or produced;
- (3) Inserting blank amounts for the:
 - (A) Calculation of the annual dollar amount of the renewable fuels production tax credit for a taxpayer producing renewable fuels;
 - (B) Cap on the tax credits that a taxpayer may claim in a taxable year; and
 - (C) Cap on the total tax credits that the Department of Business, Economic Development, and Tourism may certify and the Department of Taxation can issue in a calendar year; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2478, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2097 Energy, Economic Development, and Tourism on S.B. No. 2511

The purpose and intent of this measure is to expand the renewable energy technologies income tax credit to include firm renewable energy systems.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc.; Hawaii Clean Power Alliance; and one individual. Your Committee received testimony in opposition of this measure from Life of the Land, Climate Protectors Hawai'i, 350Hawaii.org, and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawaii State Energy Office, Tax Foundation of Hawaii, and one individual.

Your Committee finds that increased energy efficiency and use of renewable energy resources would increase Hawaii's energy self-sufficiency, energy security, and resistance to increases in oil prices, while achieving broad societal benefits, including environmental sustainability, economic development, and job creation. Your Committee recognizes that the Legislature has provided incentives for intermittent sources of renewable energy, such as solar and wind. According to testimony received by your Committee, firm generation is imperative to operate the electric system and ensure grid reliability and resilience.

Accordingly, your Committee has amended this measure by:

- (1) Specifying:
 - (A) That \$750,000 is the cap amount of the tax credit for each firm renewable energy system;
 - (B) That firm renewable energy systems run on alternating current, instead of direct current;
 - (C) That a firm renewable energy system is a type of renewable energy technology system; and
 - (D) The definition of a firm renewable energy system;
- (2) Preventing a taxpayer from claiming additional tax credits on the costs used to claim the tax credit established in this measure;
- (3) Amending the applicability of the measure to taxable years after December 31, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2511, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2098 Judiciary on S.B. No. 832

The purpose and intent of this measure is to expand the victim-counselor privilege to include confidential advocates employed by the University of Hawai'i.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i State Commission on the Status of Women, Hawai'i State Coalition Against Domestic Violence, Sex Abuse Treatment Center, and nine individuals.

Your Committee finds that pursuant to Act 208, Session Laws of Hawaii 2016, the Legislature requires the University of Hawai'i to designate confidential advocates at each campus to provide confidential advocacy support to victims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. However, the law does not provide a mechanism to guarantee confidentiality to students and employees seeking services of campus-based advocates. Your Committee believes that absent additional legal protections, victims may be less likely to share information in fear that information may be later subpoenaed for court proceedings against their wishes. This measure expands the victim-counselor privilege by establishing additional legal protections to information that victims share with the University of Hawai'i's confidential advocates to allow victims to share more information in confidence and thereby receive better support from the University of Hawai'i.

Your Committee has amended this measure by:

- (1) Clarifying that the victim has a semiabsolute privilege to refuse or prevent disclosure under the victim counselor privilege;
- (2) Inserting a severability clause;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 832 and recommends that it pass Second Reading in the form attached hereto as S.B. No. 832, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2099 (Majority) Judiciary on S.B. No. 622

The purpose and intent of this measure is to require a court to sentence a person convicted of violating an injunction or restraining order or order of protection during the term of a stay-at-home order imposed by the State or a county in which the violation occurred to a mandatory minimum jail sentence of not less than thirty days and fined not less than \$5,000.

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 received comments on this measure from the Department of the Attorney General.

Your Committee finds that the coronavirus disease 2019 pandemic caused police, courts, and jails to reprioritize their use of personnel and resources. This can be emotionally and physically devastating for individuals with injunctions or temporary restraining orders who are harassed while a "stay-at-home" order is in place. In some cases, these individuals can become a hostage to their harasser with no real-time recourse. This situation essentially equates to an aggravated circumstance that warrants heightened penalties for violations. This measure creates a mandatory penalty to deter harassers from violating stay-at-home orders and to protect their victims.

Your Committee has amended this measure by:

- (1) Specifying that a violation of a temporary restraining order during a stay-at-home order carries a mandatory fine of no less than \$500 and no more than \$3,000;
- (2) Clarifying that a violation of an order for protection, or injunction or restraining order during a stay-at-home order carries a mandatory fine of no less than \$500 and no more than \$3,000;
- (3) Inserting an effective date of July 30, 2025, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 622, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 622, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Fevella). Noes, 1 (Acasio). Excused, none.

SCRep. 2100 Judiciary on S.B. No. 777

The purpose and intent of this measure is to establish the offense of criminal destruction of a tree on state or county property, punishable as a misdemeanor.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Honolulu City Council, and Trees for Honolulu's Future. Your Committee received comments on this measure from the Department of the Attorney General and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that trees are integral tools in tackling the climate crisis. In addition to carbon sequestration, trees reduce ambient temperatures and storm water runoff, calm traffic, and provide human health, psychological, and quality of life benefits. Establishing criminal penalties to apply to destruction of trees would strengthen enforcement capabilities and allow for greater protection, preservation, and enhancement of natural resources, while providing an opportunity for education about the benefits of trees, which may result in impacts beyond issuing penalties.

Your Committee has amended this measure by:

- (1) Applying the intentional or knowing state of mind requirement to the offense of criminal destruction of a tree;
- (2) Specifying that if an arborist is needed to determine the value of the tree, the arborist be certified;
- (3) Requiring that a certified arborist determine the value of the tree only if the value of the tree is being contested;
- (4) Allowing the court to impose any combination of the stipulated penalties, including paying the State or county an amount equal to the replacement value of the tree, paying the State or county an amount equal to the cost to replace to tree, or performing community service;
- (5) Clarifying that any criminal action against a person for the offense of criminal destruction of a tree shall not preclude the State from pursuing civil legal action to recover administrative fines, fees, and costs;
- (6) Excluding State and county employees acting in the scope of employment from liability;
- (7) Inserting an effective date of July 30, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 777, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 777, S.D. 2.

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

SCRep. 2101 Commerce and Consumer Protection on S.B. No. 2863

The purpose and intent of this measure is to exempt the sale of feminine hygiene products from the general excise tax.

Your Committee received testimony in support of this measure from the Hawai'i State Council on Developmental Disabilities, Hawaii Food Industry Association, Health Committee of the Democratic Party of Hawai'i, Stonewall Caucus of the Democratic Party of Hawai'i, Pono Hawai'i Initiative, Ma'i Movement Hawai'i, Alliance for Period Supplies, and eleven individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that feminine hygiene products are a necessary living expense for menstruating people. The general excise tax is typically applied to all goods and services, making it a highly regressive tax system that disproportionately impacts lower income Hawaii consumers. Research has shown that twenty-five percent of women and students have struggled to purchase enough menstrual products. This lack of a basic necessity can force women to stay home from work or school, thereby reducing wages and socio-economic productivity, and can force families to have to choose between purchasing the products they need or purchasing food, putting their health in jeopardy. There are several other products and services that are allowed a general excise tax exemption because of their healthful properties. Because people need menstrual products to stay healthy and avoid risk of infection, removing the burden of the general excise tax on these items will help prevent additional unnecessary medical costs. This measure will further align Hawaii with twenty-three other states that do not charge sales tax on period products.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2863, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2102 Commerce and Consumer Protection on S.B. No. 2423

The purpose and intent of this measure is to update chapter 329, Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system.

Your Committee received testimony in support of this measure from the Department of Public Safety and Department of Health.

Your Committee finds that, under existing law, certain providers' abilities to access information stored in the electronic prescription accountability system, or more commonly known as the prescription drug monitoring program (program), is authorized only in certain situations. This measure supports the goals of the Hawaii Opioid Initiative by allowing pharmacists to access the program to check for information before dispensing a controlled opioid. This measure will further provide additional checks and balances for Med-Quest and Department of Veterans Affairs staff to ensure appropriate billing for services, prescriptions, and treatment access, and to facilitate compliance with federal law and efforts by the Department of Public Safety to combat the nationwide opioid crisis.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2423 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, none.

SCRep. 2103 Commerce and Consumer Protection on S.B. No. 2438

The purpose and intent of this measure is to:

- (1) Require that a disclaimer be provided by sellers or providers of emotional support animals, or certificates, identifications, tags, vests, leashes, and harnesses for emotional support animals, that the animal is not a service animal; and
- (2) Establish penalties for violations.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Human Services and Hawaiian Humane Society.

Your Committee finds that service animals are entitled to certain protections under state law and that emotional support animals are not included in the definition of service animals. Frequent misrepresentations that a pet or emotional support animal is a service animal can lead to some businesses becoming skeptical that a service animal is, in fact, a legitimate service animal, which can lead to complications for persons with disabilities that rely on their service animals. This measure will help ensure people are more properly educated with regard to the status of emotional support animals and curb misrepresentations.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2438, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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

SCRep. 2104 Commerce and Consumer Protection on S.B. No. 2011

The purpose and intent of this measure is to require sellers of residential buildings or structures to equip the buildings or structures with approved smoke alarms in accordance with current state or county building or residential codes.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Department of Fire & Public Safety, and Honolulu Fire Department.

Your Committee finds that existing building codes require new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. Smoke alarms are a simple, low cost, and proven solution that can help save lives in residential structures should a fire occur. Extending the requirement to require sellers of existing residential buildings and structures to install smoke alarms can play a vital role in reducing fire deaths and injuries.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2011 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, none.

SCRep. 2105 Commerce and Consumer Protection on S.B. No. 2125

The purpose and intent of this measure is to increase the maximum allowable fine for violation of liquor control laws by a licensee from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from the County of Hawai'i Department of Liquor Control, County of Kaua'i Department of Liquor Control, Free Access Coalition, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and ABC Stores. Your Committee received comments on this measure from the City and County of Honolulu Liquor Commission.

Your Committee finds that existing fine amounts for violations of liquor control laws have been in effect since 1987. As the liquor industry has continued to evolve, certain licensees can reach the existing \$2,000 maximum fine rather quickly, leaving suspension or revocation of the license as the only remaining option. This measure provides a balanced approach by increasing the maximum penalties to provide additional fining power and allow a greater fine range to grant more leeway before a liquor adjudication board or liquor commission is required to impose the severe penalties of license suspension or revocation.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2125 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, none.

SCRep. 2106 Judiciary on S.B. No. 2392

The purpose and intent of this measure is to appropriate funds for the Judiciary to purchase civil legal services for low and moderate income persons.

Your Committee received testimony in support of this measure from the Judiciary, Department of Labor and Industrial Relations, Department of Human Services, Volunteer Legal Services Hawai'i, Legal Aid Society of Hawai'i, Hawaii Justice Foundation, Filipina Advocacy Network, The Legal Clinic, Hawai'i Access to Justice Commission, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that legal services are often prohibitively expensive for low and moderate income persons. Your Committee further finds that a number of non-profit and volunteer organizations exist to provide quality legal services to persons who require services but lack the resources to pay for them. Your Committee additionally finds that, although these organizations generally function on a volunteer basis, they still require funding for operating costs and other expenses. This measure will support these organizations by providing legal services to those in need.

Your Committee has amended this measure by:

- (1) Removing language that refers to specific nonprofit and volunteer organizations in section 1; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2392, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2392, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2107 Judiciary on S.B. No. 2178

The purpose and intent of this measure is to propose a constitutional amendment to allow individuals who are seventeen years of age but will be eighteen years of age on or before the next state or local general election to vote at the state or local primary election immediately preceding the state or local general election by which the citizen will attain the age of eighteen, and at any co-occurring or intervening special election.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, Green Party of Hawai'i, and six individuals. Your Committee received comments on this measure from Vote16HI and one individual.

Your Committee finds that the age qualification to vote in any federal, state, or local election is eighteen years of age. However, for those individuals whose eighteenth birthday falls between a primary and general election, the current age restriction effectively prevents them from participating in state and local primary elections. Your Committee further finds that the earlier a person begins civic participation, such as voting, the more likely that person is to remain a lifelong active citizen and participant in democracy. This measure will allow young people to vote and continue to vote their entire lives, leading to a strong and vibrant democracy.

As affirmed by the record of votes of 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. 2178 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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

SCRep. 2108 Judiciary on S.B. No. 2377

The purpose and intent of this measure is to establish a penalty for failure to respond to an inquiry or request during a state tax examination.

Your Committee received testimony in support of this measure from the Department of Taxation.

Your Committee finds that, currently, the Department of Taxation's only remedy against a person for failure to respond or reply to the Department of Taxation's correspondence or inquiry within a timely manner during an official inspection or examination of records is a criminal penalty that is, at times, inappropriately harsh. The Department of Taxation needs tools and resources to help promote taxpayer compliance and efficient tax administration. This measure will provide for a civil penalty rather than only a criminal penalty, which would provide the Department of Taxation with options in penalizing taxpayers for noncompliance.

As affirmed by the record of votes of 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. 2377 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Acasio).

SCRep. 2109 Judiciary on S.B. No. 2162

The purpose and intent of this measure is to establish ranked choice voting for special federal elections and special elections of vacant county council seats.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, Green Party of Hawai'i, Pono Hawai'i Initiative, Americans for Democratic Action Hawai'i, FairVote Action, and eleven individuals.

Your Committee finds that numerous candidates often run in special elections for federal or county council offices, which often results in the election of a candidate by a mere plurality of votes. Your Committee recognizes that conducting these elections by ranked choice voting would result in the election of candidates who receive a clear majority of votes, thus eliminating the need for costly and inefficient runoff elections.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2162 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Acasio).

SCRep. 2110 Judiciary on S.B. No. 2663

The purpose and intent of this measure is to change the filing fee schedule for paternity actions by establishing an initial filing fee of \$100 and eliminating fees to file motions.

Your Committee received testimony in support of this measure from the Health Committee of the Democratic Party of Hawai'i and Domestic Violence Action Center.

Your Committee finds that the different filing fee schedules for divorce and paternity actions creates a burdensome and confusing situation for low-income litigants. Although the waiver of initial filing fees for termination of parental right actions, including paternity actions, was intended to reduce the burden on unmarried litigants who may have less ability to pay the initial filing fee, the fees to file subsequent motions still create significant ongoing expense in paternity cases. Eliminating fees to file motions and increasing the initial filing fee in paternity cases to match that of divorce cases will create uniformity in filing fees between divorce and paternity actions, making the courtroom process financially predictable for the litigants, which is particularly important for low-income litigants.

As affirmed by the record of votes of 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. 2663 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2111 Education on S.B. No. 2184

The purpose and intent of this measure is to:

- (1) Establish a digital learning center within the Department of Education; and
- (2) Appropriate funds for the staffing and administration of the center.

Your Committee received testimony in support of this measure from the Department of Education, National Federation of the Blind Hawaii, Hawaii Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that digital learning will continue to be a critical component of education in the twenty-first century. Your Committee further finds that digital learning has the potential to promote the equitable delivery of high-quality educational offerings to students statewide. Your Committee additionally finds that the Department of Education needs a comprehensive and dedicated operation to manage the quality and delivery of digital learning services.

Accordingly, this measure is necessary to promote the equitable delivery of high-quality digital learning tools and services to students statewide.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2184 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2112 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2452

The purpose and intent of this measure is to require the Auditor to conduct a management audit of the Corrections Division of the Department of Public Safety.

Your Committee received comments on this measure from the Office of the Auditor and Department of Public Safety.

Your Committee finds that correctional facilities throughout the State face issues of overcrowding and understaffing, creating threats to the safety and well-being of the corrections officers working in these correctional facilities. Despite this, the most recent studies and reviews of the security staffing needs of each correctional facility were in 1992 and 1996, pursuant to Act 300, Session Laws of Hawaii 1992, and Act 287, Session Laws of Hawaii 1996, respectively. Further, while the Office of the Auditor collected data on correctional facility staffing in 2015 for the purposes of an audit, the office did not complete the audit due to a change in office leadership. This

measure will promote the safety and well-being of the corrections officers working in correctional facilities by requiring the Auditor to conduct a management audit of the Corrections Division of the Department of Public Safety.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2452 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Riviere). Noes, none. Excused, 1 (Baker).

SCRep. 2113 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3211

The purpose and intent of this measure is to appropriate funds to the County of Hawaii for the plans, design, and construction of a police substation to serve the Hawaii Ocean View Estates community.

Your Committee received testimony in support of this measure from Aloha Animal Advocates, Ocean View Community Association, and ten individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaiian Ocean View Estates, Hawaii, is one of the fastest-growing subdivisions in the United States. The steep growth in population has corresponded with a rise in crime, with many residents reporting concerns of illegal dumping, abandoned vehicles, property crime, and feral dog attacks. The Hawaii Police Department currently operates out of a police office in the Hawaiian Ocean View Estates subdivision. However, the Hawaii Police Department cannot process or book arrestees at the existing office, and the closest Hawaii Police Department substation capable of booking and processing is located over fourteen miles away in Naalehu. After an arrestee is detained and booked, they are then transported to the Hilo or Kona police stations for holding. The sheer distance between Hawaii Police Department facilities on Hawaii island has resulted in lengthy response times for Hawaii Police Department service in Hawaiian Ocean View Estates. Your Committee believes that the Hawaii Police Department's presence in Hawaiian Ocean View Estates must be expanded to appropriately respond to reports of crime in the area. This measure will assist the State in reducing crime and protecting the residents of Hawaiian Ocean View Estates by appropriating funds to the County of Hawaii for the plans, design, and construction of a police substation to serve the Hawaiian Ocean View Estates community.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3211 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 2114 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2616

The purpose and intent of this measure is to require government entities to seek reimbursement for the expenses arising from the search rescue of persons who ignore posted warnings, intentionally leave a hiking trail, enter a prohibited area, or hike on a trail that is closed to the public.

Your Committee received testimony in support of this measure from 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 Department of Land and Natural Resources, State Fire Council, Honolulu Fire Department, and Maui Fire Department.

Your Committee finds that the ongoing coronavirus 2019 pandemic has led to a surge of experienced and inexperienced hikers venturing into the outdoors. Occasionally, hikers ignore posted warning signs, intentionally leave a hiking trail, or enter property that is closed to the public. This behavior has vastly proliferated due to social media that now promotes activities and features that are subject to closure or warning signage. When one of these hikers needs to be rescued, it is the State that bears the burden of paying for the costs associated with the search or rescue. Your Committee believes that shifting the cost to hikers who ignore posted warning signs, intentionally leave a hiking trail, or enter property that is closed to the public may act as a deterrent and reduce violations, improve public safety, and mitigate the need for costly and dangerous rescue.

Your Committee has amended this measure by:

- (1) Clarifying that the reimbursable cost applies when a person:
 - (A) Ignores reasonably posted warnings and closures;
 - (B) Leaves a managed and authorized hiking trail and park boundary or enters a closed area or trail on state, county, or private property that is closed to the public and reasonable notice of the closure is posted; or
 - (C) Enters a hiking trail or park that is closed to the public and reasonable notice of the closure is posted; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2616, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2616, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Baker).

SCRep. 2115 (Majority) Hawaiian Affairs on S.B. No. 2607

The purpose and intent of this measure is to authorize the Department of Hawaiian Home Lands to retain independent counsel as needed, whose legal fees are to be paid for by the State.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and two individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General.

Your Committee finds that when the need arises, the Department of Hawaiian Home Lands should be able to employ or retain an attorney for the purposes of representing the State in litigation, rendering legal counsel to the department, or drafting legal documents. This measure will allow the Department of Hawaiian Home Lands to do so, and provides that all legal fees owed to independent counsel are to be paid by the State.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2607 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Fevella). Excused, 1 (Ihara).

SCRep. 2116 (Joint) Hawaiian Affairs and Energy, Economic Development, and Tourism on S.B. No. 3195

The purpose and intent of this measure is to appropriate monies to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Department of Hawaiian Home Lands, and six individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that geothermal resources may be used for the generation, transmission, or production of electricity and renewable energy resources, including hydrogen. Therefore, this measure appropriates funds to begin investigation, exploration, and identification of geothermal resources.

Your Committees have amended this measure by changing the appropriation amount from \$500,000 to an unspecified amount.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3195, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3195, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 3; Ayes with Reservations (Acasio). Noes, none. Excused, 2 (Ihara, Keohokalole).
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 2117 (Majority) Hawaiian Affairs on S.B. No. 2605

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to retain independent legal counsel as needed, whose legal fees are to be paid for by the State.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and three individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General.

Your Committee finds that when the need arises, the Department of Hawaiian Home Lands should be able to employ or retain an attorney for the purposes of representing the State in litigation, rendering legal counsel to the department, or drafting legal documents. This measure will allow the Department of Hawaiian Home Lands to do so, and provides that all legal fees owed to independent counsel are to be paid by the State.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2605 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Fevella). Excused, 1 (Ihara).

SCRep. 2118 Hawaiian Affairs on S.B. No. 3101

The purpose and intent of this measure is to exempt any homestead development for the Department of Hawaiian Home Lands from general excise taxes.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Department of Taxation; Dowling Company, Inc.; and one individual. 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 Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that lands used by the Department of Hawaiian Home Lands to provide homesteads for native Hawaiians need to be offered at affordable rates when compared to similar developments in Hawaii. Therefore, this measure exempts any homestead development for the Department of Hawaiian Home Lands from general excise taxes.

Your Committee has amended this measure by:

- (1) Clarifying that the exempt homestead developments for native Hawaiians must be on Hawaiian home lands;
- (2) Adding a commensurate use tax exemption in section 238-3, Hawaii Revised Statutes;
- (3) Requiring the Department of Hawaiian Home Lands and the Department of Taxation to adopt administrative rules to implement the tax exemption; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3101, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Ihara).

SCRep. 2119 Human Services on S.B. No. 2857

The purpose and intent of this measure is to establish within the Department of Human Services, a five-year Child Wellness Incentive Pilot Program that pays \$50 to a State Medicaid benefit recipient who is a parent to a child, each time the child completes a well-child examination.

Your Committee received testimony in support of this measure from the Department of Human Services; Hawaii Medical Service Association; Hawaii Association of Health Plans; and American Academy of Pediatrics, Hawaii Chapter. 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 and Hawaii Family Advocacy Team.

Your Committee finds that well-child examinations, also known as well-child visits, well-care visits, and well-care checkups, allow for comprehensive assessment of a child and the opportunity for further evaluation if abnormalities are detected. High-quality well-child visits can improve children's health, support caregivers' behaviors to promote their children's health, and prevent injury and harm. Your Committee also finds that when children receive the recommended number of high-quality visits, they are more likely to be up-to-date on immunizations, have developmental concerns recognized early, and are less likely to visit the emergency department. The five-year child wellness incentive pilot program established by this measure will incentivize Medicaid benefit recipients to complete their children's well-child examinations to ensure the health of children in Hawaii.

Your Committee notes the testimony of the Hawaii Medical Service Association, requesting that the rules adopted by the Department of Human Services to implement this measure provide that the Child Wellness Incentive Pilot Program covers children enrolled in the Children's Health Insurance Program and for a "well-child examination" to be deemed complete, the program must receive an Early and Periodic Screening, Diagnostic, and Treatment documentation completed by the examination provider.

Your Committee has reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$4,516,000;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2857, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2857, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2120 Water and Land on S.B. No. 1411

The purpose and intent of this measure is to:

- (1) Define "pre-contact historic property";
- (2) Clarify the Historic Preservation Program to include consultation to counties and public and private agencies involved in historic preservation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board to include two experts of traditional Hawaiian culture and tradition;
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements; and
- (5) Hold violators liable for costs associated with mitigation or restoration measures.

Your Committee received testimony in support of this measure from Hawaii State Aha Moku, Kūpuna Caucus of the Democratic Party of Hawai'i, and four individuals. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that issues ensuring the continued existence of Native Hawaiian traditional and cultural practices is a challenge amidst an influx of construction, development, and modernization. Pre-contact historic properties hold significant historical, cultural, and traditional value that cannot be replicated in a museum. Despite the value of historic properties, some pre-contact historic properties such as heiau, unu, ahu, koa fishing shrines, loko ia fishponds, and other properties are defaced, desecrated, vandalized, or stolen from by persons who act intentionally and willfully, and others who act inadvertently and unknowingly. To ensure the preservation and protection of Native Hawaiian culture and traditions, this measure clarifies responsibilities of the Historic Preservation Program, amends the composition and responsibilities of the Hawaii Historic Places Review Board, and increases civil and administrative fines that adversely impact historic preservation and restoration.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1411, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1411, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2121 Water and Land on S.B. No. 2106

The purpose and intent of this measure is to amend the requirements for advertising of concession contracts on public property.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of Budget and Fiscal Services and City and County of Honolulu Department of Enterprise Services.

Your Committee finds that government entities often experience difficulties attracting interested and qualified bidders to provide concession services on public property. Concessions remain an important revenue generator for the counties. However, interest and the ability to attract competition has waned due to factors such as the economy and employment. A digital advertisement option may provide relief to the current difficulties attracting and securing concessionaires. To encourage greater interest and competition among bidders for concession services, this measure amends the requirements for the advertising of concession contracts on public property to include newspaper and online advertisements.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2106, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2122 Water and Land on S.B. No. 2724

The purpose and intent of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to establish a pilot program to convene a working group to develop a Waikiki adaption and resilience plan to address climate change and sea level impacts in the Waikiki Special District;
- (2) Require a report to the Legislature; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Honolulu Board of Water Supply, Waikīkī Beach Special Improvement District Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Office of Planning and Sustainable Development.

Your Committee finds that Hawaii's vulnerable coastal communities must plan for adapting to and mitigating the impacts of sea level rise, ground-water inundation, coastal erosion, and other adverse impacts of climate change. With comprehensive, feasible, and appropriate actions, and resilience policies, plans, and actions, the State can effectively safeguard critical assets susceptible to sea level rise exposure. In 2020, the State established laws to regulate Hawaii's coastal areas, such as the Coastal Zone Management Act, and Act 16, Session Laws of Hawaii 2020, to address coastal zone management policies to include protection of state beaches and reduction of residential exposure to coastal hazards.

To combat rising sea levels, coastal erosion, and coastal zone management issues arising from climate change impacts, this measure requires the Office of Planning and Sustainable Development to conduct a pilot program to create the Waikiki Adaption and Resilience Plan that addresses impacts of projected climate change and sea level rise.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount; and

- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land 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, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2123 Water and Land on S.B. No. 2766

The purpose and intent of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to perform a study to refine rural district policies;
- (2) Make recommendations to facilitate the reclassification of lands from the agricultural district to the rural district;
- (3) Require a report to the Legislature; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture and Office of Planning and Sustainable Development. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that marginal agricultural lands in the agricultural land use district are being used for rural lifestyle farms and residences with no farm activity, which increases the cost of land in the agricultural district for bona fide farming operations. The Legislature enacted Act 278, Session Laws of Hawaii 2019, which authorized the Office of Planning and Sustainable Development to conduct a study in consultation with the Department of Planning and Permitting of the City and County of Honolulu, the Real Estate Commission, and the Land Use Commission to utilize rural districts across the State. Distinguishing key differences between rural communities and subsistence farms would allow for greater use of rural districts and better protection of productive agricultural lands.

To enable better protection of productive agricultural lands, this measure requires the Office of Planning and Sustainable Development to perform a study to refine rural district policies and make recommendations to facilitate the reclassification of lands from the agricultural district to the rural district.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2766, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2124 Water and Land on S.B. No. 2767

The purpose and intent of this measure is to provide funds to the Department of Land and Natural Resources to support the deployment, replacement, and maintenance of fish aggregation devices.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that fish aggregation devices, or FADs, maintained by the Hawaii Institute of Marine Biology provide enhanced fishing opportunities for island fishers, especially by Hawaii's pelagic small boat, non-longline fishers targeting tuna species. Maintenance of the FAD program is labor-intensive as the devices are prone to breaking off and frequently need to be replaced or recovered and re-deployed. The impact of missing FAD or series of FADs to individual fishers can create devastating impacts that lead to less fish for personal or community consumption and increased operational costs to utilize distant FADs.

On average, the cost to replace a missing FAD is \$12,000. To prevent losses to fishers who rely on FADs, this measure will provide the Department of Land and Natural Resources with one-time funding to bring the state FAD program to full capacity.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2767, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2767, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2125 Water and Land on S.B. No. 2108

The purpose and intent of this measure is to:

- (1) Increase the term of a concession from fifteen to twenty-five years;
- (2) Broaden requirements to permit all types of entities to be eligible to compete for certain concessions that are exempt from sealed bid requirements; and
- (3) Provide that a county director of parks and recreation shall designate which county parks are environmentally, culturally, historically, or operationally unique for the purpose of determining whether a concession at the park is exempt from sealed bid requirements.

Your Committee received testimony in opposition to this measure from the Palekaiko Beachboys Club.

Your Committee finds that concessions on public properties are granted by sealed top-dollar bids, with limited exceptions. In some instances, concessions may be exempt from bidding requirements because a person or entity offering the most money may not be the best suited or qualified to meet the government's goals to preserve public-owned assets such as parks, or may not be suited or qualified to serve the needs of the public. In addition, requiring concessionaires to bear construction costs pose challenges as concession contracts are valid for fifteen years, making some investors unwilling to make time or improvement efforts because of the short timeframe.

To serve the public's interest in activities located on public properties, this measure exempts certain concessionaires operating on public properties from sealed-bidding requirements and extends terms of leases from fifteen to twenty-five years.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2108, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2108, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2126 Health on S.B. No. 2029

The purpose and intent of this measure is to:

- (1) Establish the Parkinson's Disease Research Collection Database (Database) to be administered by the Department of Health;
- (2) Establish within the Department of Health a full-time Parkinson's disease coordinator to implement the Database; and
- (3) Appropriate funds to establish the Parkinson's disease coordinator and for other operating expenses.

Your Committee received testimony in support of this measure from the Executive Office of Aging; Hawai'i Parkinson Association, Inc.; and The Michael J. Fox Foundation for Parkinson's Research. Your Committee received comments on this measure from the Department of Health and Office of Information Practices.

Your Committee finds that little is known about how Parkinson's disease is distributed among different population groups in the State and whether the patterns of the disease are changing over time. However, the direct and indirect costs to care for the over five thousand people living with Parkinson's disease in Hawaii is approximately \$250 million per year. Finding new treatments, and ultimately a cure would save tens of millions of dollars each year. Establishing a centralized database for incidences of Parkinson's disease in the State would help identify high-risk groups, support patient contact studies, and serve as a valuable data resource to prevent and optimally manage Parkinson's disease; help researchers study patterns incidence and prevalence of Parkinson's over time; and improve the State's understanding of the link between Parkinson's disease and external factors such as pesticide use and military service. This measure establishes the Parkinson's Disease Research Collection Database.

Your Committee heard the testimony of the Office of Information Practices, which noted that the provision relating to information confidentiality in the measure as currently written is ambiguous and offered clarifying language. Your Committee also acknowledges the testimony of the Department of Health, which noted that it has no program or staff focused on Parkinson's disease and would require an appropriation and new positions to implement the systems, governance, and planning required to manage the Database.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the confidentiality requirement applies to individually identifiable information rather than to aggregated statistical information;
- (2) Establishing a full-time Parkinson's disease coordinator within the Department of Health to implement the Database;
- (3) Adding an appropriation of \$165,000 to establish one full-time equivalent (1.0 FTE) permanent civil service Parkinson's disease coordinator and for other operating expenses;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2029, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2127 Health on S.B. No. 2030

The purpose and intent of this measure is to:

- (1) Require a prescriber to offer a prescription of opioid antagonists or other medications under certain circumstances related to opioid overdose;
- (2) Require a prescriber to offer patient education under certain circumstances related to opioid overdose;
- (3) Require a pharmacist who dispenses a prescription order for an opioid to notify the individual of the potential dangers of a high dose of an opioid and to offer to dispense to the individual an opioid antagonist; provided that the individual is prescribed specific opioids at specified doses;
- (4) Exempt pharmacists dispensing to patients in hospice or palliative care and residents of veterans community living centers; and
- (5) Require a pharmacist to notify an individual receiving an opioid antagonist of the availability of generic and brand-name opiate antagonists.

Your Committee received testimony in support of this measure from the Department of Health, Department of Public Safety, and one individual. Your Committee received comments on this measure from the Board of Pharmacy, Kaiser Permanente Hawaii, and Animal Policy Group.

Your Committee finds that there is an opioid abuse crisis nationally, including Hawaii. The United States Food and Drug Administration encourages broader dissemination of opioid antagonists to combat this crisis. This measure furthers that goal by requiring prescribers and pharmacists to educate patients about opioid overdose and opioid antagonists, and to offer prescription of opioid antagonists in circumstances relating to opioid overdose.

Your Committee acknowledges the testimony of Kaiser Permanente Hawaii, which notes that primary care has increasingly become a pathway to better care for fighting opioid overdose and requests an exemption for pharmacists from the requirements of the measure when dispensing medication to a patient in an inpatient or outpatient setting. Your Committee also acknowledges the testimony of the Animal Policy Group which raises concerns that while the measure targets opioid use in humans, the measure as written, also includes veterinarians and prescriptions for animals.

Therefore, your Committee has amended this measure by:

- (1) Exempting from the requirements of the measure, pharmacists who dispense a prescription drug to be administered to a patient while the patient is in either an inpatient or outpatient setting;
- (2) Exempting from the requirements of the measure, veterinarians or prescriptions for animals;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2030, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2030, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2128 Health on S.B. No. 2033

The purpose and intent 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 (System).

Your Committee received testimony in support of this measure from the Department of Health and Department of Public Safety. Your Committee received comments on this measure from Kaiser Permanente Hawaii.

Your Committee finds that Act 255, Session Laws of Hawaii 2019, authorized pharmacists to issue prescriptions for opioid-antagonists, thereby increasing access to lifesaving drugs. Although pharmacists are required to report the dispensation of certain controlled substances to the System, they are not required to report opioid antagonist prescriptions. This measure requires pharmacists to report prescriptions for opioid antagonists to the System, providing the Department of Health with valuable data to help prevent opioid overdose.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2033, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2033, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2129 Health on S.B. No. 2442

The purpose and intent of this measure is to streamline the records review process for physician assistants by including review of physician assistants' prescriptions for controlled substances.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii, Hawai'i Academy of Physician Assistants, Hawaii Medical Board, and twelve individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State faces a critical physician shortage, with Maui and Hawaii counties having the most severe shortages. The physician shortage has resulted in an increase in physician assistant practice throughout the State. However, Hawaii has some of the most restrictive physician assistant practice in the country. Under existing law, a supervising physician must review all medical records of a physician assistant that contain written orders or prescriptions for controlled substances. Your Committee finds that this is an overly burdensome administrative requirement that can be alleviated without compromising patient care. This measure streamlines the records review process for physician assistants by including review of physician assistants' prescriptions for controlled substances.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2442, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2442, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2130 Health on S.B. No. 2445

The purpose and intent of this measure is to expand the authorized scope of practice for physician assistants.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii Medical Board, Kaiser Permanente Hawaii, The Queen's Health Systems, Hawai'i Academy of Physician Assistants, Occupational Therapy Association of Hawaii, and thirty individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Disability and Communication Access Board.

Your Committee finds that the State faces a critical physician shortage, which has resulted in an increase in physician assistant practice throughout the State. Despite the increase in the number of physician assistants, Hawaii has some of the most restrictive physician assistant practice laws in the country, and physician assistants are unable to perform services within their training and education due to these restrictive laws. This measure ensures greater access to health care for Hawaii residents, especially those who reside on the neighbor islands where the need is greatest, by expanding physician assistants' authorized scope of practice.

Your Committee acknowledges the testimony of the Hawai'i Academy of Physician Assistants, which noted that under existing law, physician assistants can sign orders and plans of care for both physical and speech therapies but not for occupational therapy. Authorizing physician assistants to sign occupational therapy orders ensures that patient access to occupational therapy is timely.

Therefore, your Committee has amended this measure by:

- (1) Adding a provision that authorizes physician assistants to sign occupational therapy orders and plans of care;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2445, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2131 Health on S.B. No. 3125

The purpose and intent of this measure is to make an emergency appropriation to support coronavirus disease 2019 (COVID-19) vaccination activities.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Primary Care Association, and Hawaii Medical Service Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that in support of COVID-19 vaccination efforts, the State has received funding from the United States Federal Emergency Management Agency. This funding will expire in April of 2022. While Hawaii is among the top ten states in vaccine doses administered per population, in certain rural and marginalized communities, the vaccination rate remains below sixty percent. Thus, these communities remain highly vulnerable to future COVID-19 infection surges. This measure provides emergency funding to the Department of Health to support vaccination efforts across the State.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3125, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2132 Commerce and Consumer Protection on S.B. No. 2376

The purpose and intent of this measure is to:

- (1) Repeal and eliminate the deferred payment purchase option for cigarette tax stamps; and
- (2) Require licensees to pay for stamps at the time of purchase using cash, certified check, or bank transfer.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that, according to testimony from the Department of Taxation, the deferred payment purchase of cigarette stamps is no longer necessary. Having the taxpayer pay upon purchase is more efficient and this measure will eliminate unnecessary burdens to better streamline the administration of this program.

Your Committee has amended this measure by:

- (1) Deleting amendments to subsection (a) of section 245-26, Hawaii Revised Statutes, to reinstate existing statutory language that allows the Department of Taxation to modify by rule the stamp fee to reflect actual costs incurred by the State in providing the stamps; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2376, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2376, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2133 Commerce and Consumer Protection on S.B. No. 3075

The purpose and intent of this measure is to:

- (1) Clarify that the Compliance Resolution Fund is to receive \$2,000,000 of the revenues collected under chapter 241, Hawaii Revised Statutes, provided that, if the revenues collected are under \$2,000,000, the difference shall be funded from revenues collected under chapter 235, Hawaii Revised Statutes, not to exceed \$2,000,000; and
- (2) Require that the excess revenues collected under chapter 241 shall be deposited into the general fund.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Taxation, Hawaii Financial Services Association, and Hawaii Bankers Association. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that existing law requires the Department of Commerce and Consumer Affairs to receive \$2,000,000 annually from taxes collected under chapter 241, Hawaii Revised Statutes. The Department of Commerce and Consumer Affairs has dedicated those funds for the use of the Division of Financial Institutions to support its purpose of effectively licensing, supervising, and regulating the financial institutions within its jurisdiction. With the recent establishment of several tax credits, revenues collected can vary significantly, sometimes resulting in a negative balance and the Department of Commerce and Consumer Affairs was not initially provided with its share of the franchise tax as established by law. This measure will ensure the certainty and timeliness of funding so that the Division of Financial Institutions may continue to carry out its purpose and functions of licensure, supervision, and examination and provide necessary consumer protections.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3075, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3075, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2134 Commerce and Consumer Protection on S.B. No. 2644

The purpose and intent of this measure is to make permanent:

- (1) Act 65, Session Laws of Hawaii 2013, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility; and
- (2) The requirement for the Board of Electricians and Plumbers to submit annual reports to the Legislature relating to high voltage work.

Your Committee received testimony in support of this measure from Hawaiian Electric Company. Your Committee received testimony in opposition to this measure from the Contractors License Board; Board of Electricians and Plumbers; Electrical Contractor's Association of Hawai'i, NECA Hawai'i Chapter; and International Brotherhood of Electrical Workers Local Union 1186.

Your Committee finds that high voltage electrical work requires very specialized skills, tools, equipment, and training, and is different from more common low-voltage electrical work. There is a limited number of qualified individuals in the State who are trained and licensed as electricians to perform high voltage work, and even fewer who are qualified to perform overhead line work. Many qualified high voltage electrical workers do not live in Hawaii, but come only when work is available, and requiring them to obtain a separate license to work in Hawaii can be burdensome and delay the progression of important and complex construction projects, including repairs and maintenance in emergency situations. This measure would make this licensing exemption permanent.

Your Committee has heard the concerns raised in testimony that this measure, as currently drafted, is overly broad and requires a clarification as to the type of high voltage electrical work that is to be included in the licensing exemption. Accordingly, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Adding a requirement to section 448E-13, Hawaii Revised Statutes, to clarify that employees of a duly licensed electrical contractor are exempt from licensure requirements, provided that the public utility shall certify to the Director of Labor and Industrial Relations and to the Board of Electricians and Plumbers that, after a hiring call, no electrician sufficiently qualified and licensed in the State to perform the high voltage electrical work applied to timely perform or complete the necessary job or task before the public utility recruited outside the State;
- (2) Clarifying that "high voltage" means six hundred volts or higher;
- (3) Codifying the Board of Electricians and Plumbers' reporting requirements of Act 60, Session Laws of Hawaii 2018, into section 448E-13, Hawaii Revised Statutes;
- (4) Inserting an effective date of July 1, 2030, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2644, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2644, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2135 (Joint) Hawaiian Affairs and Government Operations on S.B. No. 2567

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to digitize its applicant, beneficiary, and lessee records by creating an interactive digital database software program to be completed and available for use no later than July 1, 2023.

Your Committees received testimony in support of this measure from three individuals. Your Committees received comments on this measure from the Department of Hawaiian Home Lands and one individual.

Your Committees find that while basic Department of Hawaiian Home Lands applicant waiting lists are available to download, the details including whether the person has applied for multiple leases, been denied a prior lease, or been skipped over are not readily accessible. Because obtaining this information can take weeks, this lack of organization has led to some lessees abusing the program by selling or transferring their leases and reapplying for a subsequent lease. This measure will require the Department of Hawaiian Home Lands to compile all relevant lease information into a database to increase efficiency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2567 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Chang, Dela Cruz).

SCRep. 2136 Education on S.B. No. 2893

The purpose and intent of this measure is to establish a one-year school supply subsidy pilot program to explore methods for relieving the financial burdens of education on low-income families.

Your Committee received testimony in support of this measure from the Department of Education and Na'alehu Elementary School. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Title I, Part A, of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (Title I), provides federal financial assistance to local educational agencies and schools with high percentages of children from low-income families to help ensure educational success.

Your Committee further finds that a pilot program to subsidize school supplies for schools composed entirely of students eligible for participation in Title I, such as Naalehu Elementary School, would be useful to identify methods for relieving the financial burden of education on low-income families.

Accordingly, this measure establishes a one-year pilot program in certain Department of Education schools to explore methods for relieving the financial burdens of education on low-income families.

Your Committee has amended this measure by:

- (1) Amending the pilot program to extend to all schools composed entirely of students eligible for participation in Title I, including Naalehu Elementary School;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2893, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2893, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2137 Education on S.B. No. 2826

The purpose and intent of this measure is to establish a career development success program to provide financial incentives for participating public high schools to encourage students enrolled in grades nine through twelve to enroll in and successfully complete qualified industry-credential programs.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter Schools Commission, HawaiiKidsCAN, Hawaii Chamber of Commerce, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that the majority of jobs today require some form of post-secondary credentials. Your Committee further finds that industry-recognized credentials are important because they teach the specific knowledge and skills that are required for an occupation or industry. Full-time employees with industry credentials earn more than their uncredentialed counterparts, and, in some cases, the salaries of credential holders who do not hold college degrees are similar to the salaries of college graduates. To this end, the Promising Credentials project, a collaborative effort aimed at using Hawaii labor market data and local employer insights to identify high-value industry credentials in the State, has identified one hundred thirty-seven credentials that are associated with two hundred seventy-four in-demand, living-wage occupations throughout the State.

Accordingly, this measure will promote and encourage the attainment of qualified industry-credential programs and help Hawaii's students transition into, and succeed within, the workforce.

Your Committee has amended this measure by defining certain terms.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2826, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2826, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2138 Education on S.B. No. 3094

The purpose and intent of this measure is to:

- (1) Provide an emergency appropriation for a Department of Education virtual school; and
- (2) Authorize the Director of Finance to issue general obligation bonds for the purposes of renovations and electrical upgrades for a virtual school for the Department of Education.

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 Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic disrupted all corners of the State, including education, where teachers and students had to rapidly shift to remote learning. The COVID-19 pandemic required teachers to pivot to be able to provide curriculum, content, and enrichment through a variety of means, including online videos, assignments, tutorials, and virtual meetings. The pandemic also required the Department of Education to develop remote learning capabilities with unprecedented swiftness.

Your Committee further finds the herculean effort of educators and the Department of Education allowed for education to continue through the end of the 2020 school year and beyond, without jeopardizing the health and safety of students and staff. Your Committee finds, however, that additional support is needed to maintain and improve on the gains made with respect to remote learning.

Accordingly, this measure provides vital funding to establish and operate a virtual school within the Department of Education to ensure the continued success and refinement of the provision of remote learning services, and authorizes the issuance of general obligation bonds for necessary and related renovations and electrical upgrades.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3094, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3094, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2139 Education on S.B. No. 2862

The purpose and intent of this measure is to appropriate funds for the installation of air conditioning in certain public school classrooms.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Education Caucus of the Democratic Party of Hawai'i, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that excessively warm classroom temperatures in Hawai'i's public schools adversely affect students and educational outcomes. Studies show that classroom temperatures over eighty degrees can negatively impact student achievement. Your Committee finds that temperatures in Hawai'i's classrooms regularly exceed that eighty degree threshold and are recorded at over one hundred degrees during certain periods of the school year.

Your Committee further finds that the Legislature previously appropriated \$100,000,000 for heat abatement upgrades to public schools. Your Committee further finds, however, that additional funds are required for the installation of air conditioning in approximately five thousand Hawaii public school classrooms that have not yet received air conditioning units or other heat abatement measures.

Accordingly, this measure will improve student well-being and educational outcomes by appropriating funds to the Department of Education for the installation of air conditioning in Hawaii public school classrooms that have not received air conditioning units or other heat abatement measures.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2862, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2862, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2140 Education on S.B. No. 2818

The purpose and intent of this measure is to establish and fund a Summer Learning Coordinator position within the Department of Education.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Afterschool Alliance, Hui for Excellence, Children's Action Network Speaks!, Hawai'i Association of School Psychologists, Science Camps of America, Puakalehua Early Learning Consortium, CARE Arts and Recreation Education Services, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that summer learning programs have a proven record of providing the support that students need. These programs enrich the academic experience and provide opportunities for social-emotional support. Summer learning programs also provide healthy meals, active play, and hands-on vocational experiences. Importantly, your Committee finds that struggling students and children from low-income households often experience the greatest gains from summer learning programs.

Accordingly, this measure establishes and funds a Summer Learning Coordinator position within the Department of Education to coordinate all school-based summer programs for children, including but not limited to the public summer school, e-school summer program, Credit Recovery summer program, alternative learning summer programs, and other school-based summer programs. Additionally, the Summer Learning Coordinator is encouraged to work with the Department of Human Services to leverage federal funds for school-based summer programs for children.

Your Committee notes the testimony from the Department of Human Services, which stated that the department may not use federal Temporary Assistance for Needy Families program and state Maintenance of Effort funds for any educational activities that are components of the State's free public education system.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Summer Learning Coordinator work with the Department of Human Services to leverage federal funds for school-based summer programs for children and to address the testimony of the Department of Human Services; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2818, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2818, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2141 Education on S.B. No. 2214

The purpose and intent of this measure is to establish a digital literacy program to be overseen by the Board of Education and implemented by the State Librarian to promote digital literacy through programmatic activities that provide children and parents exposure to digital tools.

Your Committee received testimony in support of this measure from the State Librarian, Hawaii Chamber of Commerce, National Federation of the Blind of Hawaii, and one individual.

Your Committee finds that libraries are critical providers of digital literacy services to the public. Your Committee further finds that recent experiences with remote learning has highlighted the crucial role of digital literacy in classrooms and beyond. Accordingly, this measure promotes digital literacy through the establishment of a digital literacy program within the Hawaii State Public Library System.

Your Committee notes the testimony of the State Librarian requesting that this measure be amended to clarify that the program established by this measure be available to all community members. Your Committee further notes the testimony of the National Federation of the Blind of Hawaii requesting that this measure provide for the provision of services related to access technologies for individuals with disabilities. Your Committee recognizes, too, that funding is necessary for the effective administration of the program created by this measure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the program created under this measure shall be available to all members of the public;
- (2) Expanding the program created under this measure to provide services aimed to improve the knowledge, skill, and use of access technology for individuals with disabilities;
- (3) Inserting a blank appropriation to fund the program created by this measure and one full-time equivalent (1.0 FTE) position to administer the program;
- (4) Changing the effective date to July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2214, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2214, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2142 (Joint) Water and Land and Agriculture and Environment and Hawaiian Affairs on S.B. No. 2759

The purpose and intent of this measure is to exempt the instream use of water for traditional and customary kalo cultivation practices from the existing process for disposition of water rights.

Your Committees received testimony in support of this measure from the Department of Hawaiian Homelands, one member of the Hawai'i County Council, County of Kaua'i Department of Planning, County of Kaua'i Office of the Mayor, Waimea Hawaiian Civic Club, Kua'āina Ulu 'Auamo, Wai'oli Valley Taro Hui, Hawai'i Alliance for Progressive Action, Hui o Nā Wai 'Ehā, Hawai'i SEED, Haiku Community Association, Waipā Foundation, Kupuna for the Mo'opuna, Earthjustice, Council for Native Hawaiian Advancement, Hawai'i Land Trust, Hanalei Hawaiian Civic Club, and twenty-six individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that for nearly two thousand years, Native Hawaiians have been farming successfully on lands throughout the State without adversely impacting the land. As a significant cultural and traditional practice, Native Hawaiian farming practices serve as a key tradition that also benefits the quality of life for Hawaii's residents. While the State has a fiduciary duty to assure the preservation and enhancement of water for various public interests, some regulatory actions disrupt protected cultural rights and traditions of Native Hawaiians.

However, your Committees have heard the concerns of many testifiers, including Hui o Nā Wai 'Ehā, that this measure as drafted should confirm and uphold existing water rights. According to Hui o Nā Wai 'Ehā, protections of traditional, customary, and kuleana rights, including rights to access traditional water course or auwai, support kalo farmers across the State. Some kalo farmers have waited over twenty years to have priority rights recognized. However, the gap in recognition has led to delays or deprivation of water rights access. To preserve traditional Native Hawaiian cultural rights while also providing clean, safe, and protected water to the people of Hawaii, amendments to this measure are therefore necessary to provide further justice for kalo farmers to exercise traditional, customary, and kuleana water rights.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that appurtenant and traditional, customary, and kuleana water rights include the rights of use, access, delivery, and quality of water that shall be recognized and protected;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land, Agriculture and Environment, and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2759, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2759, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Nishihara).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2143 Judiciary on S.B. No. 2641

The purpose and intent of this measure is to appropriate monies for residential programs that allow minor children to remain with their mothers to reduce the risk of trauma and multigenerational incarceration, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs.

Your Committee received testimony in support of this measure from the Judiciary, Women's Prison Project, Hawaii Substance Abuse Coalition, Hawai'i Health & Harm Reduction Center, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that as of 2018, seventy-five percent of incarcerated women in Hawai'i had children. Previous surveys have shown that many women who are on parole are also mothers of minor children. Incarceration of mothers that results in separation from their children has been well documented to have devastating negative developmental and emotional impacts on children. These impacts can increase the risk of multigenerational incarceration. The separation also has a destructive and traumatic impact on mothers. This measure appropriates funds to keep mothers and their children together, which will reduce trauma for children and mothers, lower the risks of recidivism, and help break the intergenerational cycle of incarceration.

Your Committee has amended this measure by:

- (1) Amending section 1 to include additional findings; and
- (2) Inserting a \$200,000 appropriation amount.

As affirmed by the record of votes of 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. 2641, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2641, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2144 Judiciary on S.B. No. 3046

The purpose and intent of this measure is to make an emergency appropriation to the Department of the Attorney General for retention of expert witnesses and specialized legal counsel in major litigation against the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of the Attorney General anticipates incurring litigation expenses before the end of the 2021-2022 fiscal year in ongoing lawsuits where the plaintiffs are seeking substantial amounts of damages. These litigation expenses include retaining expert counsel and expert witnesses for the State's defense. Your Committee further finds that the Department of the Attorney General believes that vigorous legal representation with the judicious use of necessary expert witnesses could avoid costly judgments or minimize exposure of the State in ongoing litigation. Your Committee notes that the emergency appropriation to the Department of the Attorney General should be used in the pursuit of justice not for the mere pursuit of aggressive litigation practices. This measure will appropriate adequate funds to cover major litigation costs involving the State for fiscal year 2021-2022.

As affirmed by the record of votes of 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. 3046 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Acasio).

SCRep. 2145 Judiciary on S.B. No. 2347

The purpose and intent 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 to the extent practicable;

- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed amendment to the Hawaii State Constitution and the corresponding constitutional 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 this opinion; and
- (5) Prohibit any appeal of a written opinion.

Your Committee received comments on this measure from the Judiciary.

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 Hawaii Supreme Court to issue written opinions on the legality of a proposed constitutional ratification question upon request of the Senate President or the Speaker of the House of Representatives. This measure provides a mechanism to ensure the legality of constitutional ratification questions are addressed by the highest court in the State.

Your Committee has amended this measure by:

- (1) Specifying that the Supreme Court is afforded one week rather than forty-eight hours to provide a written response to a request for an opinion as to whether a proposed amendment to the Hawaii State Constitution and the corresponding constitutional ratification question is simple, concise, and direct to the extent practicable; and
- (2) Inserting an effective date of July 30, 2075, 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. 2347, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2347, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Keohokalole, Fevella). Noes, none. Excused, 1 (Acasio).

SCRep. 2146 Judiciary on S.B. No. 2390

The purpose and intent of this measure is to:

- (1) Increase the number of associate judges on the Intermediate Court of Appeals from five to six; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Hawaii State Bar Association's Appellate Section, and one individual.

Your Committee finds that the Intermediate Court of Appeals expects a significant increase in its caseloads as the trial courts dispose of their backlogs of civil, criminal, and family cases. This backlog is significantly acute in civil cases requesting jury trials or involving out-of-state witnesses or extensive exhibits for evidentiary purposes; criminal cases with constitutional considerations; and certain family cases involving imminent danger. Many of these matters are high priority cases. Your Committee further finds that adding another Intermediate Court of Appeals associate judge would enable the Judiciary to resolve more appeals expeditiously and address the foreseeable backlog of cases from the trial courts.

Your Committee has amended this measure by:

- (1) Making an appropriation of \$86,688 for the establishment of one permanent full time equivalent judicial assistance position;
- (2) Making an appropriation of \$134,400 for the establishment of two permanent full time equivalent law clerk positions;
- (3) Making an appropriation of \$42,450 for equipment, books, and furniture for the new associate judge's chambers;
- (4) Inserting an effective date of July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2390, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2390, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2147 Judiciary on S.B. No. 2740

The purpose and intent of this measure is to:

- (1) Allow the Judiciary to compensate guardians ad litem for involuntary hospitalization and assisted community treatment petitions at a rate higher than existing statutory guidelines; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from the Judiciary.

Your Committee finds that guardians ad litem have an important role in supporting persons who are being considered for involuntary hospitalization or assisted community treatment. Persons subject to involuntary hospitalization and assisted community treatment positions are often in a vulnerable state and a guardian ad litem is there to represent their best interests. A guardian ad litem, by attending with or on behalf of the person who is the subject of a mental health petition, will be able to decrease delays in the court's review of the petition and ensure that the person, who might be absent or otherwise unable to meaningfully participate in the proceedings, has a representative available who will act in their best interest. This measure will increase the number of people willing to serve as guardians ad litem by attracting them with adequate compensation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2740 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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

SCRep. 2148 Energy, Economic Development, and Tourism on S.B. No. 3337

The purpose and intent of this measure is to:

- (1) Establish a public policy framework that addresses state goals in the areas of economic disaster mitigation, economic diversification, import substitution, and community development;
- (2) Appropriate moneys to the Department of Business, Economic Development, and Tourism (DBEDT) to implement specific projects that address those goals;
- (3) Identify additional projects authorized in the executive budget to be implemented by DBEDT to further the State's economic disaster mitigation, economic diversification, import substitution, and community development goals, including the establishment of an Office of International Affairs and certain capital improvement projects; and
- (4) Require DBEDT to submit annual reports to the Legislature summarizing project outcomes, including an assessment of each project's effectiveness.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Hawaii Housing Finance and Development Corporation; Hawaii Green Infrastructure Authority; Hawai'i Technology Development Corporation; Hawaii Community Development Authority; Natural Energy Laboratory of Hawaii Authority; Hawaii State Energy Office; Hawai'i Tourism Authority; Blue Ocean Mariculture; Ocean Era, Inc.; Cyanotech Corporation; Ocean Networks, Inc.; Sea Salts of Hawaii; Makaha Cultural Learning Center; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawai'i Energy.

Your Committee finds that, as the State recovers from the ongoing coronavirus disease 2019 (COVID-19) pandemic, significant additional investment in specific DBEDT programs is necessary to meet the State's goals in economic disaster mitigation, economic diversification, import substitution, and community development.

In considering the various projects and funding proposed by this measure, your Committee notes that, in 2021, the Legislature already approved an appropriation of \$10,000,000 from the funds received by the State from the American Rescue Plan Act of 2021, Public Law 117-2, Section 9901, to DBEDT for the plans, design, construction, and equipment for the development of carrier-neutral landing stations to create a fiber ring connecting the islands of the State. These funds, which were made through Act 88, Session Laws of Hawaii 2021, have yet to be released by the Governor. Furthermore, your Committee determined that the Natural Energy Laboratory of Hawaii Authority has not adequately explored all opportunities to generate revenue from public-private partnerships to fund an ocean economy innovation village. In addition, your Committee believes that given the ongoing COVID-19 pandemic and current supply chain issues, the establishment of an Office of International Affairs at this time is premature. With respect to the proposed funding to subsidize the solarization of private homes in the Waianae region, your Committee recognizes that ninety thousand state residents have already paid for their own rooftop solar, and this proposed project may not be the most economically efficient approach to meet the State's renewable energy goal. With respect to the capital improvement projects proposed under this measure, specifically, improvement projects at Saratoga Avenue and Fisherman's Wharf, your Committee notes that funding is already included in this year's supplemental appropriations bill.

Your Committee further finds that Hawaii Center for Advanced Transportation Technologies (HCATT) was established, in part, to accelerate the adoption of hydrogen and fuel cell technologies. Federal funds currently used to support HCATT's operations may cease next year. HCATT has executed numerous federal and publicly funded projects, and your Committee believes that the significant expertise in hydrogen technology demonstration and validation that this agency possesses should be preserved.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that appropriates an unspecified amount to DBEDT to convert the two federally funded positions at HCATT into state-funded positions;
- (2) Removing language that appropriates:
 - (A) \$1,000,000 for carrier-neutral cable landing infrastructure to develop pre-construction specifications for the design and engineering of carrier-neutral cable landing infrastructure on the islands of Oahu, Hawaii, Maui, and Kauai;
 - (B) \$18,000,000 for an ocean economy innovation village;
 - (C) \$400,000 to establish an Office of International Affairs;
 - (D) \$2,500,000 for Solarize Waianae;

- (E) \$12,125,000 for Saratoga Avenue electrical and communications infrastructure improvements; and
 - (F) \$25,000,000 for the repair of the Fisherman's Wharf bulkhead; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3337, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2149 Energy, Economic Development, and Tourism on S.B. No. 2865

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in the construction of a net-zero carbon capture storage utilization platform that will recover vented carbon dioxide emissions and scrub them into food grade liquid carbon dioxide.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; DIBSHawaii LLC; AKVO LLC; Cement and Concrete Products Industry of Hawaii; Hawaii Federated Industries; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that although carbon dioxide has many commercial uses, there is only one carbon dioxide production facility in Hawaii. Your Committee further finds that the construction of a net-zero carbon capture storage utilization platform in the State would have numerous benefits, including but not limited to import substitution, economic diversification, and long-term carbon sequestration.

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2865, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2865, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2150 (Majority) Energy, Economic Development, and Tourism on S.B. No. 2926

The purpose and intent of this measure is to require the Department of Business, Economic Development, and Tourism to study the potential tax revenues to be generated for the State through the legalization of recreational marijuana if it were taxed at a rate equal to the existing general excise tax rate.

Your Committee received testimony in support of this measure from the Education Caucus of the Democratic Party of Hawaii, Imua Alliance, Hawaii Cannabis Industry Association, and one individual. Your Committee received comments on this measure from the Department of Taxation; Department of Transportation; Department of Business, Economic Development, and Tourism; and Akamai Cannabis Clinic.

Your Committee finds that the Marijuana Policy Project, the largest cannabis policy reform group in the United States, reported that, as of December 2021, states that regulate cannabis for adult use have generated a combined total of \$10,400,000,000 in sales tax revenue. Your Committee notes that because the State has an anticipated budget shortfall of \$1,400,000,000 per year for the next three years resulting from the coronavirus disease 2019 pandemic, it is necessary to create new sources of revenue to allow the State to meet its strategic goals, preserve essential services, and prevent program cuts and pay reductions for working families. According to testimony from the Department of Business, Economic Development, and Tourism (DBEDT), additional time may be needed after the release of funds to prepare the procurement solicitation, conduct ten thousand surveys, and perform the data analysis needed to submit a comprehensive report to the Legislature.

Accordingly, your Committee has amended this measure by delaying the submission deadline for the study for one year.

Your Committee further notes that although the Department of Taxation indicated in its testimony that it was willing and able to perform the study, your Committee believes that DBEDT may be better suited to report on both the potential economic and non-economic side effects on the legalization of recreational marijuana if it were taxed at a rate equal to the existing general excise tax rate.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2926, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2926, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Misalucha). Excused, none.

SCRep. 2151 Human Services on S.B. No. 2371

The purpose and intent of this measure is to establish a statewide homelessness shelter and housing data clearinghouse within the Department of Human Services to be administered by the Governor's Coordinator on Homelessness.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Judiciary, Department of Public Safety, Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, Hawai'i Health and Harm Reduction Center, and three individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Partners in Care.

Your Committee finds that various agencies and Hawaii's Continuum of Care--consisting of Partners in Care for the island of Oahu and Bridging the Gap for the islands of Hawaii, Maui, and Kauai--collect and publish data relating to homelessness in the State. However, the information is not shared with all government agencies that need to conduct real-time assessments of available services, shelter, or low-cost housing that can be deployed to individuals experiencing homelessness or at-risk individuals efficiently and effectively. This measure creates a statewide homelessness shelter and housing data clearinghouse within the Department of Human Services to collect information on persons experiencing homelessness, and available services, shelters, and housing within the State.

Your Committee notes that multiple testimonies on this measure expressed concerns over the lack of clarity on the specifics of the data to be collected, data security, protection of personal information, and the funding required to establish and maintain the system. Your Committee believes that in addition these concerns, there are other issues that require further discussion before creating a statewide system that collects information on homelessness and allows real-time assessment of the data and available resources.

Accordingly, your Committee has amended this measure by:

- (1) Establishing a Statewide Homelessness Information System Working Group within the Department of Human Services to first assess the feasibility of creating a statewide homelessness information system that could be utilized by various government agencies to provide efficient and effective assistance to individuals experiencing homelessness or at-risk individuals, before establishing the system itself;
- (2) Requiring the working group to report its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (3) Requiring the working group's report to include:
 - (A) An assessment of the forms of statewide homelessness information systems that collect, track, and share data in compliance with federal and state laws and regulations pertaining to the protection of personal information, and the form of the system most suitable for implementation in Hawaii;
 - (B) A financial feasibility assessment, including a cost-benefit analysis, of establishing and maintaining the statewide homelessness information system; and
 - (C) An assessment of whether funding for the operation of the system should be included in the base budget of the Department of Human Services;
- (4) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2371, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2371, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2152 Human Services on S.B. No. 3236

The purpose and intent of this measure is to help preserve the financial viability of nursing facilities in the State by providing a one-time enhanced payment of fifteen percent to each nursing facility caring for Medicaid patients.

Your Committee received testimony in support of this measure from The Queen's Health Systems; Healthcare Association of Hawaii; Hawai'i Pacific Health; Ann Pearl Rehab & Nursing; Ohana Pacific Health; Legacy Hilo Rehab & Nursing; The Villas Post Acute Care Rehab; Garden Isle Rehab & Nursing; Pu'uwai 'O Makaha; Hale Makua Health Services; Hawaii Health Systems Corporation, East Hawaii Region; Hale Kupuna Heritage Home; Hawai'i Care Choices; Kaiser Permanente Hawai'i; Hale Ho'ola Hamakua; and five individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Hawaii Health Systems Corporation, and one individual.

Your Committee finds that during the coronavirus disease 2019 pandemic, most states instituted an enhanced payment for nursing facilities to account for the significant increased costs of labor, personal protective equipment, supplies, and testing, among other things. Your Committee further finds that nursing facilities experienced decreased occupancy, which affected their revenues and further exacerbated their financial strain. Nursing facilities nationwide have lost fifteen percent of their entire workforce and those numbers have not recovered over the past two years. The delta and omicron surges placed additional pressure on nursing facilities, in terms of their costs and ability to recruit and retain critical professions to care for seniors and other vulnerable individuals in long-term care settings. Your Committee believes that this one-time enhanced payment will be crucial as nursing facilities rebuild and engage in workforce development programs to provide good-paying, stable careers for Hawaii residents.

Your Committee notes testimony stating that Community Care Foster Family Homes and Expanded Adult Residential Care Homes in the State are also providing nursing home level care for Medicaid patients in the community.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the one-time enhanced payment being made pursuant to this measure is an amount equal to fifteen percent of the Medicaid patient payments of fiscal year 2022-2023;

- (2) Adding community care foster family homes and expanded adult residential care homes as recipients of the one-time enhanced payment being made pursuant to this measure; and
- (3) Replacing the appropriation amount with an unspecified amount.

Your Committee notes the testimony of Hawaii Health Systems Corporation, requesting that the one-time enhanced payment pursuant to this measure also be awarded to facilities with beds licensed for skilled nursing and intermediate care, to ensure that Hawaii Health Systems Corporation facilities are able to benefit from this measure.

Your Committee also notes the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021.

Your Committee finds that the request and concerns raised by the Hawaii Health Systems Corporation and the Department of Budget and Finance, respectively, merit further consideration, and therefore, respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3236, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3236, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2153 Human Services on S.B. No. 3235

The purpose and intent of this measure is to establish a Safe Spaces for Youth Pilot Program, an inter-agency initiative to provide safe spaces for youth experiencing homelessness in each county.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawaii Youth Services Network; Opportunity Youth Action Hui; Democratic Party of Hawai'i, Stonewall Caucus; and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that nearly half of Hawaii's juvenile arrests are for status offenses, such as running away from home or truancy, caused by untreated mental health and substance abuse needs; abuse, violence or bullying; or other reasons that are not best resolved by a law enforcement approach.

Your Committee further finds that runaway and homeless youth are vulnerable to multiple risks, including lack of basic food and shelter, untreated mental health disorders, substance use, disruptions in their education, sexually transmitted diseases and human immunodeficiency virus infection, sexual exploitation, physical victimization, and suicide. Your Committee believes these young people need to be offered a safe place within their community where they can seek help, rather than be arrested and become subject to judicial proceedings. Your Committee finds that the Safe Spaces for Youth Pilot Program established under this measure will provide the needed space and help to the youth in each county.

Your Committee has reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimony.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3235 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2154 (Majority) Hawaiian Affairs on S.B. No. 3247

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to build apartments to address the housing needs of native Hawaiians on the homestead waitlist.

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 in 2019, about 28,500 native Hawaiian adults were on the waitlist for residential, farming, or ranching homesteads. This number has not significantly decreased in the current day despite plans to rectify the situation, and to date, over two thousand native Hawaiian beneficiaries have died while on the waitlist. The coronavirus 2019 pandemic has only made life more difficult for those homeless or struggling to pay rent while on the waitlist. The purpose of this measure is to ameliorate this issue by constructing apartments on Hawaiian home lands to more quickly reduce the number of native Hawaiians on the waitlist.

Your Committee has amended this measure by expanding the housing plan to include rent-with-option-to-buy and other rental housing units, in addition to apartment housing.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3247, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3247, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2155 Hawaiian Affairs on S.B. No. 3359

The purpose and intent of this measure is to establish the Hawaiian Home Lands special fund for the Department of Hawaiian Home Lands to enable beneficiaries of the Hawaiian Home Land Trust to acquire a residence and to enable the Department to fulfill its fiduciary duties to beneficiaries.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, one member of the Hawai'i County Council, Community Alliance on Prisons, Catholic Charities Hawai'i, Council for Native Hawaiian Advancement, League of Women Voters of Hawaii, Hawai'i Alliance for Community-Based Economic Development, and eighty-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 Budget and Finance.

Your Committee finds that through the Hawaiian Homes Commission Act of 1920, the public land trust was created to set aside lands to be used for the benefit of native Hawaiians. The Department of Hawaiian Home Lands is currently in charge of the management of 203,500 acres of trust lands, yet over 28,700 native Hawaiians remain on the waitlist for residential, agricultural, or pastoral leases.

Your Committee further finds that there are multiple challenges faced by the Department of Hawaiian Home Lands that prevent them from reducing those on the waitlist. These problems include most beneficiaries seeking residential properties when these lands represent the smallest percentage of Hawaiian home lands; the cost of infrastructure including planning, roads, utilities, and construction; and the base cost of mortgages in Hawaii being too high for many native Hawaiian families. To rectify this situation, this measure seeks to use revenues collected by the State as of fiscal year 2021 to create a special fund for the Department of Hawaiian Home Lands. The revenue will also partly be used to appropriate funds into and out of the Hawaiian home lands special fund to enable beneficiaries of the Hawaiian home lands trust to acquire a residence.

Your Committee has heard the testimony of the Department of Budget and Finance and notes the concerns that the proposed special fund may not be self-sustaining which is one of the prerequisites of a special fund under section 37-52.3, Hawaii Revised Statutes.

For the purposes of this Committee Report, the appropriation amount for this measure is originally \$600,000,000.

Your Committee has amended this measure by:

- (1) Replacing the appropriation amount of \$600,000,000 into and out of the Hawaiian Home Lands special fund with an unspecified amount;
- (2) Replacing the appropriation ceiling of \$600,000,000 for the Hawaiian Home Lands special fund with an unspecified amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3359, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3359, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2156 Hawaiian Affairs on S.B. No. 3357

The purpose and intent of this measure is to appropriate monies for certain departments to provide grants to tax-exempt non-profit organizations that have experience and expertise in supporting and advancing native Hawaiian communities.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i Tourism Authority, 'Apoākea Native Hawaiian Innovation Institute, The Friends of Iolani Palace, Council for Native Hawaiian Advancement, Kapolei Chamber of Commerce, and six 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 Budget and Finance; Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; and Department of the Attorney General.

Your Committee finds that various assistance and education programs for improving Native Hawaiian communities are effective and necessary. These programs include Hawaiian historic preservation, development of a mill to process ulu and taro, business and entrepreneurship mentoring, farming, cultural training, and environmental management. Therefore, the purpose of this measure is to appropriate funds for departments to contribute to these non-profit organization efforts.

Your Committee has amended this measure by:

- (1) Reducing the twenty-year experience requirement for qualifying nonprofits to ten years;
- (2) Specifying that the grants shall be awarded in conformance with the award granting standards of section 42F-103, Hawaii Revised Statutes;
- (3) Replacing the following appropriation amounts with an unspecified amount:

- (A) To the Department of Agriculture: \$10,790,000;
 - (B) To the Department of Business, Economic Development, and Tourism: \$3,450,000;
 - (C) To the Department of Labor and Industrial Relations: \$920,000; and
 - (D) To the Department of Land and Natural Resources: \$540,000;
- (4) Designating the Hawaii Tourism Authority as the agency responsible for community-based tourism management;
 - (5) Designating the Office of Community Services as the agency responsible for the cultural training program;
 - (6) Designating the Council for Native Hawaiian Advancement as the recipient of repatriation and reburial funds from the Department of Land and Natural Resources; and
 - (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3357, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3357, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2157 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2770

The purpose and intent of this measure is to appropriate funds to the Department of Public Safety to collaborate with the Office of Hawaiian Affairs for the creation of a Native Hawaiian rehabilitation program for prison inmates, which puts an emphasis on Native Hawaiian values and cultural practices.

Your Committees received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Opportunity Youth Action Hui, Hawai'i Friends of Restorative Justice, Women's Prison Project, Community Alliance on Prisons, Keaukaha Community Association, Hawai'i Correctional System Oversight Commission, and two individuals. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of Budget and Finance and Office of Hawaiian Affairs.

Your Committees find that prison sentences alone do not adequately rehabilitate criminal offenders. However, positive rehabilitation program experiences have been shown to increase the success rate of the rehabilitation. Connecting with culture and ancestral roots may be an effective method of rehabilitation for Native Hawaiian prison inmates. Therefore, the purpose of this measure is to appropriate funds to establish a Native Hawaiian criminal rehabilitation program which puts an emphasis on Native Hawaiian values and cultural practices.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2770 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the President and Chair on behalf of the Committees.
Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 2158 Water and Land on S.B. No. 3130

The purpose and intent of this measure is to allow a holder of a mooring permit within a state small boat harbor to transfer the mooring permit under certain terms and conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and five individuals.

Your Committee finds that no regular mooring permit issued by the Department of Land and Natural Resources for state small boat harbors and offshore mooring areas is transferrable unless the permittee also possesses a valid commercial use permit and transfers the mooring permit as part of the sale of a company. As a result of the difficult process, many applicants spend years on a waitlist for mooring permits, which leads to potential vessel buyers having no place to moor their vessels while they wait for an available permit. The long wait time leads to abandoned vessels, which are then impounded by the State for disposal. To prevent systemic issues related to long waitlist times and difficulties transferring mooring permits, this measure will allow a holder of a mooring permit within a state small boat harbor to transfer the mooring permit under certain terms and conditions.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3130, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3130, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2159 Water and Land on S.B. No. 3134

The purpose and intent of this measure is to streamline the process for completing the Department of Land and Natural Resources' required annual payment of debt service on the reimbursable general obligation bonds for Turtle Bay.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that currently, the Legacy Land Conservation Program (LLCP) must complete a cumbersome and prolonged annual grant application and award process before the Department of Land and Natural Resources can make an annual debt service payment of \$1,500,000 on the Turtle Bay reimbursable general obligation bonds as required by Act 121, Session Laws of Hawaii 2005. The LLCP process includes multiple steps and parties, including the Department of Land and Natural Resources, Department of Agriculture, Agribusiness Development Corporation, Legacy Land Conservation Commission, the nonprofit land conservation organization that fulfills statutory requirements, and the general public. To allow the Department of Land and Natural Resources to dedicate more time and resources to perform other essential responsibilities, this measure will streamline the process for completing the Department of Land and Natural Resources' required annual payment of debt service on the reimbursable general obligation bonds for Turtle Bay.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3134, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3134, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2160 Hawaiian Affairs on S.B. No. 3105

The purpose and intent of this measure is to allow an adopted individual to benefit both by relationship through a natural parent and through an adoptive parent in a disposition or other designation as provided for in accordance with the Hawaiian Homes Commission Act, 1920, as amended, or administrative rules.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee finds that the effect of adoption as provided for under state law impacts the ability for an adopted individual or the individual's natural family to succeed to a homestead lease or application on the Department of Hawaiian Home Lands applicant waiting list. The purpose of this measure is to rectify the situation by allowing an adopted individual to benefit both by relationship through a natural parent and through an adoptive parent while also allowing the adopted individual and member of the individual's natural family to continue to have the same familial relationship.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3105 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Ihara).

SCRep. 2161 (Majority) Hawaiian Affairs on S.B. No. 3104

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands, after beneficiary consultation and upon approval by the Hawaiian Homes Commission, to issue interim rules that shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaii Sovereignty Studies and one individual.

Your Committee finds that this measure will provide flexibility within the Department of Hawaiian Home Lands by allowing the Department of Hawaiian Home Lands to create interim rules which shall be exempt from public notice, public hearings, and gubernatorial approval requirements in chapter 91, Hawaii Revised Statutes. Interim rules shall be subject to approval by the Hawaiian Homes Commission and shall be effective for no more than eighteen months from the date an interim rule takes effect.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3104 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.
Ayes, 3; Ayes with Reservations (Acasio). Noes, 1 (Fevella). Excused, 1 (Ihara).

SCRep. 2162 Hawaiian Affairs on S.B. No. 879

The purpose and intent of this measure is to give counties jurisdiction over the infrastructure of the Department of Hawaiian Home Lands housing developments in their boundaries under specific conditions.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, and two 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 Honolulu Board of Water Supply.

Your Committee finds that for the sake of efficiency, counties should have jurisdiction over the Hawaiian home lands housing development infrastructure within their boundaries. One homestead leader in Kapolei states that “to date, the Department of Hawaiian Home Lands has spent over \$500,000 of trust funds on her homestead and that there are fifteen other similar homesteads on Oahu and nine that are older. Your Committee finds that residential projects should follow county standards for design, planning, permitting, and construction.

Your Committee further finds that as long as the infrastructure conforms to applicable county standards in effect at the time of construction, the completion of the infrastructure is granted approval by the county, and applicable meter and connection fees and utility costs relating to the infrastructure have been paid, that this measure requires counties to provide for the maintenance of infrastructure for any Hawaiian home lands housing development.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriate county agency shall be the recipient of the application for maintenance request;
- (2) Specifying that infrastructure includes culverts, signage, road striping, and traffic calming measures; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 879, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 879, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2163 Hawaiian Affairs on S.B. No. 2623

The purpose and intent of this measure is to exclude from any waiting list maintained by the Department of Hawaiian Home Lands, any lessee or successor who sells or transfers their lease on a tract of Hawaiian home lands.

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 finds that certain native Hawaiians who are eligible for a lease pursuant to the Hawaiian Homes Commission Act, 1920, have acquired a lease, sold, or transferred their interest in the lease, and then placed their name on the waitlist for a second lease. Because all beneficiaries should be able to enter the Hawaiian Homes Commission Act program with a reasonable expectation of eventually receiving a lease, this measure prohibits lessees who sell or transfer their interest in a Hawaiian home lands tract from being placed on the waiting list maintained by the Department of Hawaiian Home Lands for an additional lease.

Your Committee has amended this measure by:

- (1) Specifying that the lessee or successor is not eligible to return to the waitlist if they sell the lease for personal gain; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2623, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2623, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the President on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Ihara).

SCRep. 2164 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2001

The purpose and intent of this measure is to allow surviving immediate family members of deceased persons to receive a copy of the closing report prepared by the investigating police department after a specified period of time.

Your Committee received testimony in support of this measure from the Libertarian Party of Hawaii. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the death of a family member where the incident led to law enforcement initiating an investigation can raise many questions for the surviving family members even years later. Law enforcement’s investigation and the ensuing report may provide some answers and perhaps closure for the family. However, obtaining this information can be difficult. For one family whose son was murdered, it took seventeen years and repeated assistance from a state legislator’s office to receive the closing report. For another family whose son was killed during an incident involving law enforcement, the family still had not received a copy of the report more than five years after the incident despite a state legislator’s involvement. This measure will assist the State in providing answers and closure for families by allowing surviving immediate family members of deceased persons to receive a copy of the closing report prepared by the investigating police department after a specified period of time.

Your Committee has amended this measure by:

- (1) Requiring that information included in the closing reports not required to be disclosed pursuant to the Uniform Information Practices Act, section 92F-13, Hawaii Revised Statutes be redacted or withheld; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2001, as amended herein, and

recommends that it pass Second Reading in the form attached hereto as S.B. No. 2001, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Baker).

SCRep. 2165 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2115

The purpose and intent of this measure is to protect minors who are being confined at detention and shelter facilities by defining specific conditions and time limits under which they may be confined.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Office of the Public Defender, and Office of Youth Services. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that over the past decade, Hawaii's juvenile justice system has undergone a major philosophical shift toward evidence-based and trauma responsive approaches for holding youth accountable for their conduct. In keeping with the significant advances in how to handle youth, facilities that rely on room confinement to control youth must also change their approach. Your Committee also finds that long periods of isolation have negative consequences for youth as they are especially vulnerable to the mental and emotional effects of room confinement. Room confinement poses a safety risk for youth, including the increased likelihood of self-harm, suicide, and retraumatizing those who were already victimized. Your Committee finds that codifying these confinement conditions and limitations will better protect minors.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2115 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, 5. Noes, none. Excused, none.

SCRep. 2166 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2239

The purpose and intent of this measure is to prohibit police departments from acquiring certain types of military equipment and using certain types of equipment on protesters and demonstrators.

Your Committee received testimony in support of this measure from the American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Libertarian Party of Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department.

Your Committee finds that every year, millions of dollars-worth of military equipment flows from the federal government to state and local police departments. For example, the Hawaii Department of Land and Natural Resources' Conservation and Resources Enforcement Division acquired a long-range acoustic device, often referred to as a "sound cannon". This weapon, which was developed for and is used by the military to force compliance by causing pain, has been brought by the State to peaceful demonstrations at Mauna Kea and at Sherwood Forest, though the State claimed that it would only be used as a loudspeaker and not to disperse crowds. Long-range acoustic devices can cause devastating, long-lasting effects, and even permanent hearing loss. Furthermore, militarized law enforcement tactics have been deployed disproportionately against communities of color. This measure will prevent further intimidation of communities by law enforcement's unwarranted use of weapons of war by prohibiting police departments from acquiring certain types of military equipment and using certain types of equipment on protesters and demonstrators.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2239 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; Ayes with Reservations (Riviere, Fevella). Noes, none. Excused, 1 (Baker).

SCRep. 2167 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2269

The purpose and intent of this measure is to:

- (1) Repeal the authorization of the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities;
- (2) Prohibit the establishment of private correctional facilities in the State; and
- (3) Allow the Governor to enter into a contract with a private entity to construct a correctional facility on public or private land, only if the facility is operated by the Department of Public Safety.

Your Committee received testimony in support of this measure from Imua Alliance; United Public Workers, AFSCME Local 646, AFL-CIO; and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that private prisons incentivize the cycle of crime by providing a financial motivation for the further criminalization of nonviolent offenses and imposition of longer sentences because private prisons are run as businesses and without inmates, private prisons cannot turn a profit. Additionally, private prisons are not subject to the same freedom of information and open records laws as government agencies. Without access to information, it is impossible to know what injuries are being suffered by detainees. Former security guards who have worked at private prisons say that prisoner abuse is rampant because disclosure of allegations is extremely rare. Your Committee believes that if the State decides to construct a new jail capable of housing approximately one thousand three hundred inmates, then the jail should be operated by the State. This measure will prevent the

development of for-profit prisons in the State by repealing the authorization of the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities, prohibiting the establishment of private correctional facilities in the State, and allowing the Governor to enter into a contract with a private entity to construct a correctional facility on public or private land, only upon the condition that the facility is operated by the Department of Public Safety.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2269 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2168 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2393

The purpose and intent of this measure is to enact the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

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

Your Committee finds that Canada is the second largest international market for Hawaii. Canadian visitors spend a great amount of time in Hawaii during the winter months and many Canadians own real estate throughout the islands. However, Canadians with active domestic violence protective orders currently lack sufficient protection while visiting Hawaii. Your Committee believes that Canadian visitors traveling to Hawaii should be protected by valid protection orders issued in Canada. This measure will assist the State in protecting victims of domestic violence by enacting the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

Your Committee has amended this measure by:

- (1) Inserting language to provide a penalty for a person who violates a valid Canadian order for protection;
- (2) Inserting a cross reference to section 581-21, Hawaii Revised Statutes, relating to foreign protective orders, for the purposes of conformity; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2393, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Baker).

SCRep. 2169 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2514

The purpose and intent of this measure is to:

- (1) Create a good time credit system, by which a defendant on probation may reduce the defendant's sentence through compliance with conditions of probation;
- (2) Provide that a condition of probation that prohibits unnecessary associations may only apply with respect to certain persons having a connection to the defendant's underlying crime or the prosecution of the crime;
- (3) Provide that a condition of probation that prohibits the possession or use of alcohol or unauthorized drugs may only be imposed if it is reasonably related to the crime for which the defendant was convicted;
- (4) Provide that substance abuse treatment shall not be required of a defendant on probation if a program is not in the county of the defendant's residence and if the defendant has not been accepted into the program; and
- (5) Prohibit incarceration for certain technical violations.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Office of the Public Defender, Pearl City Neighborhood Board, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawai'i Health & Harm Reduction Center, Waikiki Health's Pu'uhonua Prison Program, Faith Action for Community Equity, Share Your Mana, Hawai'i Friends of Restorative Justice, and sixteen individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Judiciary, and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that existing state laws relating to certain violations of community supervision are resulting in unnecessary, counterproductive, skyrocketing rates of incarceration and severe overcrowding in local jails and prisons. In 2018, more than twenty-eight thousand Hawaii residents were incarcerated or under some form of probation, parole, or other form of community supervision. Based on weekly population reports, typically one-fourth of all jail and prison admissions in Hawaii are the result of probation or parole technical violations, which are violations of the terms of legal supervision, other than the commission of certain crimes. This measure will improve the probation system in Hawaii and reduce incarceration rates by offering good time credits to individuals who successfully follow conditions and prohibiting the use of certain unreasonable conditions of probation, including restrictions on association with individuals who have a criminal record and penalties for drug or alcohol use when it is unrelated to the crime of conviction.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2514, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2514, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Riviere). Noes, none. Excused, 1 (Baker).

SCRep. 2170 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2777

The purpose and intent of this measure is to:

- (1) Require pat downs and searches of female inmates be conducted by a female correctional facility employee unless the prisoner presents a risk of immediate harm to herself or others or risk of escape;
- (2) Prohibit male correctional facility employees from entering areas where female inmates may be in a state of undress including but not limited to restrooms, shower areas, or medical treatment areas, unless an inmate in the area presents a risk of immediate harm to herself or others or if there is a medical emergency in the area; and
- (3) Require any prohibited search, pat down, or entry by a male correctional facility employee be documented within three days of the incident, reviewed by the warden, and retained by the institution for reporting purposes.

Your Committee received testimony in support of this measure from the Women's Prison Project and one individual. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that as state agencies become more trauma-informed in both programs and practices, policy changes should prevent re-traumatizing individuals. For example, body searches, including pat-downs and surveillance in vulnerable situations, are uncomfortable circumstances for any individual. Body searches can be particularly traumatizing for incarcerated women, as most female inmates have experienced some form of interpersonal violence. Almost ninety percent of incarcerated women have suffered from sexual violence, and at least forty percent suffer from posttraumatic stress disorder symptoms. Your Committee believes that male staff touching female inmates' bodies and viewing them undressed is further damaging and harmful for them. This measure will help prevent further traumatization of incarcerated women by requiring pat downs and searches of female inmates be conducted by a female correctional facility employee unless the prisoner presents a risk of immediate harm to herself or others or risk of escape, prohibiting male correctional facility employees from entering areas where female inmates are in a state of undress unless an inmate in the area presents a risk of immediate harm to herself or others or if there is a medical emergency in the area, and by requiring any prohibited search, pat down, or entry by a male correctional facility employee be documented within three days of the incident, reviewed by the warden, and retained by the institution for reporting purposes.

Your Committee has amended this measure by:

- (1) Requiring the Department of Public Safety to increase its recruitment and training of female adult corrections officers to satisfy the requirements of female gender specific posts;
- (2) Requiring the Department of Public Safety to make every effort within the law to address the concerns of the advocates, requirements of the Prison Rape Elimination Act, and staffing shortages of female gender specific posts, as well as the hiring and training of female adult corrections officers;
- (3) Requiring the Department of Public Safety to submit a report of its efforts in recruiting, hiring, and training female adult corrections officers to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2777, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2777, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 2171 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2780

The purpose and intent of this measure is to:

- (1) Update the list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting United States Citizenship and Immigration Services from the list; and
- (2) Update references to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including United States Customs and Border Protection.

Your Committee received testimony in support of this measure from the U.S. Department of Homeland Security Immigrations and Customs Enforcement-Homeland Security Investigations, Department of the Attorney General, Department of Public Safety, Hawai'i Police Department, Honolulu Police Department, and Kauai Police Department.

Your Committee finds that federal law enforcement agencies work extensively with state and county law enforcement targeting transnational organized criminal activity. These investigations often involve violations of both federal and state criminal law. However, United States Immigrations and Customs Enforcement-Homeland Security Investigations special agents do not currently have limited arrest powers under state law, meaning that they are often able to observe suspicious activities but are not authorized to take action pursuant to state law. Your Committee believes that the grant of limited arrest powers, under state law, to agents of United States Immigration and Customs Enforcement-Homeland Security Investigations would promote enhanced collaboration with state law enforcement counterparts to protect national security, prevent crimes of exploitation, combat financial crimes, investigate cybercrime and other threats, and ensure public safety.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2780 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; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Baker).

SCRep. 2172 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3140

The purpose and intent of this measure is to:

- (1) Require the holder of a controlled substances registration to immediately verbally report the theft, embezzlement, fraud, or diversion of a controlled substance from the holder's inventory;
- (2) Require the submission of a written report to the administrator of the Narcotics Enforcement Division that provides all information related to the theft, embezzlement, fraud, or diversion of controlled substances in the holder's inventory; and
- (3) Establish a misdemeanor penalty for a person who prevents another from reporting, or who knowingly fails to report and provide information as required.

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 the Libertarian Party of Hawaii.

Your Committee finds that the Department of Public Safety has encountered many instances where incidents of theft, embezzlement, fraud, and diversion of controlled substances were not reported in a timely manner. Frequently, such incidents involve licensed health care workers such as physicians and nurses who work in large health care companies in Hawaii, and the Department of Public Safety has found that there is significant reluctance in healthcare to report such incidents. Consequently, if incidents are not reported in a timely manner due to reluctance to report, then the likelihood that the incidents can be resolved is significantly reduced. This measure will assist the Department of Public Safety in combating theft, embezzlement, fraud, and diversion of controlled substances by requiring the holder of a controlled substances registration to immediately issue a verbal report and a subsequent written report of any theft, embezzlement, fraud, or diversion of controlled substances and by establishing a misdemeanor penalty for a person who prevents another from reporting, or who knowingly fails to provide information as required.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3140, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3140, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 2173 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3141

The purpose and intent of this measure is to update the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in federal controlled substances law as required by section 329-11, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that existing law requires that if a substance is added, deleted, or rescheduled under federal law, or by an emergency scheduling action taken by the Department of Public Safety, then the Department is required to recommend that the Legislature make corresponding changes to Hawaii law. Your Committee further finds that the substances listed in this measure correspond to several similar changes to the Drug Enforcement Administration's federally controlled substances schedules. Thus, this measure eliminates the differences between federal and state law.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3141, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 2174 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2068

The purpose and intent of this measure is to:

- (1) Repeal requirements for transfers of certain public lands classified for agricultural use by the Department of Land and Natural Resources to receive approval from both the Board of Agriculture and the Board of Land and Natural Resources prior to transfers to the Department of Agriculture;
- (2) Require the Department of Agriculture to manage and accept the transfer of certain qualifying non-conservation, non-agricultural park lands; and
- (3) Require the Department of Agriculture to inquire with the Department of Land and Natural Resources, prior to offering a lease, to determine any easements required for the Department of Land and Natural Resources to access its landlocked forest reserves or other Department of Land and Natural Resources assets on the lands subject to the lease.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Kapāpala Ranch; Larry Jefts Farms, LLC; Hawai'i Farm Bureau; Local Food Coalition; Hawaii Coffee Association; and one individual. Your Committees received testimony in opposition to this measure from the Sierra Club of Hawai'i, Hawaii's Thousand Friends, Conservation Council for Hawai'i, Our Revolution Hawaii, Ahahui Malama I Ka Lokahi, and six individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Agriculture, The Nature Conservancy, and Ulupono Initiative.

Your Committees find that Act 90, Session Laws of Hawaii 2003 (Act 90), was enacted to transfer certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture. In 2021, the Act 90 Working Group, established by Act 139, Session Laws of Hawaii 2021, determined that lands under the Department of Land and Natural Resources used for the primary purpose of agricultural production should be transferred to the Department of Agriculture following the conditions and procedures set out by Act 90, Session Laws of Hawaii 2003. Despite its intent to foster collaborative working relationships between the Department of Land and Natural Resources, Department of Agriculture, and lessees of multi-use agricultural lands, lengthy transfer processes have stalled the transfer of lands utilized for the primary purpose of agricultural production.

This measure will allow for the creation of a collaborative working relationship between the Department of Land and Natural Resources and the Department of Agriculture by repealing requirements for approval from the Board of Land and Natural Resources and the Board of Agriculture for certain public lands leased for agricultural use to the Department of Agriculture, with exceptions to easements required by the Department of Land and Natural Resources to access landlocked forest reserves or other assets under the Department of Land and Natural Resources' jurisdiction.

Your Committees have amended this measure by:

- (1) Clarifying that lands classified for agricultural use include all intensive agricultural use, special livestock use, and pasture use lands;
- (2) Requiring lands that are in pasture use by the Department of Land and Natural Resources to be transferred to and managed by the Department of Agriculture;
- (3) Clarifying the transfer of and management of encumbered non-agricultural park lands subject to the suitability of the land for agricultural activities and use as determined and approved by the Board of Agriculture;
- (4) Providing that designated conservation lands not in current agricultural use shall remain under the jurisdiction of the Department of Land and Natural Resources;
- (5) Retaining the Board of Agriculture's authority to determine the manner of transferring non-agricultural park lands;
- (6) Requiring the Department of Agriculture to inquire with the Department of Land and Natural Resources regarding any easements required by the Department of Land and Natural Resources to access landlocked forest reserves or other assets of the Department of Land and Natural Resources subject to the lease;
- (7) Deleting section 5 of this measure, thereby retaining the existing Board of Agriculture rulemaking requirements, including eligibility requirements for each disposition and applicant qualifications, to effectuate the purposes of chapter 166E, Hawaii Revised Statutes;
- (8) Deleting section 7 of this measure, thereby retaining existing statutory language on lease restrictions, generally;
- (9) Deleting section 8 of this measure, thereby retaining existing statutory language on disposition of public land leases by negotiation;
- (10) Requiring the Department of Land and Natural Resources to seek approval from the Board of Land and Natural Resources and the Board of Agriculture prior to the removal of any land designated for pasture leases for reforestation or other public purposes;
- (11) Requiring adequate notice of no less than one year to the then-current lessee or permittee, if withdrawal is approved by both boards;
- (12) Clarifying that the Department of Land and Natural Resources Division of Forestry and Wildlife's funded action plan for reforestation purposes shall be realistic; and
- (13) 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 Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2068, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2068, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair and President on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Misalucha).

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 2175 Government Operations on S.B. No. 2385

The purpose and intent of this measure is to amend section 103D-304, Hawaii Revised Statutes, to allow state purchasing agencies to seek alternative procurement approval in the procurement of professional services, limited to situations where fewer than three qualified persons submit bids or proposals.

Your Committee received testimony in support of this measure from the State Procurement Office, Department of Accounting and General Services, and the University of Hawai'i System. Your Committee received testimony in opposition to this measure from the American Council of Engineering Companies of Hawaii; American Institute of Architects, Hawaii State Council; Hart Crowser, a Division of Haley & Aldrich; Coffman Engineers, Inc.; Okahara and Associates, Inc.; CONSOR Engineers, LLC; and two individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that existing law requires a minimum of three bids or proposals from qualified persons to proceed with the procurement of professional services. Your Committee further finds that under certain circumstances, particularly in the procurement of specialized services, this requirement cannot be met. Continually reinitiating the solicitation with the same result increases delays and project costs for procuring agencies.

Your Committee finds that this measure will allow agencies to keep design projects on schedule, improve project schedule efficiency, and ensure priorities and needs are addressed timely. As such, this measure will facilitate the procurement of specialized professional services in situations where fewer than three qualified persons submit bids or proposals.

Your Committee has amended this measure by:

- (1) Clarifying that the alternate approval option proposed by this measure only applies in situations where fewer than three qualified persons submit bids or proposals in response to a procuring agency seeking professional services;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2385, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2385, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2176 Government Operations on S.B. No. 2378

The purpose and intent of this measure is to:

- (1) Adjust the membership of the State Taxation Board of Review from ten volunteers to three paid, full-time members, and set a two-member quorum;
- (2) Establish a compensation schedule for board members and authorize board members to validate board actions by a majority of the members who heard the appeal;
- (3) Clarify that board meetings are contested case hearings subject to notice requirements and further clarify the legal and evidentiary framework the board may use in reaching its decisions; and
- (4) Make an appropriation to fund positions for the three full-time board members and support staff.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that reducing the membership, quorum, and decision-making requirements of the State Taxation Board of Review will streamline administrative procedures for board actions. Your Committee further finds that establishing a paid professional board with robust institutional support, as proposed by this measure, will aid the Department of Taxation in its effort to reduce the backlog of tax appeals, while also ensuring that taxpayers' appeals are resolved fairly and expeditiously. Your Committee also finds that the clarifications proposed by this measure will increase fairness and accountability in the tax appeals process.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2378 and recommends that it pass Second Reading and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2177 Government Operations on S.B. No. 2379

The purpose and intent of this measure is to allow the Department of Taxation's Special Enforcement Section to examine any sector of Hawaii's economy, initiate civil investigations, and refer and recommend cases or examinations of segments of the economy to the Office Audit and Field Audit branches of the Department of Taxation for auditing.

Your Committee received testimony in support of this measure from the Department of Taxation.

Your Committee finds that this measure clarifies and expands the investigation and enforcement powers of the Department of Taxation's Special Enforcement Section. Accordingly, your Committee finds that this measure will help ensure that all taxpayers in the State pay their fair and lawful share of taxes and help prevent tax noncompliance through education, enforcement, and deterrence.

Your Committee has amended this measure by removing the prioritization of cash-based business investigations to clarify that the Special Enforcement Section has the authority to investigate all matters pertaining to state tax law.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2379, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2379, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2178 Government Operations on S.B. No. 2681

The purpose and intent of this measure is to:

- (1) Allow bidders to clarify or correct immaterial or technical information required as part of a bid submission for up to twenty-four hours after the bid submission deadline; and
- (2) Require that bids for construction be opened no sooner than twenty-four hours after the deadline for the submission of bids.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii; Subcontractors Association of Hawaii; Ralph S. Inouye Co., Ltd.; and Electrical Contractor's Association of Hawaii. Your Committee received testimony in opposition to this measure from the State Procurement Office; Department of Accounting and General Services; City and County of Honolulu's Department of Budget and Fiscal Services; Plumbing & Mechanical Contractors Association of Hawaii; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that, according to the State Procurement Office, most protests allege technical issues, often stemming from the subcontractor listing requirement. Inadvertent errors can occur due to the complexity of procurement laws and short time constraints imposed by the law. Your Committee therefore finds that the provision of additional time to allow for the correction of immaterial and technical errors will reduce protests and decrease avoidable delays, while maintaining the integrity of the procurement process.

Your Committee further finds, however, that there may be unintended consequences or misuse of the provision created by this measure, as noted in testimony. Your Committee therefore finds that a two-year sunset on this measure is warranted and will allow for an assessment of the impacts of this measure and any necessary adjustments.

Your Committee has amended this measure by:

- (1) Clarifying that changes to the scope of work and subcontractor lists are prohibited;
- (2) Amending the definition of "immaterial or technical information" to more closely align with pertinent administrative rules;
- (3) Inserting a repeal date of July 1, 2024, to allow for the reassessment of this measure and its impacts; and
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2681, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2681, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2179 Government Operations on S.B. No. 2387

The purpose and intent of this measure is to amend section 103D, Hawaii Revised Statutes, by requiring procuring agencies to publicly post, for a minimum period of ten days, the bases for cancelling an invitation for bid or request for proposal.

Your Committee received testimony in support of this measure from the State Procurement Office and the Associated Builders and Contractors—Hawaii Chapter.

Your Committee finds that transparency is one of the primary goals of the Hawaii State Procurement Code. Existing law contains certain transparency measures in the solicitation and award process but does not provide transparency regarding the cancellation of solicitations. Your Committee further finds that one of the requirements of ethical public procurement pursuant to section 103D-101, Hawaii Revised Statutes, includes ensuring that all persons are afforded an equal opportunity to compete in a fair and open

environment. Your Committee finds that the transparency necessary for an open environment should apply in all stages of the procurement process, including when a solicitation is cancelled.

Your Committee additionally finds that the preparation and submission of bids and proposals can consume considerable resources and vendors should therefore have the right to know the bases for the cancellation of a solicitation. Your Committee also finds that the public has a right to know the specific reason why a solicitation was cancelled, which, currently, is noted in the project's contract file but is not publicly posted. And your Committee notes that, according to the State Procurement Office, posting the reason or reasons for a cancelled solicitation as proposed by this measure will promote consistency, transparency, and efficiency in government.

Accordingly, your Committee finds that this measure will increase transparency in the procurement process and promote equitable procurement practices.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2387 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2180 Government Operations on S.B. No. 2384

The purpose and intent of this measure is to amend the Hawaii Public Procurement Code by repealing the procurement preference for Hawaii products.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Public Safety, Department of Transportation, University of Hawai'i System, Department of Budget and Fiscal Services of the City and County of Honolulu, and the General Contractors Association of Hawaii. Your Committee received testimony in opposition to this measure from the Ulupono Initiative. Your Committee received comments on this measure from the State Procurement Office, Department of Agriculture, and one individual.

Your Committee finds that, according to the State Procurement Office, disadvantages of the preference for Hawaii products for purposes of public procurement include:

- (1) The preference violates the open competition principal of the free market, thereby increasing costs to taxpayers;
- (2) The preference discourages competition, thereby creating a smaller pool of qualified vendors; and
- (3) The administration and maintenance of the preference program increase costs to taxpayers.

Your Committee additionally finds, however, that the Hawaii products preference serves an important role with respect to agricultural goods and helps the State achieve its food production and sustainability goals.

Your Committee therefore finds that, except with respect to agricultural goods, the preference for Hawaii products is not necessary to incentivize the use and procurement of local products, it increases costs and inefficiencies, and should be repealed. Your Committee finds that the preference should remain in effect for agricultural goods to further the State's food production and sustainability goals.

Accordingly, your Committee has amended this measure by:

- (1) Retaining the Hawaii products procurement preference for locally produced agricultural goods, value-added products, and commodities;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2384, S.D. 1, and be referred to your Committee on Judiciary and your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2181 (Majority) Government Operations on S.B. No. 2386

The purpose and intent of this measure is to amend section 103D-102, Hawaii Revised Statutes, to exempt from competitive procurement, construction projects that are below the small purchase threshold in situations where competitive procurement is neither practical nor advantageous to the State.

Your Committee received testimony in support of this measure from the State Procurement Office, Department of Accounting and General Services, University of Hawai'i System, and Associated Builders and Contractors Hawaii Chapter. Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii; Electrical Contractor's Association of Hawaii; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund. Your Committee received comments on this measure from the Plumbing & Mechanical Contractors Association of Hawaii.

Your Committee finds that it is not unusual for a procuring agency to encounter situations where the original scope of work must be expanded due to unexpected developments or unforeseen physical conditions that were not known or considered when drafting the

scope of work to be performed in the invitation for bids or requests for proposals. This is particularly true in the dynamic area of construction procurement. Your Committee further finds that, in these situations, existing law requires the procuring agency to separately procure the additional work, despite the fact that it is related to an existing project. This leads to increased and unnecessary delays and costs.

Accordingly, your Committee finds that, in limited circumstances, competitive procurement is neither practical nor advantageous to the State, even where multiple sources exist. Your Committee further finds that the exemption proposed by this measure clarifies that a separate solicitation is not required where competitive procurement is neither practical nor advantageous to the State, thereby increasing efficiency and reducing costs in the procurement process.

Your Committee additionally finds that safeguards to address concerns of anti-competitive procurement by agencies seeking the exemption are provided by the requirement that the agency must seek and obtain the approval of the Chief Procurement Officer, rather than the agency having sole discretion to determine whether the exemption is warranted. The Chief Procurement Officer must post public notice of the request and decision as provided by law and rule. Your Committee finds that these safeguards will also address concerns expressed in testimony regarding “parceling”, which is the improper practice of breaking larger projects into smaller parts for purposes of avoiding the competitive procurement process.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2386 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Fevella). Excused, 1 (Chang).

SCRep. 2182 Government Operations on S.B. No. 2335

The purpose and intent of this measure is to amend the Hawaii Public Procurement Code to allow purchasing agencies to use the second low bid method of competitive sealed bidding in order to increase efficiency in the procurement process.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the State Procurement Office, Department of Budget and Fiscal Services of the City and County of Honolulu, Associated Builders and Contractors Hawaii Chapter, and Electrical Contractor’s Association of Hawaii. Your Committee received comments on this measure from the Subcontractors Association of Hawaii; Painting Industry of Hawaii Labor Management Cooperation Trust Fund; Hawaii Tapers Market Recovery Trust Fund; Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund; and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund.

Your Committee finds that testimony submitted in opposition to this measure notes that the application and effect of the second low bid method is unclear and may not improve efficiency in the procurement process.

Your Committee further finds that several testifiers noted and supported an alternative to the second low bid method: the median bid method of procurement. The median bid method awards the project to the bid that is closest to the median of all bids submitted. Your Committee notes that the Electrical Contractor’s Association of Hawaii, in testimony, indicated its review of completed jobs found that the final project cost is closer to the median than either of the low bid or second low bid. Your Committee finds that the median bid method may result in awards that represent the best value from a responsible and responsive vendor.

Your Committee therefore finds that the median bid method will better accomplish the intent of this measure to increase efficiency in the procurement process by allowing purchasing agencies to use an additional method of competitive sealed bidding.

Your Committee has amended this measure by:

- (1) Changing the alternative award method from the second low bid method to the median bid method; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2335, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2335, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2183 Government Operations on S.B. No. 2383

The purpose and intent of this measure is to amend the Hawaii Public Procurement Code by:

- (1) Repealing the State Procurement Policy Board and its nominating committee;
- (2) Transferring the authority and responsibilities of the repealed board to the administrator of the State Procurement Office; and
- (3) Streamlining the appointment process for the administrator of the State Procurement Office.

Your Committee received testimony in support of this measure from the State Procurement Office. Your Committee received testimony in opposition to this measure from the Hawai’i Alliance of Nonprofit Organizations.

Your Committee finds that there are several vacancies on the State Procurement Policy Board and that the Board has not been active since May 2019, due to a lack of quorum. Coupled with the difficulty of attracting qualified candidates for the Board, your Committee finds that the continuous vacancies and inability to convene has hampered the Board’s ability to carry out its statutory duties.

Accordingly, your Committee finds that repealing the State Policy Procurement Board and transferring its duties to the administrator of the State Procurement Office will facilitate and increase efficiency in the rule-making process for procurement in the State. Your Committee further finds that this measure will clarify that the State Procurement Office has the sole responsibility to adopt, amend, and repeal any administrative rules associated with the Hawaii Public Procurement Code.

Your Committee has amended this measure by:

- (1) Making necessary statutory conforming amendments; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2383, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2383, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2184 Education on S.B. No. 2182

The purpose and intent of this measure is to establish and fund the position of School Garden Coordinator, within the Department of Education's Office of Curriculum and Instructional Design, to provide technical support and startup resources for schools interested in starting a school garden program.

Your Committee received testimony in support of this measure from the Department of Education; Hawai'i Farm to School Hui; Hawai'i Farm Bureau; Hawaii Food Industry Association; Local Food Coalition; Americans for Democratic Action, Center for Getting Things Started; Hawai'i Food+ Policy Internship; Ka Ohana O Na Pua; Hawaii Cattlemen's Council, Inc.; and ten individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that learning where food comes from is an important part of our children's education. School gardens and farms contribute to protecting student health, advancing academic achievement, and strengthening social and emotional well-being. The School Garden Coordinator position proposed by this measure is essential to successfully implement the purpose of the Hawaii farm to school program set forth in Act 175, Session Laws of Hawaii 2021, which aims to improve student health, accelerate garden and farm-based education for public school students, and develop an educated agricultural workforce.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation to encourage further discussion; and
- (2) Clarifying the purview of the School Garden Coordinator position created by this measure to include schools interested in developing a school garden, so as to include existing school garden programs.

Your Committee notes that the estimated appropriation required for this measure is \$200,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2182, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2185 Education on S.B. No. 2816

The purpose and intent of this measure is to:

- (1) Establish and administer the Strong Students Grant Pilot Program to provide grants to eligible students for eligible education expenses; and
- (2) Require progress reports to the Legislature.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter Schools Commission, HawaiiKidsCAN, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that recent disruptions to student learning and increased reliance on remote learning have exacerbated the challenge for low-income families to purchase necessary school supplies and equipment for children. Your Committee thus finds that the grant program created by this measure will help families in need to afford critical supplies for the education of children in the State.

Your Committee notes the testimony of the Department of Education regarding equitable concerns related to income and family size qualifications for the pilot program created by this measure.

Accordingly, your Committee has amended this measure by:

- (1) Making amendments to require the Department of Education to adopt rules regarding the prioritization of grant awards to equitably account for family size; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2816, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2816, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2186 Labor, Culture and the Arts on S.B. No. 2782

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (1) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (1) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2782 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2187 Labor, Culture and the Arts on S.B. No. 2783

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (2) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2783 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2188 Labor, Culture and the Arts on S.B. No. 2784

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (3) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2784 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2189 Labor, Culture and the Arts on S.B. No. 2785

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (4) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2785 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2190 Labor, Culture and the Arts on S.B. No. 2786

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (5) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (5) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2786 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2191 Labor, Culture and the Arts on S.B. No. 2787

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (6) 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 finds that the negotiations for collective bargaining agreements for bargaining unit (6) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2787 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2192 Labor, Culture and the Arts on S.B. No. 2788

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 Hawai'i System, and University of Hawaii Professional Assembly.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (7) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2788 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2193 Labor, Culture and the Arts on S.B. No. 2789

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (8) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2789 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2194 Labor, Culture and the Arts on S.B. No. 2790

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has reviewed and heard testimonies of the Department of Budget and Finance and the Hawaii Government Employees Association stating that an agreement between the Hawaii Government Employees Association and the employer for collective bargaining unit (9) was reached; the registered professional nurses in bargaining unit (9) ratified the four-year contract on January 15, 2022, effective July 1, 2021, to June 30, 2025; and the State received notification of ratification on January 18, 2022.

Your Committee therefore respectfully requests that your Committee on Ways and Means amend this measure by inserting the amount of appropriations and authorization of moneys to effectuate the agreement.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2790 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2195 Labor, Culture and the Arts on S.B. No. 2791

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (10) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (10) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2791 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2196 Labor, Culture and the Arts on S.B. No. 2792

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (11) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Fire Fighters Association, International Association of Fire Fighters Local 1463, AFL-CIO.

Your Committee has reviewed the written testimony of the Department of Budget and Finance and Hawaii Fire Fighters Association stating that the interest arbitration proceedings for bargaining unit (11) concluded on January 14, 2022, and the three-member panel is expected to issue a final and binding decision in late March 2022. This measure provides a legislative vehicle that can be used if the arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2792 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2197 Labor, Culture and the Arts on S.B. No. 2793

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (12) and their excluded counterparts.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee notes the testimony from the Department of Budget Finance that a legislative measure may not be necessary for bargaining unit (12).

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2793 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2198 Labor, Culture and the Arts on S.B. No. 2794

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 finds that the negotiations for collective bargaining agreements for bargaining unit (13) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2794 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2199 Labor, Culture and the Arts on S.B. No. 2795

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of 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 finds that the negotiations for collective bargaining agreements for bargaining unit (14) are currently in progress. This measure provides a legislative vehicle that can be used if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2795 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2200 Labor, Culture and the Arts on S.B. No. 2796

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (15) and their excluded counterparts.

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 Department of Budget and Finance.

Your Committee notes the comments from the Department of Budget Finance that a legislative measure may not be necessary for bargaining unit (15).

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2796 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2201 Judiciary on S.B. No. 312

The purpose and intent of this measure is to propose a constitutional amendment to provide that freedom of speech does not include the expenditure of money to influence elections.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 retained portions of the contents of this measure and also inserted provisions that:

- (1) Amend section 1 to reflect its amended purpose;

- (2) Clarify that the purpose of the measure is to propose a symbolic amendment to article I, section 4, of the Hawaii State Constitution to provide that the expenditure of money to influence elections is not a form of speech protected under the Hawaii State Constitution; and
- (3) Specify that the question to be printed on the ballot be reflective of the purpose of the measure.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that the United States Supreme Court's decision in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), reversed long-standing campaign finance restrictions and designated corporate spending on elections as free speech protected under the First Amendment of the Constitution of the United States. The decision removed any limits on the amount of money that corporations, special interest groups, and political action committees could spend on an election. Your Committee further finds that the decision in *Citizens United* is a serious threat to our democracy. Corporations enjoy various advantages, including limited liability, perpetual life, and favorable treatment in the accumulation and distribution of assets, which allow them to amass and spend an extraordinary amount of money on political messages that often have far greater reach and influence than messages from individuals. During the twelve years since the *Citizens United* decision, there has been a massive increase in political spending by corporations, special interest groups, and political action committees, dramatically expanding their already outsized political influence on election outcomes and policy decisions. This measure will demonstrate to the United States Congress that the State disapproves of the *Citizens United* decision.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of 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. 312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 312, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, none.

SCRep. 2202 Judiciary on S.B. No. 2388

The purpose and intent of this measure is to require disclosure of electioneering communications to occur on the date of any subsequent expenditures for electioneering communications.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii. Your Committee received comments on this measure from one individual.

Your Committee finds that Act 3, Special Session Laws of Hawaii 2021, repealed the requirement that disclosures of electioneering communications occur on the date of any expenditures subsequent to the initial \$1,000 threshold that triggers disclosure of electioneering communications. Your Committee further finds that as a result, when subsequent expenditures for electioneering communications are made, there is currently no disclosure requirement. This measure reinstates the requirement for disclosures for subsequent expenditures for electioneering communications, which will increase public transparency and accountability in campaign advertising.

Your Committee has amended this measure by:

- (1) Increasing the monetary threshold that triggers disclosure of electioneering communications from \$1,000 to \$2,000;
- (2) Repealing the exception to the definition of "electioneering communication" that excluded those communications that constitute actual expenditures by the expending organization; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2388, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2388, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2203 Energy, Economic Development, and Tourism on S.B. No. 2171

The purpose and intent of this measure is to:

- (1) Authorize independent generators of renewable energy to wheel the renewable electricity they produce to users of renewable energy; and
- (2) Require the Public Utilities Commission (PUC) to adopt administrative rules.

Your Committee received testimony in support of this measure from Hawaii Clean Power Alliance, Tawhiri Power LLC, and two 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; Hawaii Electric Company, Inc.; and one individual.

Your Committee finds that, to reach its goal to be one hundred per cent renewable energy by 2045, the State must continue to support established renewable energy sources that do not create significant greenhouse gas emissions and new sources that are emerging from new technological innovations. Retail wheeling occurs when electric power is transmitted from an independent generator of renewable energy to the facilities of renewable energy users over the existing transmission lines of a third-party electric public utility. According to testimony from the PUC, implementing retail wheeling in the State is an intense process that requires

resources that are currently devoted to other priority issues. Your Committee further finds that allowing the enforcement of the retail wheeling by order, as well as through administrative rules, will allow the PUC to effect the intent of this measure more efficiently.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that protects consumers from substandard services and other potential adverse impacts;
- (2) Allowing the PUC to implement the provisions of this measure by administrative rule or order;
- (3) Delaying the establishment of retail wheeling rules and the submission deadline for the legislative report for one year; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2171, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2204 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.B. No. 3025

The purpose and intent of this measure is to:

- (1) Create a licensing scheme for digital currency companies to be regulated by the Department of Commerce and Consumer Affairs' Division of Financial Institutions;
- (2) Continue the study of use cases by the Hawaii Technology Development Corporation; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Hawai'i Technology Development Corporation and five individuals. Your Committees received testimony in opposition to this measure from the Libertarian Party of Hawaii and two individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and Grassroot Institute of Hawaii.

Your Committees find that digital currency has grown in popularity, however, there is little regulation of the industry. According to research conducted by the Division of Financial Institutions and the Hawaii Technology Development Corporation in the Digital Currency Innovation Lab, it has been determined that the current regulatory scheme of the money transmitter law does not comport with the activities conducted by digital currency. This measure would create a new licensing scheme to provide greater consumer protections.

Your Committees note that S.B. No. 3076 (Regular Session of 2022), is a substantially similar measure with the similar purpose of regulating digital currency that includes preferred language that provides a phased approach to allow for the orderly transition from the Digital Current Innovation Law to the new licensing scheme.

Accordingly, your Committees have amended by this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3076, a substantially similar measure, which:
 - (A) Establishes a program for the licensure, regulation, and oversight of digital currency companies;
 - (B) Implements a phased application of the licensing program to the companies authorized to participate in the Digital Currency Innovation Lab; and
 - (C) Appropriates funds out of the Compliance Resolution Fund to implement the licensing program;
- (2) Clarifying the definition of "tangible net worth" to mean total assets excluding intangible assets, less total liabilities, in accordance with United States Generally Accepted Accounting Principles;
- (3) Exempting from the licensing program, non-custodial digital currency business activity by a person using a digital currency acknowledged as legal tender by the United States, or government recognized by the United States, or that has been determined to not be a security by a United States regulatory agency;
- (4) Clarifying that each licensee shall be prohibited from selling, transferring, assigning, lending, hypothecating, pledging, or otherwise using or encumbering assets, including digital currency, stored, held, or maintained by, or under the custody or control of, the licensee on behalf of another person except for the sale, transfer, or assignment of the assets at the direction of that other person, unless clearly presented and stated to the client that doing so is the intent of the product;
- (5) Clarifying that a licensee engaged in digital currency business activities shall maintain at all times a tangible net worth of not less than \$500,000, or in an amount determined by the Commissioner of Financial Institutions necessary to ensure safe and sound operation;
- (6) Inserting an effective date of July 31, 2050, to encourage further discussion; and
- (7) 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of

S.B. No. 3025, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3025, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2205 (Majority) Water and Land on S.B. No. 2755

The purpose and intent of this measure is to limit the discretion of the Department of Land and Natural Resources Land Division by requiring all decisions to revoke, limit, remove, or shorten Department of Land and Natural Resources leases and revocable permits, and issuance of condemnations, to be approved by the Board of Land and Natural Resources.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the effective management of public lands and oversight of land usage is necessary to ensure the benefit to Hawaii's people. Currently, the Department of Land and Natural Resources Land Division has broad discretion to revoke, limit, remove, or shorten leases; issue condemnations; and rescind revocable permits without prior approval from the Board of Land and Natural Resources. This measure will provide an enhanced review of public land leases and revocable permits to benefit Hawaii's residents and allow the State to repurpose land for optimal usage.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2755 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, 1 (Fevella). Excused, none.

SCRep. 2206 Water and Land on S.B. No. 2764

The purpose and intent of this measure is to expand exclusions to the definition of "development" in Chapter 205A, Hawaii Revised Statutes, to reduce the need for special management area permits for certain activities.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that many parts of the State fall within both Special Management Areas and the State Land Use Conservation District. Activities therefore may require both special management area permits and district use permits. Since requirements for both special management area and district use permits differ, understanding and complying with both permit conditions may be complicated and difficult. This measure reduces the need for special management area permits for certain activities by expanding exclusions to the definition of "development" in Chapter 205A, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Reverting to existing statutory language regarding the demolition or removal of structures, except those structures located on any historic site as designated in national or state registers;
- (2) Clarifying exclusions for public pedestrian and bicycle facilities regarding installation, maintenance, repair, and replacement;
- (3) Clarifying trash removal exclusions to include invasive vegetation control, excluding the use of herbicides;
- (4) Clarifying exclusions for installation of fencing for invasive species control or preservation of native habitat on conservation land;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2764, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2764, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2207 Water and Land on S.B. No. 3377

The purpose and intent of this measure is to prohibit any person from presetting commercial beach equipment on any beach encumbered by easements in favor of the public.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, and two individuals.

Your Committee finds that despite enforcement by officers from the Department of Land and Natural Resources Division of Conservation and Resources Enforcement, the court dismissed citations issued to commercial vendors who preset beach umbrellas and chairs on Waikiki Beach. The Department of Land and Natural Resources has received numerous complaints regarding presetting of equipment on Waikiki Beach. Despite time spent on enforcement, the lack of a clear definition of "presetting" allows issues to persist. To address both residents' ability to freely utilize public beaches and the visitor industry's desire to provide amenities to guests, this measure clarifies the definition of "presetting" to require the presence of a guest and applies only to public beaches encumbered by public access easements.

Your Committee has amended this measure by:

- (1) Restricting prohibited commercial activities on beaches to public lands, not private lands, such as accreted lands;
- (2) Requiring a customer to be present on the beach before commercial vendors can preset beach equipment or watercraft for immediate use;
- (3) Clarifying the definition of "preset";
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3377, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2208 (Joint) Housing and Human Services on S.B. No. 2504

The purpose and intent of this measure is to:

- (1) Establish the Landlord Incentive Program Special Fund;
- (2) Provide incentives for landlords who participate in certain Hawaii Public Housing Authority voucher programs; and
- (3) Make an appropriation to the special fund.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, State Council on Developmental Disabilities, Partners in Care, Hawai'i Health & Harm Reduction Center, Hawai'i Association of REALTORS®, Catholic Charities Hawai'i, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that this measure provides vital incentives for landlords who participate in certain voucher programs. According to testimony received from Catholic Charities Hawai'i, the Hawaii Public Housing Authority needs greater flexibility to incentivize landlords to participate in the Section 8 housing first voucher program.

Accordingly, your Committees have amended this measure by:

- (1) Allowing funds from the landlord incentive special fund be used to provide rent reimbursement incentives; and
- (2) Including additional voucher programs through which land owners may be eligible for the landlord incentive program.

As affirmed by the records of votes of the members of your Committees on Housing and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2504, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2504, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 5. Noes, none. Excused, none.
Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2209 (Joint) Housing and Human Services on S.B. No. 3018

The purpose and intent of this measure is to:

- (1) Establish a kauhale program under the Hawaii Public Housing Authority to provide housing services to chronically homeless individuals;
- (2) Provide continued exemptions for existing low-income rentals, tiny homes, and kauhale;
- (3) Establish an advisory committee to assist the Corporation; and
- (4) Make an appropriation.

Your Committees received testimony in support of this measure from the Office of the Lieutenant Governor, Hawai'i Health & Harm Reduction Center, Partners in Care, Opportunity Youth Action Hui, HomeAid Hawaii, Hui Aloha, Ka Po'e O Kaka'ako, The Radical Hale – Outreach with Aloha, Hawai'i Appleseed, and eight individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Hawaii Housing Finance and Development Corporation, State Procurement Office, The Michaels Organizations, League of Women Voters of Hawaii, EAH Housing, and one individual. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness; Department of the Attorney General; Office of Information Practices; Department of Budget and Finance; and Stanford Carr Development, LLC.

Your Committees find that homelessness continues to be one of Hawaii's most persistent challenges and that kauhale can provide support for homeless individuals throughout the State. Your Committees further find that, while the exemptions for kauhale included in this measure allow for the rapid construction of low-cost tiny homes, certain regulatory exemptions do not allow for adequate review by state agencies.

Accordingly, your Committees have amended this measure by:

- (1) Placing the kauhale program under the administration of the Hawaii Public Housing Authority, with consultative roles for the Department of Health and Department of Human Services, and replacing references to the Hawaii Housing Finance and Development Corporation with references to the Hawaii Public Housing Authority;
- (2) Removing language that applies the provisions of this measure only to the chronically homeless;
- (3) Removing exemptions for the kauhale program applicable to appropriations, environmental, procurement, and sunshine laws;
- (4) Expanding the advisory committee to include one member from Partners in Care and one member from Bridging the Gap Hawaii;
- (5) Including exemptions for existing low-income rentals, tiny homes, and kauhale consistent with the Governor's 2015 and 2018 proclamations on homelessness;
- (6) Making this measure effective on July 1, 2050, to encourage further discussion; and
- (7) 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 Housing and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3018, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3018, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Human Services: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 2210 Housing on S.B. No. 2901

The purpose and intent of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation to conduct a study of county ordinances on housing finance and development; and
- (2) Make an appropriation.

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

Your Committee finds that county ordinances play a central role in the State's affordable housing development. In many instances, county ordinances can pose a significant barrier to the feasibility and affordability of housing units developed in the State. This measure directs the Hawaii Housing Finance and Development Corporation to conduct a study of each county's housing finance and development ordinances to determine their effect on affordable housing development under the Corporation.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$250,000; and
- (2) Extending the due date for the submission of the report to the Legislature to 2024.

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. 2901, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2901, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2211 Housing on S.B. No. 2315

The purpose and intent of this measure is to require the Hawaii Housing Finance and Development Corporation to gather certain data as part of its housing advocacy and information system.

Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that a critical challenge in the development of affordable housing is a lack of data. Even for affordable housing developed by the State, there is insufficient information on the number of units that have been completed and the number of projects under development. This measure requires that the Hawaii Housing Finance and Development Corporation gather certain data on housing and affordable housing development in the State.

Your Committee has amended this measure by:

- (1) Inserting an appropriation of \$320,000 for the Corporation to contract with a consultant to develop an information system and to hire a research assistant to manage the system; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2315, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2212 Housing on S.B. No. 2870

The purpose and intent of this measure is to require the Hawaii Public Housing Authority to consider the severity of the basis when considering to terminate a lease and evict a tenant, and to make a determination that no alternative remedy is available before taking action to evict.

Your Committee received testimony in support of this measure from the Hawai'i Health & Harm Reduction Center, Akamai Cannabis Clinic, and two individuals. Your Committee received comments on this measure from the Hawaii Public Housing Authority.

Your Committee finds that eviction from public housing units can pose a significant challenge to many individuals and families. Given the significance of eviction for those individuals and families, it is essential that all other alternatives are considered. However, your Committee further finds that the Hawaii Public Housing Authority has already established procedures for the eviction of tenants that consider alternative options and that federal regulations require strict enforcement of certain policies.

Accordingly, your Committee has amended this measure by:

- (1) Limiting the application of the measure to public housing administered by the State and to marijuana use;
- (2) Establishing a formal process for evicting a tenant for marijuana use;
- (3) Requiring the Hawaii Public Housing Authority to file for exemptions to federal regulations concerning the use of controlled substances; and
- (4) Allowing exemptions to eviction for tenants who present sufficient medical documentation.

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. 2870, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2870, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2213 Housing on S.B. No. 3281

The purpose and intent of this measure is to increase the minimum number of residential units in a condominium project that must be offered for sale to prospective owner-occupants in the thirty-day period following the initial date of sale of the condominium from fifty percent to ninety percent.

Your Committee received no testimony on this measure.

Your Committee finds that Hawaii faces a homeownership crisis. Many in the State are unable to afford the high cost of homeownership in Hawaii, which is driven by speculation in the real estate market. This measure will increase the availability of housing by requiring a higher percentage of residential units to be offered for sale to owner-occupants.

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. 3281 and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2214 Housing on S.B. No. 3048

The purpose and intent of this measure is to authorize the transfer of excess moneys from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Hawaii Housing Finance and Development Corporation has legacy funds within the Rental Housing Revolving Fund derived from tax-exempt general obligation bond proceeds. The tax-exempt funds have limited usefulness for affordable rental housing development because under United States Treasury regulations, tax-exempt funds cannot be used to finance projects that also use low-income housing tax credits. This measure transfers funds from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund, where they can be used to support public infrastructure projects. However, your Committee notes that it has concerns about how the funds in the Rental Housing Revolving Fund and Dwelling Unit Revolving Fund are used by the Hawaii Housing Finance and Development Corporation and that there is a need for greater clarity.

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

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3048, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Moriwaki, Rhoads, Fevella). Noes, none. Excused, none.

SCRep. 2215 Human Services on S.B. No. 2878

The purpose and intent of this measure is to:

- (1) Expand the original jurisdiction of family court to include proceedings for declaration of emancipation of minors;
- (2) Expand the circumstances under which a minor shall be deemed to be emancipated;
- (3) Specify the rights of an emancipated minor;
- (4) Allow a minor who has reached the age of sixteen years to petition the family court for a declaration of emancipation;
- (5) Allow certain parties to petition the family court for voidance or rescission of a declaration of emancipation;
- (6) Set forth court procedures and standards in issuing, voiding, and rescinding a declaration of emancipation; and
- (7) Allow parties to appeal the court's decisions pertaining to emancipation to the Intermediate Court of Appeals.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network, Opportunity Youth Action Hui, Stonewall Caucus of the Democratic Party of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Human Services and Judiciary.

Your Committee finds that not all minors in Hawaii have parents or families that can or are willing to provide them with the necessary food, shelter, clothing, opportunity for education, and health care. While various government agencies and non-profit organizations strive to provide these minors with these necessities, your Committee acknowledges that there are certain circumstances in which it may be in the best interest of the child to be emancipated--freed from the custody and control of the parents and be given the rights and responsibilities of an adult. However, under existing Hawaii law, the only way a minor can be emancipated is to get married. This measure allows minors to voluntarily petition the court for a declaration of emancipation based on other reasons and sets forth the procedures and standards for the court to issue, void, and rescind such declarations.

Your Committee notes the testimony of the Hawaii Youth Services Network recommending that the measure include provisions to ensure that the minor is not seeking emancipation under duress.

Your Committee further notes the testimony of the Department of Human Services, requesting the deletion of the provision in this measure that requires Child Welfare Services to investigate the allegations set forth in a petition for declaration of emancipation and report the results to the court, due to the fact that the Department does not have staff or resources to perform these tasks.

Your Committee also notes the testimony of the Judiciary, providing comments and concerns on various provisions in the measure.

Accordingly, your Committee has amended this measure by:

- (1) Deleting from the basis of emancipation, the minor being on active duty with the armed forces of the United States;
- (2) Clarifying that emancipation does not prevent the minor from continuing to receive educational, mental health, or other services the minor is receiving solely due to the minor's age;
- (3) Requiring the petition for declaration of emancipation to be filed on behalf of a minor seeking emancipation, by a youth service organization recognized by the Department of Human Services or the minor's attorney;
- (4) Deleting the requirements that the court, upon receiving a petition for declaration of emancipation:
 - (A) Appoint a legal counsel to represent the interest of the minor;
 - (B) Require Child Welfare Services to investigate the allegations set forth in a petition and report the results to the court; and
 - (C) Provide the minor with a pamphlet written in plain language and counseling that informs the minor of the rights and responsibilities of an emancipated minor and alternative options to emancipation available to the minor;
- (5) Clarifying that clear and convincing evidence that the minor is not seeking emancipation under duress, including by coercion of a parent or guardian is required for the court to issue a declaration of emancipation; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services 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, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2216 Human Services on S.B. No. 3237

The purpose and intent of this measure is to:

- (1) Expand the investigative power of the Department of Human Services to include children who have been adopted or have been placed in legal guardianship, whose adoptive families or legal guardians are receiving federal or state financial assistance;
- (2) Expand the investigative power of the Department of Human Services to include children in the foster care system for whom there is a pending petition for adoption or an adoption decree has been issued but has not yet been placed in the custody of the adoption petitioner;
- (3) Establish a two-year Crisis Mobile Outreach Team Pilot Program within the Department of Health to expand and support existing crisis response services and programs for at-risk youth;
- (4) Appropriate funds for the Crisis Mobile Outreach Team Pilot Program, including funds to hire and train mental health professionals with trauma-informed training and experience working with youth;

- (5) Appropriate funds for the Department of Human Services to hire additional case workers and support staff that would conduct annual or semi-annual in-home visits for families receiving adoption assistance or legal guardianship assistance; and
- (6) Appropriate funds for the Department of Human Services to fill vacancies and retain employees in existing child welfare services case worker positions.

Your Committee received testimony in support of this measure from the Department of Health, Waimanālo Neighborhood Board No. 32, and eleven individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and two individuals.

Your Committee finds that many children in foster care continue to require support from Child Welfare Services after being placed in permanent custody of a family through adoption or legal guardianship. To prevent cases like the recent abuse and death of Isabella Kalua, born Ariel Sellers, and other similar past tragedies befalling children who were or had previously been under the protection and legal jurisdiction of the State, the network of state systems that protect and ensure the safety and security for at-risk children must be enhanced. This measure expands the authority of the Department of Human Services to allow case workers to conduct home visits of children whose adoptive families and legal guardians receive federal and state funding, and children in foster care whose adoption has not been completed. This measure also establishes a two-year Crisis Mobile Outreach Team Pilot Program within the Department of Health to expand and support existing crisis response services and programs for at-risk youth beginning July 16, 2022.

Your Committee has reviewed the testimony of the Department of the Attorney General raising concerns that the investigation of families by the Department of Human Services pursuant to this measure may affect the constitutional rights of parents, including adoptive parents, to raise their children, which limits an investigator's ability to investigate families without reasonable cause. Therefore, amendments to this measure are necessary to address this concern.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the review or investigation of families that are prescribed and performed by the Department of Human Services or its authorized agents pursuant to this measure shall be in accordance with chapters 350 and 587A, Hawaii Revised Statutes;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committees on Ways and Means and Judiciary further examine those issues and concerns raised by the testimony.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3237, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2217 Human Services on S.B. No. 3323

The purpose and intent of this measure is to:

- (1) Increase the amount of interest in real property that is exempt from attachment and execution to \$100,000 from the existing amount of \$30,000 for heads of households and individuals sixty-five years of age or older and \$20,000 for all other persons;
- (2) Amend the value of personal property that is exempt from attachment and execution, including:
 - (A) Amending the exemption amount from \$1,000 to fair market value for necessary household furnishings and appliances, books, clothes, jewelry, watches, and items of personal adornment used by the debtor or debtor's family; and
 - (B) Increasing the exemption amount from \$2,575 to \$15,000 for a motor vehicle; and
- (3) Exempt from attachment or execution, an amount equal to one month of child support and one month of spousal support in the possession of a debtor who is the recipient of the support payment.

Your Committee received testimony in support of this measure from Hawai'i Health & Harm Reduction Center; Neighborhood Place of Puna, Habitat for Humanity Hawaii Island, Inc.; Hawaii Debt Solutions; Hope Services Hawaii; and two individuals. Your Committee received testimony in opposition to this measure from Hawaii Financial Services Association; Mortgage Bankers Association of Hawaii, Hawaii Credit Union League, and the Collection Law Section of the Hawaii State Bar Association.

Your Committee finds that state laws exempting real and personal property from attachment and execution have not been updated since 1978 and 1999, respectively, despite the significant increase in housing prices and inflation. Your Committee also finds that existing law does not provide protection for amounts of child and spousal support received by the debtor. This measure increases the asset protection for real and personal property and creates an exemption for child and spousal support, which will allow workers and families who are facing short-term economic hardship to retain assets that are essential to their livelihood and regain financial stability.

Your Committee has amended this measure by:

- (1) Clarifying that the exemption for real property applies to the debtor's equity interest in the property; and

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3323, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2218 (Joint) Human Services and Housing on S.B. No. 2723

The purpose and intent of this measure is to appropriate funds to support the State Rent Supplement Program administered by the Hawaii Public Housing Authority.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority, Governor's Coordinator on Homelessness, Catholic Charities Hawai'i, Partners in Care, Hawai'i Health & Harm Reduction Center, The Radical Hale, and five individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that Hawaii has one of the highest homelessness rates per capita in the nation. The State Rent Supplement Program is a rent subsidy program administered by the Hawaii Public Housing Authority that assists households who are close to financial self-sufficiency but are not, due to Hawaii's high cost of living. Your Committees believe that the program, which keeps its participants housed and employed and helps them eventually achieve self-sufficiency, is a cost-effective approach to prevent homelessness in comparison to the high expense of assisting families who have already become homeless. Therefore, your Committees find that the continued operation of the program is critical to alleviate the homelessness crisis in Hawaii.

Your Committees note the Hawaii Public Housing Authority's testimony expressing that it is willing to open its statewide waiting list and assist two hundred additional families; provided that additional funding and one Public Housing Specialist II position is provided.

Accordingly, your Committees have amended this measure by:

- (1) Requiring the State Rent Supplement Program to provide rent supplements to two hundred additional qualified tenants from its waitlist;
- (2) Including in the appropriation, funding for one full-time equivalent (1.0 FTE) Public Housing Specialist II position within the Hawaii Public Housing Authority; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that although the appropriation is blank, the Hawaii Public Housing Authority's testimony provides that the program is facing a deficit of approximately \$500,000 for fiscal year 2022-2023 and that an additional \$1,000,000 and one Public Housing Specialist II position will be needed to assist an additional two hundred new families from its waitlist.

Your Committees have also reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committees find that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

As affirmed by the records of votes of the members of your Committees on Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2723, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2723, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Housing: Ayes, 5. Noes, none. Excused, none.

SCRep. 2219 (Joint) Human Services and Housing on S.B. No. 2677

The purpose and intent of this measure is to establish the Long-Term Rental Assistance Pilot Program for individuals who are over sixty-two years of age and are homeless or at imminent risk of becoming homeless to be administered by the Hawaii Public Housing Authority.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority, Governor's Coordinator on Homelessness, Catholic Charities Hawai'i, Partners in Care, AARP Hawai'i, Hawai'i Health & Harm Reduction Center, Change AGENTS Hawaii, Hawaii Family Caregiver Coalition, Free Access Coalition, and seven individuals. Your Committees received testimony in opposition to this measure from the State Procurement Office. Your Committees received comments on this measure from the Department of Budget and Finance and Executive Office on Aging.

Your Committees find that homelessness is one of the most pressing problems in Hawaii. Nearly one-third of Hawaii households who rent their residences are severely housing-cost burdened, meaning that over half of their monthly income goes to rent and utilities. As the housing prices in Hawaii continue to skyrocket, the housing cost burden is particularly heavy for seniors who are on a fixed income, such as those receiving Social Security or disability benefits, with limited family support. This measure creates a rent subsidy program to assist Hawaii's kupuna who are experiencing heavy housing cost burdens.

Your Committees note the testimony from the State Procurement Office raising concerns over the exemption from the Hawaii Public Procurement Code provided to the Hawaii Public Housing Authority in selecting a qualified non-profit organization to administer the

program. Your Committees also note testimony from Catholic Charities Hawai'i suggesting that the age criteria for the program be amended to match the age criteria for many senior affordable rental projects, which is sixty-two years of age and older.

Your Committees have also reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committees find that this issue raises concerns that merit further consideration and respectfully request that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

Accordingly, your Committees have amended this measure by:

- (1) Amending the age criteria for the Long-Term Rental Assistance Pilot Program from "over sixty-two years of age" to "sixty-two years of age or older";
- (2) Deleting the exemption from the Hawaii Public Procurement Code provided to the Hawaii Public Housing Authority in selecting a qualified non-profit organization to administer the pilot program;
- (3) Clarifying that the Hawaii Public Housing Authority is required to submit a report to the Legislature of its findings and recommendations, including any proposed legislation, regarding the pilot program no later than one month prior to the convening of the regular sessions of 2023, 2024, and 2025;
- (4) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (5) 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 Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2677, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2677, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Housing: Ayes, 5. Noes, none. Excused, none.

SCRep. 2220 (Joint) Human Services and Housing on S.B. No. 3168

The purpose and intent of this measure is to:

- (1) Provide additional funding to the Ohana Zones Pilot Program;
- (2) Extend the Ohana Zones Pilot Program's expiration by five years, to June 30, 2028; and
- (3) Establish a permanent Ohana Zones Program, to be placed within the Department of Human Services for administrative and funding purposes, upon the expiration of the pilot program on June 30, 2028.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Land and Natural Resources, Department of Human Services, Catholic Charities Hawai'i, Partners in Care, Opportunity Youth Action Hui, Hawai'i Health & Harm Reduction Center, Hawai'i Appleseed Center for Law & Economic Justice, Planning for Community LLC, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the Ohana Zones Pilot Program was established in 2018 to develop Ohana Zones on each of the islands of Oahu, Hawaii, Kauai, and Maui, to provide temporary and permanent housing and other needed services to individuals and families experiencing homelessness. Your Committees find that since its establishment, the pilot program has supported twenty projects statewide and as of November 2021, aided 5,510 homeless individuals statewide, including 1,368 that transitioned into permanent housing. Your Committees believe that an extension of the Pilot Program will provide the State with additional resources to address the increase in the levels of homelessness and housing instability statewide.

Your Committees note that S.B. No. 3108 and its companion, H.B. No. 2140, introduced in the Regular Session of 2022, are measures by requested the administration to extend the sunset date of the Ohana Zones Pilot Program to June 30, 2026, and appropriate \$15,000,000 for the program.

Your Committees have also reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committees find that this issue raises concerns that merit further consideration and respectfully request that your Committee on Ways and Means further examine those issues and concerns raised by the testimonies on this measure.

Accordingly, your Committees have amended this measure by:

- (1) Establishing an Ohana Zones Program within the Hawaii Public Housing Authority as part of its Rental Assistance Programs, rather than within the Department of Human Services, upon expiration of the Ohana Zones Pilot Program on June 30, 2028;
- (2) Inserting a \$15,000,000 appropriation amount for the extension of the Ohana Zones Pilot Program and expenses related to facility construction, renovation, and maintenance; provision of services and staffing; and administrative costs;
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3168, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3168, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Housing: Ayes, 5. Noes, none. Excused, none.

SCRep. 2221 Judiciary on S.B. No. 3250

The purpose and intent of this measure is to:

- (1) Establish an income tax surcharge on high-income individuals, estates, and trusts; and
- (2) Establish a working group within the Department of Taxation to develop a proposal for a state wealth tax.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawai'i. 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 Taxation, Tax Foundation of Hawaii, and Grassroots Institute of Hawaii.

Your Committee finds that extremely wealthy individuals whose incomes are immensely higher than most are not taxed at much higher rates than individuals whose income is greatly less. Increasing taxes on wealthy individuals will generate more revenue for the benefit of the State's economy. This measure will ensure that individuals with extremely high income pay their equitable share of taxes.

Your Committee has amended this measure by:

- (1) Removing language establishing an income tax surcharge on high-income individuals and penalties;
- (2) Establishing two additional marginal tax rates for joint filers whose income exceeds \$10,000,000 and \$25,000,000, head of households whose income exceeds \$7,500,000 and \$18,750,000, individuals whose income exceeds \$5,000,000 and \$12,500,000, and estates and trusts that have income exceeding \$200,000 and \$500,000, respectively;
- (3) Removing the Chair of the Tax Review Commission from the working group;
- (4) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3250, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2222 Education on S.B. No. 3190

The purpose and intent of this measure is to require the Department of Education to establish a native fish hatchery pilot program at Waianae High School.

Your Committee received testimony in support of this measure from the Department of Education, Kua 'Āina Ulu 'Auamo, and the Health Committee of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that loko i'a, or traditional fishponds, offer a critical opportunity for realizing the promise of Hawaii's sustainable future, as they represent a unique nexus of environmental, cultural, social, and economic benefits.

Your Committee further finds that the marine science learning center at Waianae High School currently has a functioning aquaculture facility with a saltwater well that has been the central focus of the science curriculum delivered to students enrolled for more than twenty-five years. This center is uniquely positioned to facilitate the transmission of skills necessary to produce sizable amounts of mullet fingerlings to supply fishponds and take mullet through their life cycle to future generations.

Accordingly, this measure supports the State's agricultural production and sustainability goals by establishing and funding a native fish hatchery pilot program at Waianae High School.

Your Committee has amended this measure by:

- (1) Inserting blank appropriation amounts;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the estimated appropriation required by this measure is \$855,000.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3190, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3190, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2223 Education on S.B. No. 2545

The purpose and intent of this measure is to establish a permanent school composting grant program within the Department of Education.

Your Committee received testimony in support of this measure from the Hawai'i Farm to School Hui, Hawai'i Farm Bureau, Center for Getting Things Started, and six individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that on-site school campus composting programs involving students have been successful in providing a beneficial method of waste diversion. These programs provide numerous benefits to students, taxpayers, and the environment. Accordingly, this measure will provide a broad range of benefits to schools and the larger community by establishing a permanent school composting grant program.

Your Committee has amended this measure by:

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

Your Committee notes that the Department of Education submitted comments that this measure does not contain the necessary funding for the program.

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

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2224 Education on S.B. No. 2891

The purpose and intent of this measure is to require the Department of Education to conduct a study for the inclusion of food hubs in the procurement strategy for the Aina Pono Hawaii State Farm to School Program.

Your Committee received testimony in support of this measure from the Department of Education, Hawai'i Farm to School Hui, Hawai'i Farm Bureau, Ulupono Initiative, Hawaii Tropical Fruit Growers, Hawai'i 'Ulu Producers Cooperative, Hawaii Food Hub Hui, Center for Getting Things Started, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Ka Ohana O Na Pua, and Hawaii Farmers Union United.

Your Committee finds that the Department of Education serves over one hundred thousand nutritionally balanced, affordable meals each day to over eighty-five percent of the youth in Hawaii. Your Committee also finds that the Aina Pono Hawaii State Farm to School Program has immense potential to improve students' health and academic performance by providing fresh and nutritional foods each day.

Your Committee further finds, however, that additional support infrastructure is necessary for the Aina Pono Hawaii State Farm to School Program to realize its full potential. Your Committee also finds that food hubs provide facilities and infrastructure that aggregate, process, and distribute farm products to consumers. These hubs can serve as a critical link between farmer and consumer.

Accordingly, your Committee finds that this measure will encourage the continued success of the Aina Pono Hawaii State Farm to School Program by requiring a study of the inclusion of food hubs in the procurement strategy for the Aina Pono Hawaii State Farm to School Program.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2891, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2891, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2225 Education on S.B. No. 3090

The purpose and intent of this measure is to provide greater fiscal transparency by broadening the purposes for which indirect costs incurred by the Department of Education, State Public Charter School Commission, or a charter authorizer from federal grants may be reimbursed under section 302A-1405, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Education.

Your Committee finds that indirect cost funds are reimbursed from federal grants received by the Department of Education for costs incurred in support of administrative and general business operations based on a negotiated rate with the federal government that is

assessed against allowable federal grant expenditures. Your Committee also finds that the Department of Education is required by statute to retain all federal indirect cost funds that it realizes.

Accordingly, your Committee finds that this measure will increase financial transparency by making indirect costs from all federal grants, whether discretionary or non-discretionary, available for deposit into the Federal Grants Revolving Fund authorized under section 302A-1405, Hawaii Revised Statutes. The allowable use of these funds include the pursuit of additional discretionary grants, monitoring grant execution, compliance with grant requirements, and the auditing of grant expenditures. Your Committee additionally finds that depositing indirect cost funds into the existing revolving fund will support better intentional, planned, and transparent use of these funds.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3090, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3090, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2226 Education on S.B. No. 3091

The purpose and intent of this measure is to:

- (1) Broaden the scope of profit-making operations students may engage in at public schools to include commercial enterprises, while ensuring that engagement in commercial enterprises shall be related to the primary educational purposes of the school, career pathway, academy, or program; and
- (2) Allow students who engage in commercial enterprises at public schools to receive school credit, compensation, or both.

Your Committee received testimony in support of this measure from the Department of Education and one individual.

Your Committee finds that existing law is unclear and overly restrictive regarding the commercial activities that students may engage in at public schools. Your Committee finds that commercial undertakings, in certain circumstances, provide valuable workforce education and skills development. This is particularly true for the agricultural industry.

Your Committee also finds that allowing students to engage in certain commercial activities at school fosters the development of the confidence and entrepreneurial spirit necessary to tackle many of the State's most challenging issues in the future.

Accordingly, this measure clarifies that students may engage in profit-making commercial operations at public schools, under rules established by the Department of Education, and may receive school credit, monetary compensation, or both, as a result of their participation in such activities.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3091, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2227 Judiciary on S.B. No. 2210

The purpose and intent of this measure is to:

- (1) Require the Chief Election Officer, with assistance from the county clerks for elections that involve county offices and countywide ballot issues, to publish and distribute a voters' pamphlet; and
- (2) Appropriate monies to allow the Chief Election Officer to publish and distribute a voters' pamphlet for each election.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, Green Party of Hawai'i, and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, Office of Elections, and Office of the County Clerk of the County of Kaua'i.

Your Committee finds that all states make an effort to inform the electorate about upcoming elections, where and when the elections will be held, and how to cast a vote. Your Committee further finds that some states publish and distribute voters' pamphlets to registered voters that contain valuable information such as candidate information, judicial performance reviews, descriptions of elected offices, or background information on constitutional amendments or ballot measures. This measure will provide for voters' pamphlets, which will create a more informed and engaged voting public.

Your Committee notes that should this measure continue this legislative session, the effective date should be amended to July 1, 2023, and the publishing of the voter's pamphlets should be implemented starting with the 2024 primary. Since the implementation would not start until the 2024 primary, there would be no appropriation needed in the 2022-2023 fiscal year. Your Committee further notes that the Office of Elections has testified that it will need \$16,300,000 to publish and distribute the voters' pamphlet. The Office of Elections also testified that they would produce a five hundred page master ballot. There was discussion amongst your Committee's members regarding only distributing the relevant portions of the master ballot to each voter. Your Committee also notes that several committee members had serious questions about candidate statements and whether or not they should be removed from the voters'

pamphlets or whether the Office of Elections should write a general statement about the candidates rather than have the candidates write the statements themselves. Also, committee members discussed the possibility of including the website address or QR codes for a candidate on the voters' pamphlets and whether that would inequitably burden voters who are low income or lack access to internet technology. Your Committee notes that there were also discussions by committee members regarding whether to use a digital voters' pamphlet instead of a printed voters' pamphlet to reduce costs. Finally, your Committee notes that this measure is a work in progress.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Budget and Finance for each statewide ballot issue or by the respective county counterpart agency for each countywide ballot issue listed on the ballot shall prepare the fiscal impact statement;
- (2) Specifying that the voters' pamphlets shall be distributed no later than the day the ballot package is mailed, either included in the ballot package or mailed separately;
- (3) Specifying that the fiscal impact statement shall contain an estimate on the fiscal impact of a ballot issue failing to pass;
- (4) Specifying that a candidate shall not challenge an argument statement;
- (5) Clarifying that the candidate may petition the circuit court of competent jurisdiction for a judicial determination if the candidate believes a candidate statement, not an argument or rebuttal statement, contains false or defamatory information;
- (6) Exempting the counties, in addition to the State, from liability for damages resulting from the publication of the argument, rebuttal, or candidate statement unless the chief election officer or county clerks publish the statement in violation of an order;
- (7) Specifying that upon agreement to resolve a dispute, if an argument statement committee has not yet submitted its rebuttal statement, its deadline to submit a rebuttal statement is extended by five days;
- (8) Specifying that upon agreement to resolve a dispute, if an argument statement committee has submitted a rebuttal statement, the committee may revise the rebuttal statement to address the change within five days of the filing of the revised argument with the chief election officer;
- (9) Removing the appropriation;
- (10) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2210, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2210, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Kim, Fevella). Noes, none. Excused, 1 (Acasio).

SCRep. 2228 Judiciary on S.B. No. 3215

The purpose and intent of this measure is to authorize cost of living expenses, as determined by the self-sufficiency standard for the State, to be protected from certain garnishments.

Your Committee received testimony in support of this measure from Hawai'i Alliance for Progressive Action, Pono Hawai'i Initiative, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Financial Services Association; MEDCAH, Inc.; Guardian Capital Management Hawaii; and one individual. Your Committee received comments on this measure from the Hawaii Credit Union League and one individual.

Your Committee finds that wage garnishment occurs when a court orders an employer to withhold a specified percentage of an employee's paycheck for payment of a debt. Hawaii law exempts from wage garnishment a portion of the defendant's income remaining after the deduction of any amounts required by law to be withheld. Your Committee further finds that this exemption currently does not sufficiently protect consumers, as Hawaii's cost of living is among the highest in the nation. Many individuals subject to garnishment may have to file for bankruptcy, become homeless, experience other negative financial outcomes, or become a burden on the State's social services. This measure will reduce the financial harms imposed on individuals and families subject to existing garnishment law.

Your Committee has amended this measure by:

- (1) Removing language that would have established a cost of living exemption from certain garnishments;
- (2) Specifying that the withholding amount for purposes of wage garnishment is five percent of the first \$200 per month, ten percent of the next \$200 per month, and twenty percent of all sums in excess of \$400 per month; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3215, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3215, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Kim). Noes, none. Excused, 1 (Fevella).

SCRep. 2229 Commerce and Consumer Protection on S.B. No. 2277

The purpose and intent of this measure is to:

- (1) Prohibit a contractor from advertising or promising to pay or rebate a property or casualty insurance deductible, or any portion thereof, to induce an insured property owner to purchase goods or services;
- (2) Allow an insured to rescind a contract with a contractor within five business days after the date the contract is executed;
- (3) Require a contractor to furnish a property owner with a written five-business-day right of rescission form advising the property owner of the legal right to rescind the contract within the allotted time;
- (4) Require a contractor to return funds to an insured homeowner within five business days of receipt of an executed right of rescission notice; and
- (5) Prohibit a contractor from representing or negotiating, or offering or advertising to represent or negotiate, on behalf of an insured or claimant in connection with the repair or reconstruction work associated with any insurance claim.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council, Hawaii Public Adjusters, National Insurance Crime Bureau, American Property Casualty Insurance Association, National Association of Public Adjusters, United Policyholders, and one individual. Your Committee received testimony in opposition to this measure from the Roofing Contractors Association of Hawaii. Your Committee received comments on this measure from the Contractors License Board and State Farm Automobile Insurance Company.

Your Committee finds that contractor fraud, particularly involving roofing and roofing-related services, continues to be a widespread problem across the country, including in Hawaii. After a storm, some unscrupulous contractors use the catastrophe to prey upon already vulnerable consumers by making misrepresentations that the replacement of their roof will be covered by their insurance policy. If an insured is coerced into signing a contract with a contractor to make extensive repairs that an insurance adjuster later determines were unnecessary or not covered, the consumer remains contractually obligated to pay for repairs they do not need and cannot afford. This measure joins Hawaii with twenty-two other states that have adopted similar consumer protection laws aimed at limiting the scope in which contractors can engage with homeowners to prevent consumers from being scammed into entering into deceptive repair contracts.

Your Committee has amended this measure by:

- (1) Clarifying that a contractor shall not pay or rebate, or promise to pay or rebate, a policyholder's insurance deductible, or any portion thereof;
- (2) Clarifying that a contractor shall not represent or negotiate, or offer or advertise to represent or negotiate, on behalf of an insured or a claimant, any insurance claim in connection with the repair or reconstruction work associated with the insurance claim;
- (3) Inserting a definition for the term "pay or rebate";
- (4) Clarifying the definition of "promise to pay or rebate";
- (5) Requiring a notice of rescission to be made by means of certified mail, return receipt requested;
- (6) Inserting an effective date of July 1, 2022; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2277, S.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. 2230 Commerce and Consumer Protection on S.B. No. 2917

The purpose and intent of this measure is to:

- (1) Require oocyte cryopreservation to be covered by health insurance policies;
- (2) Remove the one-time benefit limitation for in vitro fertilization; and
- (3) Reduce the number of years of infertility before becoming eligible for in vitro fertilization from five years to two years.

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, while Hawaii has been a leader in advancing reproductive rights, gaps in coverage and care still exist, particularly with regard to certain family planning and infertility treatments, a number of which still discriminate against unmarried women. This measure helps to increase access to covered care and allow insureds to plan their families in a way that is appropriate for them. Your Committee notes this measure is subject to an Auditor's impact assessment report, which would be expected prior to the commencement of the Legislative Session of 2023, in the event a concurrent resolution is adopted.

Your Committee has amended this measure by:

- (1) Making conforming amendments to ensure that unmarried women have access to coverage; and

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

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

Signed by the Chair on behalf of the Committee.

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

SCRep. 2231 Commerce and Consumer Protection on S.B. No. 2669

The purpose and intent of this measure is to remove discriminatory requirements for mandatory insurance coverage of in vitro fertilization procedures to create parity of coverage for same-sex couples, unmarried women, and male-female couples for whom male infertility is the relevant factor.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Kaiser Permanente Hawaii, Hawaii Medical Service Association, and Hawaii Association of Health Plans.

Your Committee finds that existing mandates for insurance plans to provide a one-time benefit for costs associated with in vitro fertilization procedures excludes same-sex couples, unmarried women, and male-female couples for whom male infertility is the relevant factor, and constitutes discrimination on the basis of sex, sexual orientation, and marital status. This measure promotes equal access to in vitro fertilization for same-sex couples and for women regardless of their marital status. Your Committee further notes that this measure is subject to an impact assessment report by the Auditor, pursuant to section 23-51, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Removing references to oocyte donors and surrogates; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2669, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2669, S.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. 2232 Commerce and Consumer Protection on S.B. No. 2494

The purpose and intent of this measure is to:

- (1) Prohibit landlords from recovering possession of a dwelling unit from tenants if habitability of the premises is significantly impaired;
- (2) Set a tenant's liability for rent if habitability of the premises is significantly impaired; and
- (3) Provide remedies for retaliatory evictions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that the most common complaint received by the Office of Consumer Protection's Landlord-Tenant Information Center relates to landlords' failure to make repairs in a timely manner. Existing state law provides that tenants may only deduct up to \$500 from their following month's rent if a landlord does not respond to the tenant's written repair request within twelve days, but costs to repair conditions that materially affect health and safety can easily exceed \$500, leaving the tenant with limited recourse to address unsanitary or dangerous conditions. This measure sets a clear standard of damages for tenants who fall victim to retaliatory evictions and gives landlords an incentive to fix their properties quickly.

Your Committee has amended this measure by:

- (1) Clarifying that a tenant shall cooperate with the landlord to allow for the restoration of the dwelling unit to a habitable condition and continue to pay rent equal to the fair rental value of the unit or the agreed upon rent, whichever is less;
- (2) Replacing the term "premises" with the term "dwelling unit", where appropriate; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2494, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2494, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2233 Education on S.B. No. 2928

The purpose and intent of this measure is to amend the law relating to education.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with a measure to establish a working group to study and prepare an implementation plan for agricultural career pathways.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2928, as amended herein, and recommends that it be recommitted to your Committee on Education, in the form attached hereto as S.B. No. 2928, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2234 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 872

The purpose and intent of this measure is to add the Chairperson of the Hawaiian Homes Commission, or their designee, as an ex-officio, voting member of the Commission on Water Resource Management to advance the interests of beneficiaries of the Hawaiian Homes Commission Act.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, League of Women Voters of Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, and five individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that decisions made by the Commission on Water Resource Management relating to planning, regulation, management, and conservation of water resources in the State shall, to the extent applicable, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian homelands as set forth by the Hawaiian Homes Commission Act. In 2014, the Hawaiian Homes Commission approved a Water Policy Plan which includes the goal to "aggressively, proactively, consistently, and comprehensively advocate for the kuleana of the beneficiaries, the Department of Hawaiian Home Lands, and the Hawaiian Homes Commission to water before all relevant agencies and entities." To allow for greater collaboration between the Department of Hawaiian Home Lands and the Commission on Water Resource Management, this measure expands the membership of the Commission on Water Resource Management to include the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee.

Your Committees have 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 and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 872, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 872, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Hawaiian Affairs: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keohokalole).

SCRep. 2235 Water and Land on S.B. No. 2814

The purpose and intent of this measure is to establish within the Office of Planning and Sustainable Development, a taskforce, advisory group, and consultant team to develop a coastal zone framework-development taskforce to develop a programmatic framework for a Hawaii next generation coastal zone management program and appropriates funds.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, and the Office of Planning and Sustainable Development.

Your Committee finds that current shoreline regulatory process has become a substantial time and cost burden and obstacle to the State, counties, and private landowners. The current shoreline permit process includes the environmental assessment planning process, which is required prior to applying for federal, state, and county permit applications. Developing a framework for a Hawaii next generation coastal zone managers program will provide a sustainable jobs program for the islands' next generation of place-based coastal zone managers, and a competent cadre of place-based experts with knowledge, skills, and abilities to adequately understand the State's growing coastal zone problems amidst sea level rise caused by climate change.

However, your Committee has heard the concerns of the Office of Planning and Sustainable Development that this measure as drafted may be restrictive and premature to prescribe the delivery of an electronic-permitting system. According to the Office of Planning and Sustainable Development, differing guidelines between federal, state, and county levels regarding permitting processes may complicate the implementation of the proposed electronic-permitting system. While the Office of Planning and Sustainable Development expressed interest in examining the potential for multi-agency collaboration, preliminary analyses must be conducted. Amendments to this measure are therefore necessary to address the Office of Planning and Sustainable Development's electronic-permitting system concerns.

Your Committee has amended this measure by:

- (1) Requiring an exploratory analysis of permitting systems, including an assessment of current permitting systems in Hawaii and an investigation of their applicability;
- (2) Inserting a blank appropriation amount;

- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2814, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2814, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2236 Water and Land on S.B. No. 2860

The purpose and intent of this measure is to create a refundable water catchment tax credit for homeowners who install a water catchment system meeting certain requirements on residential property in the State owned by the homeowners.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. 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 and Department of Taxation.

Your Committee finds that water catchment systems promote cost-effective, reliable, and safe fresh water sources that reduce consumer demand on existing fresh water. Water catchment systems promote water conservation, mitigate flooding, and conserve energy needed to pump, treat, and transport fresh water for consumer use. However, your Committee has heard the concerns of the Department of Taxation that this measure as drafted may create unintended losses in revenue based on the current drafted definition of "qualified taxpayer".

According to the Department of Taxation, this measure as drafted would allow any water catchment system ever installed by that taxpayer, as long as the minimum capacity and residential property ownership requirements were met, to qualify for and receive the refundable tax credit. Amendments to this measure are therefore necessary to address the Department of Taxation's concerns regarding the definition of "qualified taxpayer".

Your Committee has amended this measure by:

- (1) Amending the definition of "qualified taxpayer" to require water catchment systems to be installed and in service during the taxable year to qualify for the tax credit; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2860, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2860, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2237 Water and Land on S.B. No. 3320

The purpose and intent of this measure is to codify certain administrative rules of the Department of Land and Natural Resources regarding permits to destroy or control harmful feral pigs.

Your Committee received testimony in support of this measure from Ulupono Initiative. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that residents of Hawaii, especially those living in rural areas, should be allowed to protect their property from wildlife that can damage property and endanger persons. Destructive or dangerous wildlife, particularly feral pigs, pose a threat to crops, indigenous plants and wildlife, and are often hazardous to human health and safety. However, the process for acquiring the necessary permits to eradicate feral pigs on private property is often difficult and cumbersome.

Despite the lengthy process to destroy and control feral pigs, your Committee has heard the concerns of the Department of Land and Natural Resources that this measure as introduced would inhibit some of the Department of Land and Natural Resources' authority to manage wildlife that cause substantial damage to natural resources or pose a threat to human health and safety. According to the Department of Land and Natural Resources, the measure would remove the authority from the Department of Land and Natural Resources to issue nuisance wildlife and feral game control permits and restrict permits to be issued for the control of feral pigs only. Restricting permits to feral pigs may inhibit the destruction and control of other nuisance game mammals, game birds, introduced wildlife, and introduced birds that caused or can cause damage to private properties. Amendments to this measure are therefore necessary to address the Department of Land and Natural Resources' concerns.

Accordingly, your Committee has amended this measure by:

- (1) Retaining existing statutory language establishing the Department of Land and Natural Resources' authority to adopt rules regarding permits to take wild birds, game birds, and game mammals;
- (2) Authorizing the Department of Land and Natural Resources to issue permits for the destruction of game mammals, including feral pigs, that have caused or are likely to cause damage to privately owned land, agricultural or aquacultural crops, indigenous plants or wildlife, or that pose a threat to human health and safety;
- (3) Requiring an authorized agent of the Department of Land and Natural Resources to investigate complaints regarding game mammals, including feral pigs, that have caused or are likely to cause damage to privately owned land and issue a permit if satisfied with the damage that has occurred or likely to occur;

- (4) Requiring the authorized agent of the Department of Land and Natural Resources to issue a permit or notify the applicant why a permit was not issued after a complaint has been made within one hundred eighty days;
- (5) Authorizing the applicant of a permit to appeal decisions made by the authorized agent of the Department of Land and Natural Resources if a permit has not been issued within one hundred eighty days;
- (6) Retaining existing statutory language that requires applicants seeking authority to apply for and obtain a written permit from the Department of Land and Natural Resources with exceptions to destruction of game birds, wild birds, and game mammals which are generally destructive to crops, constitute a nuisance, or health hazard within the district;
- (7) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3320, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3320, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2238 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2287

The purpose and intent of this measure is to include in the duties of the Natural Energy Laboratory of Hawaii Authority, the duty to support research, development, and commercialization of aquaculture.

Your Committees received testimony in support of this measure from the Department of Agriculture and Hawaii Farm Bureau. Your Committees received comments on this measure from the Natural Energy Laboratory of Hawaii Authority.

Your Committees find that Hawaii's favorable climate and geography allow for inherent advantages in aquaculture production. Hawaii's aquaculture production generates over \$70 million in revenues per year, making it the fifth-highest contributor to the economy in diversified agriculture with great potential for further expansion. According to testimony from the Natural Energy Laboratory of Hawaii Authority, it currently manages aquaculture tenants and supports the development of aquaculture.

Your Committees further find that a revitalized aquaculture industry could provide additional economic development opportunities for rural communities statewide. Your Committees also find that supporting Hawaii's aquaculture industry aligns with the statewide goal of increasing local food production, reduces reliance on imported seafood, and increases local food security.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2287 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.
Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Gabbard, Nishihara, Fevella). Noes, none. Excused, none.

SCRep. 2239 (Joint/Majority) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 2473

The purpose and intent of this measure is to transfer the Agribusiness Development Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Agriculture, and one individual. Your Committees received testimony in opposition of this measure from the Hawai'i Food Policy+, Pono Hawai'i Initiative; Hawai'i Alliance for Progressive Action; Hawai'i Farm Bureau; Our Revolution Hawaii; We Are One, Inc.; and twenty-four individuals. Your Committees received comments on this measure from the Agribusiness Development Corporation.

Your Committees find that the primary mission of the Agribusiness Development Corporation (ADC) is to aggressively facilitate the development of agricultural enterprises to replace the economic loss caused by the Closure of Hawaii's sugar and pineapple plantations. Your Committees recognize the concerns raised in testimony regarding this measure, and notes that the Department of Business, Economic Development, and Tourism (DBEDT) and ADC have similar missions to facilitate economic development in the State. According to testimony from the Department of Agriculture, its priorities and functions are primarily regulating and managing the existing agricultural industry and community.

Accordingly, to further the purpose of this measure, your Committees have amended this measure by:

- (1) Repealing section I63D-8.5, Hawaii Revised Statutes, which requires the Board of Agriculture to approve all ADC projects, plans, and programs prior to implementation; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees further note that should this measure be enacted, DBEDT may require additional positions to properly support the ADC.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B.

No. 2473, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2473, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Gabbard, Nishihara, Rhoads, Fevella). Noes, 1 (Acasio). Excused, none.

SCRep. 2240 (Joint) Energy, Economic Development, and Tourism and Hawaiian Affairs on S.B. No. 2035

The purpose and intent of this measure is to incorporate a regenerative framework into the State Planning Act by establishing objectives and policies for Hawaii's visitor industry, which includes:

- (1) Forming community partnerships to ensure native Hawaiian cultural integrity;
- (2) Increasing the amount of Hawaii residents in management and leadership positions in the visitor industry;
- (3) Incentivizing and facilitating a shift to a regenerative visitor industry with a smaller footprint;
- (4) Supporting and encouraging other economic sectors to reduce the State's dependence on tourism;
- (5) Minimizing negative economic, environmental, and social impacts on the State;
- (6) Generating greater economic benefits for Hawaii residents;
- (7) Enhancing the well-being of local communities;
- (8) Improving the working conditions and access to the visitor industry;
- (9) Involving Hawaii residents in decisions that affect their lives and life changes;
- (10) Making positive contributions to the conservation of natural and cultural heritage for the maintenance of Hawaii's diversity;
- (11) Providing more enjoyable experiences and a greater understanding of local culture, social, and environmental issues for tourists; and
- (12) Providing access for persons with disabilities and disadvantaged people.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawaii Tourism Authority, 'Āina Aloha Economic Futures, and four individuals. Your Committees received testimony in opposition of this measure from the Center for Hawaiian Sovereignty Studies and one individual. Your Committees received comments on this measure from one individual.

Your Committees find that Hawaii's reliance on the tourism industry exacerbated the negative economic impacts to the State from the coronavirus disease 2019 pandemic. Your Committees further find that the objectives and policies established by this measure align with the State's 2050 Sustainability Plan and will help Hawaii transition to a more sustainable and regenerative form of tourism to provide greater benefits to residents, local communities, local businesses, and our natural environment.

Your Committees also find that the State's tourism functional plan has not been updated in over thirty years. Functional plans identify priority issues and contain objectives, policies, and actions to guide the allocation of resources and implementation of policies by state and county agencies. Your Committees recognize the importance of an updated tourism functional plan for the State's long-term economic recovery and resilience.

Your Committees received testimony from the Office of Planning and Sustainable Development which offered changes to align the measure more closely into the Hawai'i State Planning Act, and therefore amendments are necessary.

Accordingly, your Committees have amended this measure by:

- (1) Requiring the Hawaii Tourism Authority, in coordination with the Office of Planning and Sustainable Development, to prepare and periodically update the tourism functional plan;
- (2) Requiring the Governor to submit the State Tourism Functional Plan to the Legislature no later than twenty days prior to the convening of the regular session of 2023; and
- (3) 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 Energy, Economic Development, and Tourism and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2035, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2035, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 2241 Health on S.B. No. 2205

The purpose and intent of this measure is to establish a task force to develop and implement a plan to utilize the 9-8-8 calling code of the National Suicide and Mental Health Lifeline.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Primary Care Association, Hawaii Substance Abuse Coalition, Hawaii Disability Rights Center, and one individual. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii Psychiatric Medical Association, and Prevent Suicide Hawai'i Taskforce.

Your Committee finds that on July 16, 2020, the Federal Communications Commission adopted rules to establish "9-8-8" as the new, nationwide three-digit phone number to connect to the National Suicide Prevention Lifeline and Veterans Crisis Line. Beginning July 16, 2022, dialing "9-8-8" will route calls to the National Suicide Prevention Hotline. Other states have passed legislation to prepare and implement the new national suicide prevention lifeline. This measure establishes a task force to develop an implementation plan to integrate and utilize the new 9-8-8 calling code.

Your Committee acknowledges the testimony of the Hawaii Primary Care Association, who requested to be represented on the task force.

Your Committee has amended this measure by:

- (1) Including a representative of the Hawaii Primary Care Association on the task force;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2205, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2242 Health on S.B. No. 2280

The purpose and intent of this measure is to allow dental assistants to perform limited duties under the general supervision of a dentist in public health settings.

Your Committee received testimony in support of this measure from the Hawai'i Oral Health Coalition; Hawai'i Children's Action Network Speaks!; Hawaii Dental Association; Hawaii Dental Hygienists' Association; Hawaii Dental Service; Hui No Ke Ola Pono, Inc.; and five individuals. Your Committee received comments on this measure from the Department of Health, Board of Dentistry, and one individual.

Your Committee finds that the State lacks adequate and accessible dental public health infrastructure, particularly on the neighbor islands. This lack of access to sufficient dental care has led to devastating health outcomes among children, especially those in native Hawaiian and Pacific Islander communities. Dental assistants could play an important role in improving access to dental health care across the State. However, dental assistants are prohibited from providing auxiliary support except under direct supervision. This prohibition affects the efficiency and production of dental assistants when practicing in a public health setting, leading to fewer dental services being provided to vulnerable communities. This measure allows dental assistants to perform limited duties under the general supervision of a dentist in public health settings.

Your Committee acknowledges the testimony of the Hawai'i Oral Health Coalition, which notes that the measure as written requires licensed dental hygienists to supervise dental assistants, when in fact both should be under the general supervision of a dentist. Your Committee also notes the testimony of the Department of Health, which raised concerns that the measure, as written, could be interpreted to foreclose dentists in private practice from implementing community-based oral health models to provide dental services to underserved Hawaii residents.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that licensed dental hygienists may direct the work of dental assistants but do not have supervisory responsibility over dental assistants;
- (2) Removing the requirement that a licensed dentist be employed in a public setting;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2280, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2280, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2243 Health on S.B. No. 2439

The purpose and intent of this measure is to require health insurance policies and contracts issued after December 31, 2022, to provide coverage for the cost of hearing aids at a minimum of \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months in their base plans.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elderly Affairs, AARP Hawai'i, and twelve individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, Hawaii Association of Health Plans, and Kaiser Permanente Hawaii.

Your Committee finds that currently, most health insurance plans in Hawaii cover the purchase of hearing aids, but the amount of coverage may be low, leaving the patient with a large copayment. As a result, it is not unusual for people with hearing loss to choose to delay or forgo the purchase of hearing aids because they are unable to pay for them. The Legislature attempted to address this issue in Senate Bill No. 309, S.D. 1, Regular Session of 2014 (S.B. No. 309), which proposed a law mandating insurance coverage for hearing aids. The auditor's sunrise study on S.B. No. 309 expressed concerns that the measure had no limits on coverage, such as minimum or maximum costs covered by insurers or frequency of placement. This measure addresses those concerns by requiring a minimum coverage benefit of \$1,500 per hearing aid for each ear every thirty-six months.

Your Committee acknowledges the concerns of the Hawaii Medical Service Association, which noted that a decision on the type of hearing device an individual requires should be based on medical necessity rather than a fixed dollar amount.

Therefore, your Committee has amended this measure by:

- (1) Replacing the minimum required coverage of \$1,500 per hearing aid for each hearing-impaired ear with coverage of medically necessary hearing aid models, including analog, digital, and digitally programmable models, with standard features;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2439, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2244 Health on S.B. No. 2460

The purpose and intent of this measure is to allow temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country who are seeking a state license by endorsement.

Your Committee received testimony in support of this measure from Hawaii Medical Service Association; Hawai'i Friends of Civil Rights; Hawai'i - American Nurses Association; Hawai'i Coalition for Immigrant Rights; Hawai'i Pacific Health; Filipina Advocacy Network; Healthcare Association of Hawaii; The Legal Clinic; Hawaii Health Systems Corporation, East Hawaii Region; Planned Parenthood Alliance Advocates; and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, The Queen's Health Systems, and one individual.

Your Committee finds that the State faces a nurse shortage. Furthermore, the shortage has been exacerbated by the coronavirus disease 2019 pandemic, with nearly five thousand nurses leaving the field between 2019 and the middle of 2021. Currently, qualified nurses in other states may apply for Hawaii licensure by endorsement, making them temporarily eligible to practice in the State while their applications are verified. Expanding this practice to nurses from other territories and foreign jurisdictions will enable more qualified nurses to practice in the State. Accordingly, this measure expands application for licensure by endorsement to include registered nurses and licensed practical nurses from a territory or foreign jurisdiction.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2460, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2460, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2245 Health on S.B. No. 2609

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to finance the construction of and improvements to health care facilities of The Queen's Health Systems and its nonprofit affiliates.

Your Committee received testimony in support of this measure from The Queen's Health Systems. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that chapter 39A, Hawaii Revised Statutes, authorizes the Department of Budget and Finance to issue special purpose revenue bonds to finance public work projects, including projects for not-for-profit corporations that provide health care facilities to the general public. Your Committee further finds that The Queen's Health Systems qualifies as a not-for-profit corporation that provides health care facilities to the general public. Furthermore, The Queen's Health Systems is embarking on a multi-year redevelopment and expansion of its West Oahu and Punchbowl campuses, among other projects. This measure will aid The Queen's Health System in financing these projects to meet the changing and critical health care needs of the communities they serve.

As affirmed by the record of votes of 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. 2609 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Baker, Fevella).

SCRep. 2246 Health on S.B. No. 2661

The purpose and intent of this measure is to create an exemption for traditional midwives from the current midwifery licensing law.

Your Committee received testimony in support of this measure from the Maui County Committee on the Status of Women; Hawai'i Home Birth Collective; Ho'opae Pono Peace Project; Pacific Birth Collective; Sacred Healing Arts Collective, LLC; Aoki Birthing Care LLC; Hawaii Midwifery Council; Hale Kealaula, LLC; and one hundred forty-nine individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Section of the American College of Obstetricians and Gynecologists, and forty-five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Midwives Alliance of Hawai'i, and two individuals.

Your Committee finds that from 1998 until the passage of Act 32, Session Laws of Hawaii 2019 (Act 32), the profession of midwifery was not regulated. Your Committee further finds that Act 32 attempted to address this issue by creating a regulatory scheme for the midwifery profession, while acknowledging cultural midwifery practices by exempting native Hawaiian healers from licensure requirements until 2023. Act 32 also established a Home Birth Task Force, which was directed to investigate issues relating to direct entry midwives and home births. This measure creates an exemption for traditional midwives from the current midwifery licensing law resulting from the Home Birth Task Force's investigation.

Your Committee heard significant testimony in both support of and opposition to this measure. Your Committee finds that there remain several issues that this measure, as drafted, does not address. For example, it is unknown how many midwives will apply for the licensing exemption, thus leaving the possibility that the exemption will become the rule. Your Committee also finds that the current licensing exemption does not expire until July 1, 2023, and therefore, there is sufficient time to better examine the outstanding issues relating to the practical implementation of the licensing exemption as proposed in this measure, as introduced.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language to reestablish the Home Birth Task Force to investigate issues relating to the midwifery regulatory scheme established by Act 32. The investigation shall include but not be limited to the following:

- (1) The accessibility of credentialing compliant with Act 32, to midwives in the State;
- (2) The number of applicants who would qualify or apply for the exemption proposed by the original version of this measure; and
- (3) How the exemption proposed by the original version of this measure would be enforced by the Department of Commerce and Consumer Affairs, Hawaii Home Birth Collective LLC, or other enforcing entity.

As affirmed by the record of votes of 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. 2661, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2661, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2247 Health on S.B. No. 2666

The purpose and intent of this measure is to appropriate funds to the Waianae Coast Comprehensive Health Center for the operation of its twenty-four-hour emergency department.

Your Committee received testimony in support of this measure from the Waianae Coast Comprehensive Health Center, Hawai'i Primary Care Association, and Health Committee of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General, Department of Health, and Department of Budget and Finance.

Your Committee finds that the Waianae Coast Comprehensive Health Center (Center) is a community—owned, community—operated nonprofit medical facility serving the Waianae coast of Oahu. Sixty—five percent of the Center's patients are at one hundred percent of the federal poverty level or below; seven percent are uninsured; and fifty—eight percent are receiving coverage under QUEST, the State's Medicaid program. Unlike all other emergency departments located at State and private hospitals, the Center is unable to bill Medicaid or Medicare an "ER facility fee" and can only charge these funding sources as a primary care outpatient visit. As such, the Center is only able to cover the costs of emergency medical care during day and evening hours. Without a state subsidy, the Center could not provide emergency medical services during the late night and early morning hours. This measure appropriates funds as a grant to the Center so it can operate its emergency services from midnight to 8:00 a.m.

Your Committee acknowledges the concerns of the Department of the Attorney General, which notes that the measure, as drafted, could be interpreted to be in violation of article VII, section 4, of the Hawaii State Constitution because the appropriation does not specify that the appropriation made to the Center is intended to be a grant.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the appropriation made to fund the Center's midnight to 8:00 a.m. emergency department operations is a grant;
- (2) Inserting a blank appropriation amount;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion;

- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2666, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2666, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2248 Health on S.B. No. 2735

The purpose and intent of this measure is to appropriate funds to the Adult Mental Health Division of the Department of Health to support increased behavioral health crisis stabilization beds.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, Hawaii Disability Rights Center, Hawai'i Health & Harm Reduction Center, Hawai'i Primary Care Association, Hawai'i Psychological Association, Hawaii Substance Abuse Coalition, Partners in Care – Oahu Continuum of Care, Community Empowerment Resources, Prevent Suicide Hawai'i Taskforce, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that there is a lack of short-term behavioral health stabilization services throughout the State. As a result, individuals experiencing a behavioral health crisis seek treatment at hospital emergency rooms and utilize a great amount of health care resources only to gain short-term outcomes and creating unnecessary burdens on emergency departments, law enforcement, and individuals living with behavioral health issues. Studies have shown that the cost of crisis stabilization centers is significantly less than emergency rooms and psychiatric inpatient units. This measure appropriates funds to the Adult Mental Health Division of the Department of Health to support increased behavioral health crisis stabilization centers.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2735, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2735, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2249 Health on S.B. No. 2736

The purpose and intent of this measure is to appropriate funds to the Department of Health for a statewide crisis outreach program.

Your Committee received testimony in support of this measure from the Adult Mental Health Division of the Department of Health, Hawaii Substance Abuse Coalition, Hawaii Disability Rights Center, Hawai'i Health & Harm Reduction Center, Community Empowerment Resources, Prevent Suicide Hawai'i Taskforce, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that a crisis mobile outreach team is staffed by two professionals: a crisis intervention worker and a medic who is either a nurse or an emergency medical technician, and who are trained in de-escalation and crisis intervention methods. Sending a crisis intervention worker to attend to a person having a behavioral health crisis instead of law enforcement or emergency services saves millions of dollars in public safety spending and emergency medical costs, including ambulance transport and emergency room services. Your Committee also finds that crisis hotlines anticipate an increase in call volume following the activation of the National Suicide Prevention Hotline 9-8-8 code. This measure appropriates funds to the Department of Health for a statewide crisis outreach program.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2736, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2736, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2250 Health on S.B. No. 2804

The purpose and intent of this measure is to define “pool” to mean a watertight artificial structure containing a body of water that does not exchange water with any other body of water either naturally or mechanically used for swimming, diving, recreational bathing, or therapy by humans, for purposes of the Department of Health’s authority to adopt rules concerning public health and safety.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that the Department of Health is authorized to regulate pools such as public swimming pools. However, because there is no definition of “pool” in the statute’s authorizing language, the Department of Health’s authority could be read to extend to structures such as lagoons or the Waikiki War Memorial Natatorium. This measure clarifies that the Department of Health is authorized to regulate structures such as public swimming pools.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2804, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2804, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2251 Health on S.B. No. 2829

The purpose and intent of this measure is to:

- (1) Establish provisional or associate level licensure requirements for marriage and family therapists and psychologists, and authorize insurance reimbursements in certain circumstances; and
- (2) Allow psychologist license applicants to sit for the licensing examination before completing other requirements.

Your Committee received testimony in support of this measure from the Department of Health; Hawaiian Islands Association for Marriage and Family Therapy; Hawai’i Psychological Association; National Association of Social Workers - Hawai’i Chapter; Wellness Partners Hawaii, Inc.; Elemental Guidance, LLC; Ho’oulu Counseling LLC; Kauhale Healing LLC; and thirty-four individuals. Your Committee received testimony in opposition to this measure from eight individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Public Safety, Hawaii Board of Psychology, and thirty-seven individuals.

Your Committee finds that there is a shortage of mental health professionals throughout the State, especially in rural areas. A significant cause of this shortage is that new mental health professionals seeking to complete their hours of supervised practice can encounter tremendous financial difficulty due to Hawaii’s high cost of living and the fact that their services are not eligible for insurance reimbursement. This measure would reduce financial hardship for early career mental health providers and those seeking licensure in the field of mental health by allowing for reimbursement under a provisional license and while under the supervision of a licensed supervisor.

Your Committee heard the testimony of many mental health professionals and advocates noting that the measure as drafted does not include licensed mental health counselors, who provide critical mental health services akin to services provided by marriage and family therapists and psychologists. Your Committee finds that mental health counselors should also be included in the measure.

Therefore, your Committee has amended this measure by:

- (1) Establishing provisional or associate level licensure requirements for mental health counselors and authorizing insurance reimbursements in certain circumstances;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2829, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2829, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2252 Health on S.B. No. 3118

The purpose and intent of this measure is to ban the sale of flavored tobacco products and mislabeled e-liquid products.

Your Committee received testimony in support of this measure from the Department of Health; AlohaCare; American Cancer Society Cancer Action Network; American Heart Association; American Lung Association in Hawaii; Hawaii COPD Coalition; Hawaii State Teachers Association; American Academy of Pediatrics, Hawaii Chapter; Hawaii Children’s Action Network Speaks!; Hawaii Dental Association; Kapi’olani Medical Center for Women & Children; Hawai’i Primary Care Association; Hawai’i Public Health Association; Hawaii Substance Abuse Coalition; Hui O Mana Ka Pu’uwai; Kaiser Permanente Hawaii; Keiki Injury Prevention Coalition; Pediatric Therapies Hawai’i; The Man Cave; Teens For No Nicotine HI; Student Health Advisory Council; Hawaii Youth Services Network; Pioneering Healthier Communities Initiative; and forty-six individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii; Cigar Association of America, Inc.; Hawaii Smokers Alliance; and ten

individuals. Your Committee received comments on this measure from Hawaii Food Industry Association, Hawaii Petroleum Marketers Association, Taxpayers Protection Alliance, and one individual.

Your Committee finds that since 2014, e-cigarettes have been the most commonly used tobacco product among youth nationwide. Thirty-one percent of Hawaii's high school and eighteen percent of Hawaii's middle school students used e-cigarettes in the past thirty days (current use), with highest rates on the neighbor islands. Flavored tobacco products, including flavored vaping products are designed and marketed to entice youth. Additionally, scientific evidence not only supports the restriction of menthol cigarettes to protect public health and save thousands of lives, but also indicates that restrictions should be urgently implemented. Accordingly, this measure bans the sale of flavored tobacco products and mislabeled e-liquid products.

Your Committee acknowledges the concerns of multiple testifiers that the measure as currently written also bans the sale of flavored cigars, cigarettes, and chewing tobacco, which are not the intended focus of this measure.

Therefore, your Committee has amended this measure by:

- (1) Exempting chewing tobacco, cigarettes, and cigars from the definition of tobacco products for the purpose of this measure;
- (2) Clarifying the definition of "hazardous waste" as used in the measure;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3118, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3118, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2253 Health on S.B. No. 3210

The purpose and intent of this measure is to:

- (1) Require the Department of Health's Child and Adolescent Mental Health Division to establish a Family Guidance Center office in Ka'ū in the county of Hawaii, to serve the needs of the children and youth in the southern region of the county, in addition to the offices in Waimea, Kona, and Hilo; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Stonewall Caucus of the Democratic Party of Hawaii, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that youth who have serious emotional or behavioral challenges and reside in the southern region of Hawaii island are currently required to travel as far as one hundred miles to visit a family guidance center in Waimea or Hilo. A family guidance center in Ka'ū in southern Hawaii island will be able to address an array of health outreach and education services in that area. This measure requires the Department of Health to establish a family guidance center in Ka'ū, and appropriates funds for the same.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3210, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3210, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2254 Health on S.B. No. 3367

The purpose and intent of this measure is to establish an Early Lung Cancer Screening Task Force to research the steps and resources necessary to increase early lung cancer screening in Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Health, American Lung Association in Hawaii, Hawai'i Primary Care Association, Hawaii Medical Association, Papa Ola Lōkahi, and three individuals. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that Hawaii ranks last in the nation for the early diagnosis of lung cancer. The rate of new lung cancer cases in the State is one hundred twenty—six per one hundred thousand among native Hawaiians, dramatically higher than the rates among indigenous peoples nationally and among Caucasians in Hawaii. Although lung cancer is one of the deadliest cancers, it is approximately ninety percent preventable. Thus, there is a need to research, plan, and implement early lung cancer screening in Hawaii. This measure establishes the Early Lung Cancer Screening Task Force (Task Force) to accomplish these goals.

Your Committee acknowledges the testimony of the Hawaii Primary Care Association, which requested to be represented on the Task Force.

Therefore, your Committee has amended this measure by:

- (1) Requiring that a representative from the Hawaii Primary Care Association be selected to sit on the Task Force; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3367, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3367, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2255 Judiciary on S.B. No. 629

The purpose and intent of this measure is to:

- (1) Allow primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient to access the restricted access area within a medical cannabis retail dispensary; and
- (2) Clarify violations related to medical cannabis dispensaries.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Cannabis Industry Association, and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that the regulated statewide dispensary system for medical cannabis was established on July 14, 2015, as Act 241, Session Laws of Hawaii 2015, to ensure safe and legal access to medical cannabis by qualifying patients. Since that time, the experience of the program indicates that improvements to the law will help to fulfill its original intent by clarifying provisions and implementing reasonable modifications to support patient access. Your Committee further finds that patients rely heavily on their caregivers for support, given their unique medical situations. However, caregivers are currently not allowed access into a medical cannabis retail dispensary. This measure will improve the law to allow certain people access to areas in a medical cannabis retail dispensary so that they may help patients obtain medical cannabis for their medical needs.

Your Committee has amended this measure by:

- (1) Removing language related to "restricted access areas";
- (2) Inserting a definition for "waiting room";
- (3) Specifying the security requirements and restrictions regarding waiting rooms;
- (4) Specifying that a member of the general public may enter or remain within the waiting room of a retail dispensing location; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 629, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 629, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Gabbard, Lee).

SCRep. 2256 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3085

The purpose and intent of this measure is to update the Hawaii Code of Military Justice by repealing chapter 124A, Hawaii Revised Statutes, and adding a new chapter to promote order and discipline in the State Military Forces by fostering an independent military justice system and updating nonjudicial punishment and courts-martial procedures.

Your Committee received testimony in support of this measure from the Department of Defense and Veterans of Foreign Wars of the United States, Department of Hawaii. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the Hawaii Code of Military Justice was originally enacted in 1982. The update proposed in this measure was developed in coordination with the Judiciary and is needed to give commanders the tools they need to maintain good order and discipline within the State Military Forces while simultaneously protecting the due process rights of service members. Additionally, the changes proposed in this measure were based on a model provided by the National Guard Bureau and will bring non-judicial punishment and court-martial procedures further in line with the Uniform Code of Military Justice. Your Committee believes that this measure will further develop confidence in an independent military justice system by repealing chapter 124A, Hawaii Revised Statutes, and adding a new chapter to update nonjudicial punishment and courts-martial procedures and promote order and discipline in the State Military Forces.

Your Committee has amended this measure by:

- (1) Deleting language that would have restricted the appellate courts' inherent judicial powers to completely review matters that come properly before the courts; and

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3085, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3085, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2257 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3086

The purpose and intent of this measure is to:

- (1) Update and provide clarification to reflect the existence of the Hawaii State Cybersecurity Program, which is administered by the Hawaii Office of Homeland Security; and
- (2) Eliminate the state cybersecurity, economic, education, and infrastructure security coordinator position.

Your Committee received testimony in support of this measure from the Hawaii Office of Homeland Security and Office of the Adjutant General.

Your Committee finds that a comprehensive programmatic approach to strengthening state and county cybersecurity will help to address present and future threats to public and private critical infrastructure. A comprehensive programmatic approach to strengthening state and county cybersecurity will also improve the ability of the State to establish and grow programmatic mechanisms and develop state and county capabilities to identify threats and prevent, protect against, mitigate, respond to, or recover from cyber incidents, whether limited or of cascading impacts. Your Committee further finds that the delineation of responsibilities, previously situated in the singular coordinator position amongst planning and operations and the Hawaii State Fusion Center in the Office of Homeland Security, will allow for a more effective and holistic effort to meet the cybersecurity objectives of the State of Hawaii. This measure will benefit the public at large, the general business community, and critical infrastructure owners and operators in Hawaii by updating and providing clarification to reflect the existence of the Hawaii State Cybersecurity Program and eliminating the state cybersecurity, economic, education, and infrastructure security coordinator position.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3086 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2258 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3087

The purpose and intent of this measure is to:

- (1) Repeal chapter 128F, Hawaii Revised Statutes, the Emergency Management Assistance Compact; and
- (2) Create a new, appropriately designated chapter in the 127A series of the Hawaii Revised Statutes chapters to reincorporate the Emergency Management Assistance Compact.

Your Committee received testimony in support of this measure from the Department of Defense and Hawai'i Emergency Management Agency. Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii.

Your Committee finds that, through the authority of the Governor, the Emergency Management Assistance Compact is implemented by the Hawaii Emergency Management Agency, which is governed by chapter 127A, Hawaii Revised Statutes. Your Committee believes that moving the Emergency Management Assistance Compact terms and provisions into the emergency management series of Hawaii Revised Statutes chapters will provide concise, logical organization to the emergency management laws of Hawaii. This measure will align the Hawaii Emergency Management Agency with the best emergency management practices across the country by repealing chapter 128F, Hawaii Revised Statutes, and creating a new, appropriately designated chapter in the 127A series of the Hawaii Revised Statutes chapters to reincorporate the Emergency Management Assistance Compact.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3087 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2259 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3089

The purpose and intent of this measure is to:

- (1) Clarify state and county emergency management authority;
- (2) Ensure effective and adaptable emergency responses; and
- (3) Further the goals of transparency and democratic accountability inherent within our constitution.

Your Committee received testimony in support of this measure from the Department of Defense, Hawai'i Emergency Management Agency, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee

received comments on this measure from Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; Common Cause Hawaii; For Our Rights; Grassroot Institute of Hawaii; and three individuals.

Your Committee finds that the emergence of coronavirus disease 2019 (COVID-19) and its variants created a great challenge to global health, the economy, and our way of life. The Governor and county mayors have had to exercise their emergency powers under chapter 127A, Hawaii Revised Statutes, to impose rules aimed to control the spread of COVID-19. The enforcement of those rules has been critical to efforts to limit the spread of COVID-19, protect the health and safety of the community, manage medical resources, and promote economic recovery. The COVID-19 pandemic has highlighted the importance of clear legal frameworks for state and county emergency management to ensure the State and counties are ready for all types of emergencies. Your Committee believes that chapter 127A, Hawaii Revised Statutes, should clearly specify and articulate the bases and parameters for emergency actions. This measure will benefit the public, the Department of Defense, and other state and county agencies by increasing transparency, adaptability, and clarity in emergency management functions, and affirmatively state that such functions must occur within the framework of both the U.S. and Hawaii State Constitutions.

Your Committee has amended this measure by:

- (1) Allowing the Legislature to, by an affirmative vote of two-thirds of the members to which each house is entitled, terminate a state of emergency, in part or in whole, declared by the Governor; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3089, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3089, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2260 Energy, Economic Development, and Tourism on S.B. No. 1065

The purpose and intent of this measure is to amend the law relating to the Department of Business, Economic Development, and Tourism.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with a measure that:

- (1) Includes best practice destination management and regenerative tourism be included under the scope and responsibilities of the Hawaii Tourism Authority (HTA);
- (2) Requires HTA to develop a tourism management plan that includes tourism marketing, best practice destination management, and regenerative tourism; and
- (3) Requires HTA to allocate most marketing moneys to the respective county economic development offices for visitor marketing contracts and nonprofits that benefit the county.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1065, as amended herein, and recommends that it be recommitted to your Committee on Energy, Economic Development, and Tourism, in the form attached hereto as S.B. No. 1065, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2261 Judiciary on S.B. No. 3041

The purpose and intent of this measure is to make appropriations and approve payments for claims against the State, its officers, and its employees.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that, based on the testimony submitted by the Department of the Attorney General, this measure requests a total of \$938,613.47 in appropriations from the general fund, to be paid from the fiscal year 2021-2022 budget for eight claims settled by the State. Timely passage of this measure will minimize the State's obligation to pay interest on those amounts.

Your Committee has amended this measure by:

- (1) Providing that items 1 through 4 as identified in Part I of this measure shall be paid from funds appropriated to and expended by the respective agency subject to the judgement or settlement; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the allocation of budget line items is more appropriately left to your Committee on Ways and Means. Therefore, your Committee recommends that your Committee on Ways and Means substitute appropriate item and program ID numbers for the blanks used in this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3041, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2262 (Joint) Education and Agriculture and Environment on S.B. No. 3096

The purpose and intent of this measure is to make an emergency appropriation for fiscal year 2021-2022 to build an agricultural innovation center.

Your Committees received testimony in support of this measure from the Department of Education, Hawai'i Farm Bureau, and Hawaii Crop Improvement Association.

Your Committees find that increasing the consumption of local food and promoting healthy eating habits, particularly among children, is vital to having healthy families and healthy communities. Your Committees further find that to increase the amount of locally grown food served in public schools, it is vital to have the proper facilities to grow food locally and to teach students about agriculture.

Your Committees additionally find that there is a proposal to build a state-of-the-art agriculture innovation center on Kauai. The proposed facility has the potential to provide agricultural opportunities for students on Kauai, across the State, and beyond. In addition to growing food, the proposed facility will offer courses and educational experiences regarding the development of value-added products; finance; soil research; science, technology, engineering, and math (STEM) research; and aquaculture. Your Committees thus find that the agriculture innovation center has the potential to be a thriving hub for STEM curricula and career opportunities for all of Hawaii's youth.

Accordingly, this measure will promote the expansion and strengthening of agriculture in the State, while training students for future careers in a broad spectrum of high-need areas, by appropriating funds for an agricultural innovation center.

As affirmed by the records of votes of the members of your Committees on Education and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3096 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 5. Noes, none. Excused, none.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2263 Higher Education on S.B. No. 3184

The purpose and intent of this measure is to expand the criteria to qualify for resident tuition fees at the University of Hawaii to include high school seniors and recent high school graduates.

Your Committee received testimony in support of this measure from the Department of Education, the University of Hawaii System, and Hawaii P-20. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that postsecondary education and training for all interested high school graduates serve the State's interest by preparing graduates for jobs and career pathways that typically pay higher wages. Data on Hawaii's public school graduates reveal that there are hundreds of academically prepared graduates each year who do not enroll in college immediately after high school in the "first fall". As the determination of resident tuition is a complex matter, the streamlining of application processes for residents, especially recent high school graduates, may assist many young people in Hawaii, including students who are experiencing homelessness or those with complex family circumstances, and those who are from under-represented or low-income communities. To assist a greater number of students who may face barriers when applying to colleges and universities, this measure expands the criteria to qualify for resident tuition fees at the University of Hawaii by providing that recent high school graduates and high school seniors are eligible residents.

Your Committee has amended this measure by:

- (1) Amending section 1 to reflect that this measure addresses a matter of statewide concern; and
- (2) Clarifying the requirement of high school graduation or equivalent for an adult or minor student to be within twelve months of the first day of official instruction.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3184, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3184, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2264 (Joint) Housing and Government Operations on S.B. No. 2468

The purpose and intent of this measure is to allow counties to prohibit discrimination against renters based on their source of income.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, State Council on Developmental Disabilities, Hawai'i Civil Rights Commission, Hawai'i Health & Harm Reduction Center, and Hawai'i Children's Action Network Speaks!. Your Committees received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committees find that the cost of housing in Hawaii is among the highest in the country. Many in the State rely on housing assistance programs and vouchers to afford the basic necessity of housing. This measure allows counties to combat discriminatory practices that prevent those who rely on housing assistance programs from finding appropriate housing.

As affirmed by the records of votes of the members of your Committees on Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2468 and recommend that it pass Second Reading and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2265 Higher Education on S.B. No. 3355

The purpose and intent of this measure is to provide enabling legislation for a constitutional amendment that proposes the establishment of a President of Community Colleges who shall be the head of the University of Hawaii community colleges.

Your Committee received testimony in opposition to this measure from the Association of Emeritus Regents and one individual. Your Committee received comments on this measure from the University of Hawaii Board of Regents.

Your Committee finds that, due to the rising costs of higher education, there is a shift to focus on the more cost-effective opportunities that community colleges can provide to Hawaii's future workforce in career development, general postsecondary education, and transition pathways to four-year institutions. Despite serving a key role in preparing Hawaii residents for future education and career pathway credentialing that can lead to higher wages at less cost, the community colleges lack representation at the highest level when key decisions are made impacting community colleges. Because of the crucial role community colleges play in workforce development through higher education across the State, this lack of representation is a matter of statewide concern.

Your Committee further finds these concerns warrant attention and notes that while a constitutional amendment contemplated under this measure may provide the community colleges with more autonomy, there is a greater issue of directly engaging the community colleges in administrative affairs within the University of Hawaii. The University of Hawaii community colleges serve to assist in stimulating and revitalizing Hawaii's economy through initial and future employment opportunities and continuing education. However, the lack of representation regarding the University of Hawaii management and administration frustrates the ability of community colleges in developing vital programs which would provide Hawaii residents with opportunities in education and career advancement.

Accordingly, your Committee has amended this measure by deleting its contents and inserting contents that addresses the concern over representation of the community colleges by:

- (1) Proposing new language that requires the Board of Regents of the University of Hawaii to establish a Standing Committee on Community Colleges;
- (2) Requiring the Vice President of Community Colleges to report directly to the Board of Regents Standing Committee on Community Colleges;
- (3) Updating section 1 to reflect its amended purpose;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3355, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3355, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2266 Energy, Economic Development, and Tourism on S.B. No. 3243

The purpose and intent of this measure is to amend chapter 206M, Hawaii Revised Statutes, by:

- (1) Establishing a definition of "economic zone";
- (2) Replacing all instances of "industrial park" with "economic zone"; and
- (3) Repealing the definition of "industrial park".

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation and Hawaii Clean Power Alliance. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Technology Development Corporation (HTDC) was created, in part, to develop industrial parks for the location of certain high technology enterprises. Your Committee notes that the definition of industrial park has not changed since the establishment of HTDC in 1983 and believes that rebranding the term "industrial park" to "economic zone" would clarify the geographical regional density in specialized areas for HTDC to facilitate the growth and development of the commercial technology industry in Hawaii. According to testimony submitted by the Hawaii Clean Power Alliance, any growth of commercial technology will require significant operating expenditures on providing energy to those industries.

Accordingly, your Committee has amended this measure by:

- (1) Including energy development in the definition of economic zones; and

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3243, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2267 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.B. No. 2513

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission to have electric utilities separately issue requests for proposals for firm renewable energy generation and requests for proposals for intermittent renewable energy generation;
- (2) Prohibit the Public Utilities Commission from approving any new or renewed utility-owned generation project by a public utility or any new or renewed power purchase agreement for electricity generation with affiliated interests with a public utility; and
- (3) Appropriate moneys for the Hawaii State Energy Office to conduct a study of the available firm and intermittent renewable energy resources available on each island.

Your Committees received testimony in support of this measure from the Practical Policy Institute of Hawaii, Hawaii Clean Power Alliance, and 350 Hawaii. Your Committees received testimony in opposition to this measure from Hawaiian Electric, International Brotherhood of Electrical Workers Local 1260, and three individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and Tawhiri Power LLC.

Your Committees find that Hawaii leads the nation with its commitment to one hundred percent clean energy by 2045. Accordingly, the State, clean energy developers, utilities, and ratepayers cannot afford long delays, stifled competition, perceptions of conflicts of interest, or other missteps that keep projects from being completed in a timely manner. This measure is therefore important to ensure the State can continue to reach its goals. Your Committees note the concerns raised in testimony that restricting the Public Utilities Commission's ability to conduct solicitations according to industry best practices could negatively affect achievement of the State's energy goals. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committees have amended this measure by:

- (1) Removing language that would require electric utilities to issue requests for proposals for firm renewable energy generation and requests for proposals for intermittent renewable energy generation separately;
- (2) Inserting language that requires each request for proposals for intermittent renewable energy generation to include the capability of the renewable energy system to be offline for a period of up to ninety-six hours due to weather but still be able to deliver, while offline, renewable energy in an amount equal to the average kilowatt hours that was delivered in the ninety-six hours before the system went offline, and specifying that responses to intermittent renewable energy requests for proposals that do not demonstrate that they meet or exceed this requirement shall not be considered by the Public Utilities Commission;
- (3) Clarifying that the Public Utilities Commission shall have the discretion to determine what type of request for proposals best meets the needs that give rise to future requests for proposals;
- (4) Clarifying that burning trees or other wood products shall not be considered an acceptable generation source for either "firm renewable energy" or "intermittent renewable energy";
- (5) Inserting an effective date of July 31, 2050, to promote further discussion; and
- (6) 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2513, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2513, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 7; Ayes with Reservations (San Buenaventura, Fevella). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2268 Commerce and Consumer Protection on S.B. No. 2685

The purpose and intent of this measure is to:

- (1) Establish requirements for cumulative voting and the removal of directors of planned community associations; and
- (2) Exempt planned community associations from certain requirements regarding cumulative voting for and the removal of directors under the Hawaii Nonprofit Corporations Act.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians, Community Associations Institute Legislative Action Committee, Hawaii Council of Community Associations, Associa, Palhuhua Townhouse

Association, and two individuals. 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 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 omitting cumulative voting from meeting notices. This measure contains consensus language from stakeholders to clarify the cumulative voting procedures for planned community associations.

Your Committee has amended this measure by:

- (1) Clarifying that members may remove one or more directors regardless of whether they were elected by cumulative voting;
- (2) Clarifying the conditions upon which the director may not be removed if cumulative voting is authorized at the meeting;
- (3) Clarifying the process by which a director elected by members may be removed by the members at any regular or special meeting;
- (4) Clarifying that a secretary of the association or managing agent shall include the proposed removal in the notice of the meeting if the board of directors recommends removal or if a timely petition is delivered to the secretary or managing agent; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2685, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2685, S.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. 2269 Commerce and Consumer Protection on S.B. No. 3044

The purpose and intent of this measure is to:

- (1) Provide a mechanism to assign non-participating tobacco manufacturers' qualified escrow account balances to the State; and
- (2) Provide a mechanism for the financial institution acting as the escrow agent of the qualified escrow account to petition the courts to authorize transfer of funds to the State when the qualified escrow account is abandoned.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Hawaii and forty-five other states have entered into a Master Settlement Agreement (MSA) with four of the largest tobacco manufacturers for smoking-related claims, which stipulates that participating tobacco companies provide annual payments to the State. Tobacco product manufacturers that were not among the original four parties to the MSA have the option of making certain payments into a qualified escrow account based on their cigarette sales in the State. However, existing law is silent as to how a tobacco product manufacturer that decides to no longer do business in the State should close the account, or what process is available for financial institutions when an escrow account is abandoned. This measure establishes a mechanism to allow the State to accept an assignment of the interest in the escrow account and allow for financial institutions maintaining a qualified account that has been abandoned to petition a circuit court for an order transferring the funds to the State to reduce unnecessary administrative monitoring.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3044, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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

SCRep. 2270 Commerce and Consumer Protection on S.B. No. 2877

The purpose and intent of this measure is to:

- (1) Allow a landlord or landlord's agent to charge an application screening fee at the time a rental application is processed for residential property;
- (2) Cap the amount of an application screening fee at \$25 and prohibit fees to be charged for each member of a household;
- (3) Require the landlord or landlord's agent to provide a receipt for payment of the application screening fee and copy of any report obtained, if requested by the applicant, and within ten days of the applicant's request; and
- (4) Require the landlord or landlord's agent to return any unauthorized fee amounts to the applicant.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Governor's Coordinator on Homelessness, Partners in Care Oahu, Catholic Charities Hawai'i, and Hawai'i Health & Harm Reduction Center. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that existing law does not specifically regulate the nature and amount of application fees that landlords may charge to prospective tenants. Often, the application fees do not correlate with the costs of background and credit checks. Many complaints received from prospective tenants have alleged that they are asked to pay \$100 for an application screening that actually costs \$10 to \$25, or are not refunded the amounts paid if no screening was actually conducted or their application was not processed or considered. In light of Hawaii's tight housing market, this measure is necessary to help reduce abusive practices and eliminate barriers to accessing rental housing.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2877 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; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2271 Commerce and Consumer Protection on S.B. No. 3081

The purpose and intent of this measure is to minimize regulatory burden and relieve money transmitter applicants from the redundancy of duplicative criminal background checks in the state and federal systems.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that existing law requires each key individual of a money transmitter to submit to a state and federal criminal background review. Hawaii became a reporter to the national criminal background database approximately seven years ago and since then, in the State's review of parallel state and federal criminal background checks, no discrepancies on disqualifying crimes have been found. The Nationwide Multistate Licensing System and Registry provides information-sharing among state regulators to enhance consumer protection and is a cloud-based system that gives state agencies up-to-date criminal history records from the Federal Bureau of Investigations. Accordingly, this measure will allow an applicant to only submit to a federal criminal background check, which will eliminate unnecessary regulatory burden and streamline the review of applicants.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3081 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 (Fevella).

SCRep. 2272 Commerce and Consumer Protection on S.B. No. 2399

The purpose and intent of this measure is to prohibit discrimination in rental transactions based on participation in any government rental assistance program, including low-income housing assistance under the United States Housing Act of 1937 (Section 8).

Your Committee received testimony in support of this measure from the Hawai'i State Council on Developmental Disabilities, Hawaii Public Housing Authority, Governor's Coordinator on Homelessness, Hawai'i Civil Rights Commission, Hawai'i Health & Harm Reduction Center, Pono Hawai'i Initiative, Hawaii Children's Action Network Speaks!, Partners in Care Oahu, Catholic Charities Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association of REALTORS and one individual.

Your Committee finds there is an overwhelming need to assist low-income families in our communities. The Section 8 Housing Choice Voucher Program is one of the federal government's major programs for assisting very low-income families, the elderly, and the disabled afford decent, safe, and sanitary housing in the private market. Unfortunately, however, many landlords are reluctant to rent to individuals who receive housing assistance due to negative stereotypes or stigmas. Honolulu remains one of the largest metropolitan areas in the United States that does not have state or local discrimination prohibitions in place to protect families utilizing rental assistance programs. Accordingly, this measure will help enable households receiving housing assistance to apply for rentals and be evaluated on the same tenancy qualifications as other applicants instead of being judged only on their participation in an assistance program.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2399 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, none.

SCRep. 2273 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2156

The purpose and intent of this measure is to appropriate funds to the Department of Defense to provide relief from flooding events.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that recent incidents such as the March and December 2021 severe storms show that the State of Hawaii is vulnerable to many natural disasters, particularly flooding events related to severe storms. This measure creates a legislative vehicle to appropriate funds to the Department of Defense should a severe storm or other incident occur during the legislative session. This vehicle pre-positions a fiscal tool to manage and deploy resources quickly and with a shortened set-up time in the event an emergency incident requires it. While there is no guarantee such an incident will occur, your Committee sees value in preparatory work to deliver assistance to the people of Hawaii as quickly and with as few obstacles as possible in the event a severe storm, flooding event, or other

emergency incident impacts the State. This measure will assist the State in responding to emergency incidents more efficiently by appropriating funds to the Department of Defense to provide relief from flooding events.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2156 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2274 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2591

The purpose and intent of this measure is to authorize the issuance of bonds and appropriate moneys for plans and design of a memorial and replicas honoring veterans of the Persian Gulf War, Operation Desert Storm, Operation Iraqi Freedom, Operation Enduring Freedom, Operation New Dawn, Global War on Terrorism, Homeland Defense, and Operation Noble Eagle and those who have protected our borders by land, sea, and air.

Your Committee received testimony in support of this measure from the Department of Defense; State Office of Veterans Services; Military Order of Foreign Wars, Hawaii Commandery; Veterans of Foreign Wars of the United States, Department of Hawaii; American Legion, Department of Hawaii; and four individuals.

Your Committee finds that the Gulf War, and subsequent military actions associated with the Global War on Terror, together represent the longest period of sustained military conflict carried out by generations of American service members. Public memorials are an essential form of recognition and remembrance to honor United States veterans and military service personnel who have served in and died as a result of war and conflict. It is appropriate for Hawaii to follow the example of other states in erecting its monuments to these veterans who gave their lives in service to the nation. This measure will allow the citizens of the State of Hawaii to recognize the sacrifices of military personnel from 1990 until today by funding plans and design of a memorial and replicas honoring veterans of the Persian Gulf War, Operation Desert Storm, Operation Iraqi Freedom, Operation Enduring Freedom, Operation New Dawn, Global War on Terrorism, Homeland Defense, and Operation Noble Eagle and those who have protected our borders by land, sea, and air.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2591 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2275 Government Operations on S.B. No. 3282

The purpose and intent of this measure is to:

- (1) Authorize the Comptroller to direct the disposition of records and adopt rules regarding the transfer, retention, and destruction of records; and
- (2) Appropriate funds for the staffing, operating costs, and equipment required to execute the transfer of records authorized by the Comptroller.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii State Archives. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that state departments and agencies are required by law to maintain certain records for a certain period of time. On-site storage, however, is more expensive and inefficient than offsite, centralized bulk storage. Your Committee further finds that the lack of physical transportation capability is an existing limitation on transferring agency and department records to offsite storage.

Your Committee additionally finds that the Hawaii State Archives is tasked with, among other things, assisting departments and agencies in complying with legal retention requirements. This measure, as noted by testimony, authorizes the Comptroller to issue uniform rules, which will facilitate the transfer of records to centralized bulk storage and help departments and agencies comply with records retention requirements.

Accordingly, your Committee finds that this measure provides the authority and the funds required to physically transfer records out of department and agency offices across the State and into centralized bulk storage. This centralization will free up office space for more productive use and facilitate the eventual destruction of certain records pursuant to law. For additional cost-efficient disposition of records, your Committee also encourages the Comptroller to adopt rules to facilitate the digitization of records.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3282 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2276 Government Operations on S.B. No. 3369

The purpose and intent of this measure is to:

- (1) Establish a working group under the State Procurement Office to develop a plan for the phased consolidation of procurement services and staff within executive branch agencies within a five-year timespan, excluding the Department of Education, Hawaii Health Systems Corporation, and University of Hawaii; and

(2) Appropriate moneys to the State Procurement Office to support the activities of the working group.

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 State Procurement Office and Department of Budget and Finance.

Your Committee finds that procurement activities throughout the State may not be consistently compliant with applicable statutory law and administrative rules. Your Committee also finds that procurement, particularly in the area of construction, requires highly specialized expertise. Many purchasers conduct procurement activities as part of their “other duties as assigned” and have minimal training and experience in public procurement. This can lead to mistakes resulting in increased costs to the government. Your Committee therefore finds that efforts to consolidate executive branch procurement has the potential to decrease costs to the government and taxpayers by providing dedicated staffing with the necessary procurement experience and training.

Your Committee further finds that the executive branch currently operates a decentralized procurement regime, in which each department is delegated procurement authority. Your Committee notes that, according to the Department of Accounting and General Services, certain departments have unique procurement requirements, particularly with respect to grants and federal funds, that may complicate consolidation efforts.

Your Committee additionally finds that testimony from the State Procurement Office indicates that it is currently experiencing a staffing shortage and would therefore benefit from extending the lifespan of the working group, so that it may adequately support the working group. This testimony also indicated that the Office of Hawaiian Affairs has its own Chief Procurement Officer and should therefore be added to the list of departments to be excluded from any consolidation.

Accordingly, this measure is necessary to study and develop a cogent and responsible plan for the phased consolidation of certain executive branch procurement services and staff, taking into account the unique aspects of procurement for each department, with the overarching goals of increasing competency and expertise, efficiency, and transparency in the public procurement process.

Your Committee has amended this measure by:

- (1) Excluding the Office of Hawaiian Affairs from the Procurement Services Consolidation Plan;
- (2) Requiring that the working group submit an interim report prior to the Regular Session of 2023 and a final report prior to the Regular Session 2024;
- (3) Extending the working group dissolution date by one year, to June 30, 2024;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3369, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3369, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2277 Government Operations on S.B. No. 3284

The purpose and intent of this measure is to establish a working group in the Office of Enterprise Technology Services to develop a plan for the phased consolidation of information technology services and staff within executive branch agencies over a five-year period, excluding the Department of Education, Hawaii Health Systems Corporation, and University of Hawaii.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services and Transform Hawai'i Government. Your Committee received comments on this measure from the Department of Transportation and Department of Land and Natural Resources.

Your Committee finds that the State could benefit from consolidating information technology resources by gaining economies of scale and providing for a more efficient and secure use of technology and information management. Your Committee further finds that the Office of Hawaiian Affairs should be added as a department that is excluded from the consolidation that is the subject of this measure, due to its statutory construct and structure.

Accordingly, your Committee finds that the consolidation of technology resources under this measure will help to ensure that the State remains in compliance with growing regulatory requirements for accessibility, information storage, data sharing, and security, especially in light of recent high-profile attacks of government computer systems by hackers. It will also promote efficiency and facilitate good governance by leveraging economies of scale.

Your Committee has amended this measure by:

- (1) Excluding the Office of Hawaiian Affairs from the information technology services consolidation;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3284, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3284, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2278 Government Operations on S.B. No. 2726

The purpose and intent of this measure is to exempt parking concessions from the requirements of section 102-2, Hawaii Revised Statutes, which requires the sealed bid method of procurement to be used and imposes certain limitations on the duration of contracts.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from the City and County of Honolulu's Department of Budget and Fiscal Services.

Your Committee finds that section 102-2, Hawaii Revised Statutes, presently governs the process of procuring services for the operation of parking lots. Your Committee further finds that the requirements of this section can unnecessarily hinder the efficient and timely procurement of necessary and at times, urgently-needed, parking lot operation services. Your Committee additionally finds that the mandates of this section increase the cost of procuring services for the operation of parking lots and is antithetical to the overarching goal of minimizing taxpayer expense.

Your Committee notes the testimony submitted in opposition to this measure, which is premised in part on the assumption that this measure exempts parking concessions from chapter 102, Hawaii Revised Statutes, altogether. Your Committee finds, however, that such is not the case. The provisions of chapter 102, Hawaii Revised Statutes, other than the subject of this measure, remain applicable to public concessions, as noted by the testimony of the Department of Land and Natural Resources, thereby keeping fairness and transparency guardrails in-tact.

Accordingly, your Committee finds that this measure will provide procuring agencies the ability to respond more swiftly to critical and emergency parking needs. This measure will also provide to procuring agencies a reasonable degree of flexibility that will promote, ultimately, the efficient and effective delivery of parking services to the public and for government operations.

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

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2726, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2279 Government Operations on S.B. No. 3002

The purpose and intent of this measure is to update the reporting requirements of state departments, including the Department of Education, that pertain to the farm to school program established under Act 175, Session Laws of Hawaii 2021 (Act 175), and the mandate to purchase certain amounts of locally grown produce imposed by Act 176, Session Laws of Hawaii 2021 (Act 176).

Your Committee received testimony in support of this measure from the Department of Education; Ulupono Initiative; Supersistence; Hawaii Cattlemen's Council, Inc.; and Hawai'i 'Ulu Producers Cooperative.

Your Committee finds that Act 175 and Act 176 seek to encourage the development of a robust agricultural industry in Hawaii by leveraging the purchasing power of the State. Your Committee further finds that the collection and assessment of key data pertaining to the program created under Act 175, and the mandate imposed by Act 176, will increase the effectiveness of each and drive further improvements to them. This, in turn, will promote the larger goal of strengthening, supporting, and expanding the State's agricultural industry. Accordingly, this measure will ensure that relevant and impactful data are collected by updating and clarifying departments' data collection obligations pertaining to Act 175 and Act 176.

Your Committee has amended this measure by:

- (1) Clarifying that the report shall include the total food cost incurred by the department during the preceding calendar year; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3002, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3002, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2280 Government Operations on S.B. No. 3350

The purpose and intent of this measure is to require that any procurement change order that increases contract cost by more than fifty percent, or substantially increases the scope of work, shall be considered a new contract for procurement purposes.

Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that procurement, particularly in the procurement of construction work, often suffers from runaway costs and expansion of project scope due to change orders. This is not to say that all change orders are unnecessary, since construction is a dynamic endeavor.

However, your Committee finds that, where a change order increases the contract cost by more than fifty percent or increases the scope of work in a substantial manner, it effectively results in a new and additional procurement that bypasses the procurement process. This is antithetical to promoting an open and competitive process that is the bedrock of procurement law.

Accordingly, your Committee finds that this measure will increase accountability in the procurement process by prohibiting change orders that result in a fundamentally new procurement. This will promote competition in procurement and ensure that taxpayer dollars are maximized.

Your Committee notes the testimony of the Department of Transportation, which urges your Committee to provide procuring agencies with discretion to approve certain change orders that exceed the limitations imposed by this measure when it is in the best interest of the State.

Your Committee has therefore amended this measure by:

- (1) Clarifying that the Chief Procurement Officer may approve a work order that increases contract cost by more than fifty percent, or substantially increases the scope of work, in a written justification if it is found to be in the best interest of the State;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and conformance.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3350, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2281 Government Operations on S.B. No. 3372

The purpose and intent of this measure is to allow, where it is determined that a solicitation or award of a contract is in violation of law, government contracts to be rescinded and awarded to the person or firm to whom the contract would have been awarded were it not for the violation.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and State Procurement Office. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Associated Builders and Contractors.

Your Committee finds that determinations that a solicitation or award of a contract is unlawful can unduly disrupt the procurement process and delay projects at taxpayer expense. Your Committee further finds that existing law lacks a statutory procedure to address to whom a contract may be awarded when it is determined that a solicitation or award of a contract violates the law. This measure creates that procedure.

Your Committee notes the testimonies of the State Procurement Office and Department of Accounting and General Services, requesting further clarification of determining the recipient of the contract in the situation where the initial awardee is found to be in violation of the law.

Accordingly, your Committee has amended this measure by clarifying that, where it is determined that a solicitation or award of a contract is in violation of law, a government contract may be rescinded and awarded to the next lowest responsive, responsible bidder to whom the contract would have been awarded were it not for the violation of law, as applicable or as directed by the Office of Administrative Hearings.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3372, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3372, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2282 Government Operations on S.B. No. 3040

The purpose and intent of this measure is to:

- (1) Amend the nomination process and the number of the members for the Procurement Policy Board;
- (2) Authorize the State Procurement Administrator to develop and administer procurement automation systems and assess, charge, and collect a transaction fee from all vendors using the procurement automation systems; and
- (3) Establish a procurement automation system special fund and amend section 103D-1010, Hawaii Revised Statutes, to conform with the amendments made to section 103D-1001, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the State Procurement Office and the State Council on Developmental Disabilities. Your Committee received comments on this measure from the Hawai'i Alliance of Nonprofit Organizations.

Your Committee finds that government purchasing offices for several states operate using a self-funded model derived from a transaction fee ranging from one percent to two-and-a-half percent charged to all contracts in their respective procurement automation systems.

Your Committee further finds that establishing self-funded procurement automation systems, as proposed by this measure, will aid the State Procurement Office in the timely and competent execution of its statutory duties. To this end, your Committee also finds that

the State Procurement Office will benefit from funding for additional positions to aid in the management of procurement automation systems and the Office's statutory obligations.

Accordingly, this measure conserves taxpayer dollars and improves procurement efficiency by establishing a self-funded procurement automation system and funding necessary staff positions in the State Procurement Office.

Your Committee has amended this measure by:

- (1) Deleting all references to the procurement policy board;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Making it effective on July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3040, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3040, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2283 Government Operations on S.B. No. 3373

The purpose and intent of this measure is to clarify the deadline for submitting written protests that are based on the content of a solicitation.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and State Procurement Office. Your Committee received comments on this measure from Associated Builders and Contractors.

Your Committee finds that existing law is unclear as to the deadline for submitting written protests that are based on the content of a solicitation. Your Committee finds that this measure clarifies the deadline requirements. Your Committee also notes the testimony of Associated Builders and Contractors, requesting further refinement to clarify the deadline for an award protest versus the deadline for a solicitation protest.

Accordingly, your Committee has amended this measure by deleting language to clarify that written protests of contract awards must be submitted within five working days of the posting of an award, whereas written protests based on the content of a solicitation must be submitted prior to the date set for the receipt of offers.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3373, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3373, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2284 Government Operations on S.B. No. 3270

The purpose and intent of this measure is to prohibit determinations of nonresponsibility, under the Hawaii Public Procurement Code, that are based solely on the failure to possess prior experience.

Your Committee received testimony in support of this measure from the State Procurement Office.

Your Committee finds that determinations of nonresponsibility based solely on a failure to possess prior experience can cause undue delay and expense in the procurement process. Accordingly, your Committee finds that this measure will clarify existing law by providing that the failure to possess prior experience shall not be the sole basis for a determination of nonresponsibility. This, in turn, will reduce delays and costs associated with the procurement process and will expand the pool of responsible bidders.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3270 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, 5. Noes, none. Excused, none.

SCRep. 2285 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3335

The purpose and intent of this measure is to appropriate funds for operational expense of the Hawaii Wing of the Civil Air Patrol.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency; Maui County Composite Squadron, Civil Air Patrol; Veterans of Foreign Wars of the United States, Department of Hawaii; and ten individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Civil Air Patrol is a non-profit organization and an auxiliary of the United States Air Force and its missions include emergency services, aerospace education, and cadet programs. Civil Air Patrol members are volunteers who serve as pilots, scanners, and ground crew in fulfilling its mission. Additionally, Civil Air Patrol personnel regularly serve in the Hawaii Emergency Management Agency Emergency Operations Center during emergency and disaster incident responses, and they assist in the field by spreading warnings in remote areas before an incident, providing pre-assessment aerial reconnaissance, and assessing the damages and impacts afterward. Most recently, the Civil Air Patrol was employed on Maui following the December 2021 severe

storms and provided valuable aerial photography that assisted the State in its application for a federal disaster declaration. Although the Hawaii Wing of the Civil Air Patrol has conducted its activities through funding of operational expenses from the State for years, that funding ceased in 2019. Your Committee believes that the Civil Air Patrol is a key asset in state emergency management. This measure will allow the State to protect lives and property in Hawaii by appropriating funds for operational expenses of the Hawaii Wing of the Civil Air Patrol.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3335 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2286 (Joint) Public Safety, Intergovernmental, and Military Affairs and Health on S.B. No. 2017

The purpose and intent of this measure is to repeal section 453-34(d), Hawaii Revised Statutes, which limits licensure as an emergency medical technician 1 to individuals whose practice is performed in a county with a population of five hundred thousand or greater.

Your Committees received testimony in support of this measure from the State Fire Council, Hawai'i Fire Department, Honolulu Fire Department, and Maui Fire Department. Your Committees received comments on this measure from the Hawaii Medical Board.

Your Committees find that Act 119, Session Laws of Hawaii 2021 (Act 119), created an additional category for "emergency medical technician 1", which is an individual who is certified at a higher practice level than emergency medical technicians, but does not provide ambulance services. Act 119 required the Hawaii Medical Board to establish a pilot program to issue licenses to individuals qualified in emergency medical services upon application therefor; provided the applicant meets various levels of education and training based on national standards and qualifications. The purpose of Act 119 was to align the State with national trends and mitigate the unintended consequences associated with the deregulation of the State's emergency medical services system by including emergency medical technicians who do not work on an ambulance, but provide life-saving care. However, Act 119 was limited to those counties having a population of greater than five hundred thousand, thereby excluding emergency medical technicians, such as firefighters and lifeguards, for the counties of Maui and Kauai. Individuals certified by the National Registry of Emergency Medical Technicians across the State have clearly demonstrated their value by providing an additional level of care and services, particularly for Hawaii's neighbor island communities where resources in the pre-hospital environment are not as readily available as in Honolulu and those resources are geographically dispersed in remote areas. This measure will allow the State to further protect the health and safety of individuals in Hawaii's neighbor island communities by repealing section 453-34(d), Hawaii Revised Statutes, which limits licensure as an emergency medical technician 1 to individuals whose practice is performed in a county with a population of five hundred thousand or greater.

Your Committees have heard the testimony of the Department of Labor and Industrial Relations suggesting revisions to this measure to improve clarity and alignment with the National Registry of Emergency Medical Technicians. Your Committees find that this issue raises concerns that merit further consideration and requests that your Committee on Commerce and Consumer Protection further examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2017 and recommend that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Health: Ayes, 5. Noes, none. Excused, none.

SCRep. 2287 Energy, Economic Development, and Tourism on S.B. No. 3057

The purpose and intent of this measure is to:

- (1) Amend the definition of renewable portfolio standard to be a percentage of electrical energy generation, rather than sales; and
- (2) Require electric utility companies to track and annually report data and trends on customer retention and attrition to further inform the calculation of renewable portfolio standards.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; Department of Commerce and Consumer Affairs' Division of Consumer Advocacy; Hawaii State Energy Office; Life of the Land; Climate Protectors Hawai'i; Hawaii Clean Power Alliance; 350Hawaii.org; Ulupono Initiative; and thirteen individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that not only does the current calculation of renewable portfolio standards in the State inaccurately reflect the amount of renewable energy actually being utilized which ultimately allows for the continued use of fossil fuels. Your Committee further finds that amending the renewable portfolio standard calculation from the amount of renewable electrical energy sales divided by total amount of energy sales to the amount of renewable electrical energy generated divided by the total amount of electrical energy generated more accurately reflects the intent of the State's clean energy economy goals. According to testimony from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, it may be more appropriate to place the language requiring electrical utility companies to report data and trends on customer retention and attrition under another section in the Hawaii Revised Statutes.

Accordingly, your Committee has amended this measure by:

- (1) Creating a new section for the requirement of electric utility companies to track and annually report data and trends on customer retention and attrition in its own section; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3057, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3057, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2288 Energy, Economic Development, and Tourism on S.B. No. 3333

The purpose and intent of this measure is to authorize:

- (1) Any person to commence a civil action in district court on that person's own behalf against any owner of a dwelling unit if the owner:
 - (A) Advertises, solicits, offers, or provides the dwelling unit as a transient vacation unit; and
 - (B) Is not authorized by the applicable county to provide the unit as a transient vacation unit; and
- (2) All district courts to hear private civil suits relating to unauthorized transient vacation units.

Your Committee received testimony in support of this measure from City and County of Honolulu Department of Planning and Permitting, Keep it Kailua, and the Hawaii Hotel Alliance. Your Committee received testimony in opposition to this measure from Airbnb, Rental By Owners Awareness Association, and sixteen individuals. Your Committee received comments on this measure from the Hawai'i Tourism Authority.

Your Committee finds that illegal transient vacation units are increasingly located in residential areas, often in violation of zoning laws and creating conflict with residential neighbors. Although your Committee recognizes the concerns of the testimony in opposition, it believes that the lack of regulatory enforcement on illegal transient vacation units is an urgent issue that merits further consideration.

Accordingly, your Committee has amended this measure by:

- (1) Lowering the cap in damages from \$25,000 to \$10,000;
- (2) Inserting language that allows a prevailing defendant owner to be awarded reasonable attorneys' fees in cases where the court finds the plaintiff's claim to be fraudulent or frivolous; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3333, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3333, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2289 Housing on S.B. No. 3167

The purpose and intent of this measure is to:

- (1) Re-establish special action team on rental housing to issue reports regarding the State's progress towards meeting the affordable rental housing goals set forth in Act 127, Session Laws of Hawaii 2016; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Office of Planning and Sustainable Development. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Information Practices, Common Cause Hawaii, and League of Women Voters of Hawaii.

Your Committee finds that the State lacks sufficient affordable rental housing. The lack of affordable rental housing disproportionately burdens Hawaii's low-income families and households. Act 127, Session Laws of Hawaii 2016, established a special action team to help the State meet its affordable rental housing goals. However, that special action team ceased to exist in 2019. This measure re-establishes a temporary Special Action Team on Affordable Rental Housing to further assist the State in its efforts to increase the amount of affordable rental housing in Hawaii. However, this measure contains a provision exempting meetings of the special action team from the requirements of chapter 92, Hawaii Revised Statutes, which testimony received by the Office of Information Practices recommended be deleted.

Accordingly, your Committee has amended this measure by:

- (1) Removing the exemption to chapter 92, Hawaii Revised Statutes;
- (2) Providing that the appropriation shall be in addition to the Office of Planning and Sustainable Development's base budget; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3167, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2290 Housing on S.B. No. 2228

The purpose and intent of this measure is to require the Hawaii Housing Finance and Development Corporation to:

- (1) Study the application of the Taxable Mortgage Subsidies Program to the ALOHA Homes Program; and
- (2) Issue taxable limited obligation mortgage revenue bonds to finance the ALOHA Homes Program and other housing programs.

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 the Taxable Mortgage Subsidies Program offers a promising mechanism through which the implementation and development of ALOHA homes in the State may be financed. This measure requires the Hawaii Housing Finance and Development Corporation to study the application of taxable mortgage subsidy bonds to the ALOHA Homes Program.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2228, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2228, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2291 Housing on S.B. No. 2226

The purpose and intent of this measure is to:

- (1) Require the Auditor to conduct an affordable housing cost study with the assistance of the Hawaii Housing Finance and Development Corporation; and
- (2) Require a report to the Legislature.

Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Office of the Auditor.

Your Committee finds that there are many barriers to the development of affordable housing in the State. However, there is also insufficient information on which factors are most influential in increasing the costs of affordable housing. This measure will ensure greater access to information on the development of affordable housing by directing the Auditor to conduct a study on affordable housing costs. However, your Committee further finds that, according to testimony submitted by the Office of the Auditor, the Hawaii Housing Finance and Development Corporation is better suited to conduct a study of affordable housing costs.

Accordingly, your Committee has amended this measure by:

- (1) Replacing the Office of the Auditor with the Hawaii Housing Finance and Development Corporation as the agency conducting the study;
- (2) Inserting \$250,000 as the appropriation amount;
- (3) Inserting the Hawaii Housing Finance and Development Corporation as the expending agency of the appropriation;
- (4) Changing its effective date to July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2226, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2292 (Majority) Housing on S.B. No. 2251

The purpose and intent of this measure is to allow the Hawaii Public Housing Authority to build non-subsidized housing.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation, the Sierra Club of Hawai'i, Kūpuna for the Mo'opuna, and fourteen individuals.

Your Committee finds that the lack of affordable housing in the State is driven, in part, by a limited supply of available units. Directing state resources toward the production of new housing units, regardless of the targeted income level, would benefit the State's housing market.

Testimony received by the Hawaii Public Housing Authority (HPHA) indicated that there has been a shift away from concentrating public housing for extremely low-income families in dense urban areas. Instead, the U.S. Department of Housing and Urban Development, which provides significant funding to HPHA to house disadvantaged families, is now shifting toward adopting a mixed-income and mixed-finance redevelopment model. This new model allows for families of more diverse income levels to live side by side, instead of isolating the poor. The market rate rents paid by higher income families will help to subsidize the cost of providing lower income units, reducing the gap in financing needed from the State to underwrite the projects. The model also allows for public-private partnerships in financing housing projects, better positioning HPHA to access private capital and financing.

This measure authorizes the Hawaii Housing Authority to construct housing units without income restrictions. However, your Committee further finds that this measure allows ceded lands claimed by native Hawaiians to be used for commercial and market-rate development.

Your Committee further finds that amendments are necessary to adopt suggestions made by HPHA and with respect to ceded lands.

Accordingly, your Committee has amended this measure by:

- (1) Adding a new part to chapter 356D, Hawaii Revised Statutes, prohibiting the Hawaii Public Housing Authority from constructing or developing housing on ceded lands vacant on or after January 1, 2022;
- (2) Removing provisions repealing the definition of "public housing project";
- (3) Repealing references to "non-subsidized housing";
- (4) Inserting a definition of "housing" or "housing project" in section 356D-11, 356D-12, and 356D-12.5, Hawaii Revised Statutes; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2251, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2293 Agriculture and Environment on S.B. No. 2218

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish a five-year food hub pilot program to increase access to local food;
- (2) Allow for the awarding of grant funds to qualified applicants wishing to establish or expand a food hub;
- (3) Authorize the issuance of general obligation funds for the Honalo Marshalling Yard;
- (4) Require a report to the legislature; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the North Shore Economic Vitality Partnership; Hawaii Meats, LLC; Hawai'i SEED; Hawai'i Primary Care Association; Hawai'i Alliance for Progressive Action; Uluono Initiative; Hawaii Cattlemen's Council, Inc.; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Land Use Research Foundation of Hawaii; and twenty individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that the State's food security will be strengthened by growing more foods locally. Your Committee further finds that centrally-located food hub facilities promote coordination activities along the value chain for food products and increase access to locally produced food.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2218 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2294 (Majority) Agriculture and Environment on S.B. No. 2509

The purpose and intent of this measure is to repeal an exemption to the general excise tax for genetically engineered agricultural products.

Your Committee received testimony in support of this measure from Hawai'i SEED, Hawai'i Alliance for Progressive Action, Rancho Aloha, and twenty-four individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau, Hawaii Crop Improvement Association, Biotechnology Innovation Organization, and Hawaii Farmers & Ranchers United. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that this measure promotes a more competitive and fair business environment in the State by repealing the exemption to the general excise tax for genetically engineered agricultural products.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2509 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Nishihara). Excused, none.

SCRep. 2295 Agriculture and Environment on S.B. No. 2621

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture to establish bovine tuberculosis control operations on Molokai.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; one member of the Maui County Council; and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that after twenty-five years without detection, a recurrence of bovine tuberculosis has occurred among the livestock on the island of Molokai. This measure appropriates funds for essential personnel, land, and equipment for the Department of Agriculture to combat this spread of bovine tuberculosis on the island of Molokai.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2621 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2296 Agriculture and Environment on S.B. No. 2622

The purpose and intent of this measure is to establish and provide funds for a two-year pilot project to grow biodiesel crops on the island of Molokai and require a report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, one member of the Maui County Council, and six individuals. Your Committee received comments on this measure from the Hawaii State Energy Office and the Department of Budget and Finance.

Your Committee finds that this measure will support the growth of crops for biodiesel, which will provide jobs, diversify the State's economy, reduce food and fuel imports, and help the State reach its renewable energy goals.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2622 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2297 Agriculture and Environment on S.B. No. 2675

The purpose and intent of this measure is to:

- (1) Establish a three-year cover crop reimbursement program to provide reimbursement to farming operations in the State for costs related to cover cropping;
- (2) Establish a cover crop reimbursement pilot program manager position within the Department of Agriculture to administer the program;
- (3) Require an annual report to the Legislature; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Larry Jefts Farms, LLC; Hawaii Cattlemen's Council, Inc.; 350Hawaii.org; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the use of cover crops increases agricultural productivity and aligns with the State's integrated sustainability goals. Specifically, cover crops add nutrients to the soil, act as windbreaks, assist with water retention, provide habitats for beneficial insects, offset greenhouse gas emissions, and prevent soil erosion. This measure incentivizes the use of beneficial cover crops by establishing a three-year cover crop pilot program.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2675 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2298 Agriculture and Environment on S.B. No. 2907

The purpose and intent of this measure is to require the Hawaii Invasive Species Council to classify coffee leaf rust as an invasive species in its administrative rules and direct available funding to mitigation efforts, research, and prevention or control actions of coffee leaf rust.

Your Committee received testimony in support of this measure from the University of Hawai'i; Hawaii Coffee Association; Hawaii Coffee Growers Association; Rusty's Hawaiian, LLC; Isla Custom Coffees; Synergistic Hawaii Agriculture Council; and four individuals. Your Committee received comments on this measure from the Department of Agriculture and Hawai'i Invasive Species Council.

Your Committee finds that coffee leaf rust poses a substantial threat to Hawaii's coffee industry. This measure addresses an urgent need for the Hawaii Invasive Species Council to direct resources to combat coffee leaf rust in the State.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2907 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2299 Agriculture and Environment on S.B. No. 2908

The purpose and intent of this measure is to appropriate funds to expand state-run quarantine facilities under the jurisdiction of the Department of Agriculture's plant quarantine branch.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Coffee Association; Hawaii Coffee Growers Association; Kauai Coffee Company, LLC; Maui Coffee Association; Rusty's Hawaiian, LLC; Island Sun Coffee; Growing Together Edible Landscaping; Synergistic Hawaii Agriculture Council; and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the rapid response to newly detected invasive species can prevent the species from becoming firmly established. However, state resources must also be deployed to combat invasive species already established in the State. The Department of Agriculture requires access to greater resources to fulfill its dual mandate to prevent and combat invasive species in the State. This measure assists the Department of Agriculture by appropriating funds to expand state-run quarantine facilities.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2908 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2300 (Majority) Agriculture and Environment on S.B. No. 2909

The purpose and intent of this measure is to provide a certification process for privately-owned and operated plant quarantine facilities.

Your Committee received testimony in support of this measure from the Department of Agriculture; Kauai Coffee Company, LLC; Synergistic Hawaii Agriculture Council; Hala Tree Coffee; Island Sun Coffee; Maui Coffee Association; Rusty's Hawaiian, LLC; Hawaii Coffee Growers Association; Hawaii Coffee Association; Hawai'i Farm Bureau; and six individuals. Your Committee received testimony in opposition to this measure from the Kona Coffee Farmers Association and Rancho Aloha.

Your Committee finds that existing state-owned quarantine facilities have insufficient capacity to mitigate the threat of invasive diseases and species. Allowing privately-owned and operated facilities to perform the functions of state-owned facilities would reduce stress on state-owned facilities. This measure increases the State's plant quarantine capacity by providing a permitting process for privately-owned and operated plant quarantine facilities. Your Committee notes the testimony submitted by the Department of Agriculture expressing the concern that the use of privately-owned and operated facilities may create an inherently higher risk of invasive species.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2909 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Acasio, Rhoads, Fevella). Noes, 1 (Nishihara). Excused, none.

SCRep. 2301 Agriculture and Environment on S.B. No. 2951

The purpose and intent of this measure is to:

- (1) Require all agricultural products sold to consumers directly or through wholesale to be displayed with a label or sign containing an identity statement declaring the products' geographical origin; and
- (2) Impose penalties on vendors who display products with incorrect or misleading labels regarding their products' geographical origin.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Coffee Growers Association, Hawai'i Farm Bureau, Hawaii Coffee Association, and one individual. Your Committee received testimony in opposition

to this measure from the Hawaii Food Industry Association. Your Committee received comments on this measure from Hawaii Farmers and Ranchers United.

Your Committee finds that local agricultural products play a crucial role in Hawaii's communities and the State's 2050 Sustainability plan includes a goal of increasing production and consumption of local foods and products. However, there have been instances in which vendors sell agricultural products with incorrect or misleading labeling. This measure increases consumer confidence in locally produced products by requiring geographical origin labeling and prohibiting the sale of products with incorrect or misleading labels.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2951 and recommends that it pass Second Reading and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2302 Agriculture and Environment on S.B. No. 2986

The purpose and intent of this measure is to:

- (1) Eliminate duplicative regulations of hemp production;
- (2) Establish and revise rules for processing hemp;
- (3) Require transparency in the labeling of hemp products; and
- (4) Allow licensed hemp producers to sell hemp directly to consumers that reside out-of-state.

Your Committee received testimony in support of this measure from South Maui Gardens, Hawaii Royal Hemp, Hawaii Islands Hemp Farmers Center, Hawai'i Farmers Union United, Hawaii Hemp Farmers Association, and eight individuals. 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 Agriculture, Department of Health, and one individual.

Your Committee finds that the existing regulation of hemp production and processing in the State places a heavy burden on hemp producers. That heavy burden has undermined the competitiveness of Hawaii's hemp industry and the livelihood of many farmers who rely on the additional revenues generated through hemp production.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2986 and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2303 (Majority) Agriculture and Environment on S.B. No. 2987

The purpose and intent of this measure is to impose extended terms of imprisonment for certain offenses against property rights when committed on agricultural land and to appropriate funds for the Department of the Attorney General to establish a Statewide Agricultural Theft Task Force.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation; Department of Agriculture; Hawaii Coffee Association; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; 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 Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that offenses committed on agricultural lands pose a threat to the successful and continued operation of agricultural businesses. Offenses that damage the ability of agricultural businesses to produce agricultural products are particularly harmful to the State in its efforts to promote the agricultural industry.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2987 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, 2 (Acasio, Fevella). Excused, none.

SCRep. 2304 Agriculture and Environment on S.B. No. 2989

The purpose and intent of this measure is to establish and fund a healthy soils grant program and special fund.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Adaptations, Inc.; Center for Getting Things Started; and twenty-four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the productivity of the State's agricultural industry depends on access to healthy soils. This measure supports the development of healthy soils through the establishment of a grant program and special fund.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2989 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2305 Agriculture and Environment on S.B. No. 3198

The purpose and intent of this measure is to authorize the Director of Finance to issue general obligation bonds for capital improvements benefiting agriculture.

Your Committee received testimony in support of this measure from the Ulupono Initiative, Hawai'i Farm Bureau, Hawai'i 'Ulu Producers Cooperative, Hawai'i Farmers Union United, and six individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that this measure will provide support for the important work performed by the Ulu Cooperative as a food hub for producers of local starches on the islands of Hawai'i, Maui, and Oahu and increase local food production.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3198 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2306 Judiciary on S.B. No. 3182

The purpose and intent of this measure is to establish a wealth asset tax of one percent on all assets of a taxpayer, in excess of \$20,000,000 for taxpayers filing joint returns, or \$10,000,000 for every other taxpayer, except for interests in real property.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawai'i. Your Committee received testimony in opposition to this measure from Hawaii Bankers Association and one individual. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that extremely wealthy individuals whose state assets exceed \$20,000,000 possibly are not contributing their fair share of taxes. This category includes numerous wealthy non-residents who hold assets in Hawai'i, which increases real property values and places financial burdens on the residents of Hawai'i. Increasing taxes on individuals with many millions of dollars in assets will generate more revenue for the benefit of the State's economy. This measure will ensure that individuals with \$20,000,000 or more in assets pay their equitable share of taxes.

Your Committee has amended this measure by:

- (1) Specifying that a wealth asset tax of one percent of the state net worth of a taxpayer applies to each individual taxpayer who holds \$20,000,000 or more in assets in the State, rather than worldwide;
- (2) Clarifying that the state net worth of an individual taxpayer is based on the individual's assets, not joint assets, and each married individual is to file separately from the spouse;
- (3) Clarifying that assets include debts that are owed to the taxpayer;
- (4) Including real property as an asset;
- (5) Specifying that if the taxpayer pays a wealth asset tax on the same asset in a different state, the amount paid to the other state is subtracted from the state tax liability;
- (6) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3182, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio, Kim). Noes, none. Excused, 1 (Fevella).

SCRep. 2307 Government Operations on S.B. No. 2930

The purpose and intent of this measure is to amend the law relating to government.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with content to establish and fund two new units and related staff positions within the Department of the Attorney General.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2930, as amended herein, and recommends that it be recommitted to your Committee on Government Operations, in the form attached hereto as S.B. No. 2930, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 2308 Health on S.B. No. 2034

The purpose and intent of this measure is to require the assessment of certain patients subject to emergency hospitalization to determine if a surrogate or guardian should be appointed to make appropriate health care decisions for the patient.

Your Committee received testimony in support of this measure from the Institute for Human Services, Inc.; Hawaii Substance Abuse Coalition; and three individuals. Your Committee received comments on this measure from the Adult Mental Health Division of the Department of Health, Hawai'i Pacific Health, The Queen's Health Systems, and one individual.

Your Committee finds that when individuals are in crisis and suffering from an acute serious mental illness, it is necessary to achieve a balance between ensuring that they can be treated during a time where they lack decision making capacity and honoring their right to self-determination. Requiring an assessment to determine whether a surrogate or guardian is needed to make appropriate health care decisions when an individual lacks decisional capacity supports this balance. Accordingly, this measure requires such an assessment by a psychiatrist or advanced practice registered nurse with prescriptive authority and certain certification in psychiatric specialization.

Your Committee acknowledges the testimony of various health care providers who offered amendments clarifying this measure and authorizing other qualified staff members to conduct the assessment.

Therefore, your Committee has amended this measure by:

- (1) Authorizing emergency room physicians and psychologists to assess whether the patient is suffering from a mental illness or substance abuse disorder, and whether the patient lacks decisional capacity;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2034, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2034, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2309 Health on S.B. No. 2467

The purpose and intent of this measure is to require that one annual mental health screening be included in health insurance coverage for diagnosis and treatment of mental disorders.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Stonewall Caucus of the Democratic Party of Hawaii, Hawaii Medical Service Association, Hawai'i Public Health Institute, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that mental health care is a critical tool in addressing chronic disease. Although mental health has conventionally been approached as separate and secondary to physical health, studies have shown that mental illness is integral to overall health and has been linked to chronic diseases such as diabetes, cardiovascular disease, and cancer. Covering annual mental health screenings will help to normalize routine mental health check-ups, reduce stigma around mental health and mental illness, increase access to care, and encourage earlier detection and treatment of mental illness, which could reduce the prevalence of chronic disease.

Your Committee has amended this measure by inserting an effective date of January 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. 2467, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2467, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2310 Health on S.B. No. 2529

The purpose and intent of this measure is to appropriate funds to accommodate the anticipated increase in the volume of calls to the Hawaii CARES Crisis Helpline following the transition of the National Suicide Prevention Lifeline's dial code to "9-8-8" on July 16, 2022.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Disability Rights Center, Prevent Suicide Hawai'i Task Force, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Psychiatric Medical Association.

Your Committee finds that the Hawaii Coordinated Access Resource Entry System (CARES) is a service that works with a statewide network of service providers focused on crisis intervention, substance use disorder treatment, mental health, and other behavioral health services. Calls to the National Suicide Prevention Lifeline that originate from Hawaii are routed to the CARES line. Your Committee further finds that after July 16, 2022, when the National Suicide Prevention Lifeline will begin using the telephone code "9-8-8", there is expected to be an increased call volume to the CARES line. This measure appropriates funds to the Department of Health to prepare for the increase in call volume, and to support the need for increased crisis intervention services.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2529, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2311 Housing on S.B. No. 3177

The purpose and intent of this measure is to exempt from certain land use regulations for-sale housing projects that, in perpetuity, do not impose income restrictions and are built for qualified owner-occupants who own no other real property.

Your Committee received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State faces an unprecedented housing crisis. While many regulations and restrictions on housing development are necessary, some increase the costs associated with the construction of new housing projects. This measure exempts certain for-sale housing projects from restrictions that unnecessarily inhibit the construction of new housing projects. Your Committee further finds that residential units at all price points are needed to solve the housing shortage for Hawaii residents and that utilizing the expedited process in chapter 201H, Hawaii Revised Statutes, is a viable solution.

Your Committee has amended this measure by replacing the contents in section 1 with new language that adds a new section to chapter 201H, Hawaii Revised Statutes, which:

- (1) Establishes a new exemption from statutes, ordinances, charter provisions, and rules;
- (2) Prohibits the implementation of income restrictions for housing projects developed pursuant to the new section;
- (3) Requires housing projects developed pursuant to the new section be exclusively sold or transferred:
 - (A) As leasehold or fee simple units;
 - (B) To owner-occupants;
 - (C) To prospective owners who own no other real property; and
 - (D) To residents of the State; and
- (4) Requires that the provisions of the new section apply in perpetuity.

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. 3177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3177, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2312 Commerce and Consumer Protection on S.B. No. 2835

The purpose and intent of this measure is to:

- (1) Prohibit health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition; and
- (2) Require insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawai'i; Democratic Party of Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; Hawaii Health & Harm Reduction Center; National Center for Transgender Equality and Transgender Law Center; One Single Rainbow Connection, LLC; Kumukahi Health & Wellness; and thirty-nine individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Association of Health Plans, and Hawaii Medical Service Association.

Your Committee finds that there is a growing consensus among major medical organizations that gender transition-related health care services, including surgical treatments, are medically necessary to alleviate gender dysphoria and should be covered by a patient's insurance. Refusing to cover services and treatments on the sole basis that they relate to gender transition, when those same treatments would otherwise be covered under a policy if prescribed for non-transgender conditions or treatments, constitutes discrimination and can lead to serious mental health ramifications for transgender persons who are arbitrarily denied coverage. This measure is therefore necessary to prohibit insurance companies from further discriminating on the basis of gender identity. Your Committee notes that this measure is subject to an impact assessment report by the Auditor, pursuant to section 23-51, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Moving the requirements pertaining to health maintenance organizations from sections 431:10A-118.3 and 432:1-607.3, Hawaii Revised Statutes, to its respective section 432D-26.3, Hawaii Revised Statutes;

- (2) Specifying that no treatment or service shall be denied on the basis that it is not medically necessary unless a health care provider with experience in prescribing or delivering gender affirming treatment first reviews or confirms the appropriateness of the adverse benefit determination; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2835, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2835, S.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. 2313 (Majority) Judiciary on S.B. No. 2507

The purpose and intent of this measure is to amend the Hawaii State Constitution to require the State to provide enough housing to meet demand subject to standards and criteria as provided by law.

Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party.

Your Committee finds that non self-executing provisions of the Hawaii State Constitution set forth principles only and require further implementing legislation before they can be enforced. This means that the Legislature can enact legislation that provides the standards and criteria by which the intent of the constitutional amendment can be effectuated. Your Committee further finds that there is a significant shortage of housing statewide. This measure will promote legislation that may provide for an adequate supply of housing to the people of the State.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2507 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio, Fevella). Noes, 1 (Kim). Excused, none.

SCRep. 2314 Judiciary on S.B. No. 2397

The purpose and intent of this measure is to:

- (1) Require certain individuals attempting to serve as child custody evaluators to complete a training course on domestic violence issues every three years; and
- (2) Require the Family Court to approve training courses and publish approved courses on the Judiciary website.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, AAUW of Hawaii, Hawaii State Democratic Women's Caucus, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, Hawaii Family Advocacy Team, and three individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the Family Court may appoint a child custody evaluator from a list of qualified individuals to investigate a child custody dispute. Your Committee further finds that professionals who work before the Family Court and who have an impact on the safety and well-being of children and families need to understand the dynamics of domestic violence. When child custody evaluators do not have in-depth training and education on domestic violence, their recommendations to the courts on custody matters may be unduly affected and may not serve the best interests of children. Accordingly, knowledge about domestic violence issues, including lethality, subtlety, and prevalence of domestic violence, is essential for child custody evaluators. This measure will ensure that child custody evaluators receive proper training in domestic violence so that children are placed in a healthy and safe environments.

Your Committee has amended this measure by:

- (1) Clarifying that beginning July 1, 2023, a child custody evaluator must complete a training course on domestic violence every three years;
- (2) Specifying that the training course must be one approved for professional credit by the evaluator's or fact-finding investigator's professional accreditation body or as recommended by any state domestic violence services provider on their respective websites;
- (3) Specifying that the child custody evaluator must submit a letter or certificate of completion to the Family Court and shall provide a copy to parties or their attorneys upon request;
- (4) Specifying that all persons on the Family Court's registry as of July 1, 2023, must provide proof of completion of training on or before June 1, 2025;
- (5) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2397, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2397, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2315 Judiciary on S.B. No. 2130

The purpose and intent of this measure is to require judges to order the crime victim compensation fee in all eligible cases.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Kauai Victim/Witness Program, Hawai'i State Coalition Against Domestic Violence, and Mothers Against Drunk Driving. Your Committee received testimony in opposition to this measure from the Judiciary and Office of the Public Defender.

Your Committee finds that the Crime Victim Compensation Commission is struggling financially due to failure of judges to order the Crime Victim Compensation Fee in eligible cases and court closures resulting from the coronavirus disease 2019 (COVID-19) pandemic. The Crime Victim Compensation Fee was created by the Legislature in 1998 to act as the primary funding source of the Crime Victim Compensation Commission. Collection shortfalls of the Crime Victim Compensation Fee over many years have effectively deprived the Crime Victim Compensation Commission of the funding reserve it needed to survive the COVID-19 pandemic and pandemic-related court closures. Despite receiving emergency funding from the Legislature last year, revenue from the Crime Victim Compensation Fee continues to decline, falling during the first half of fiscal year 2022 and is eight percent lower than revenue from the same period from fiscal year 2021. This measure will help to address the Crime Victim Compensation Commission's funding shortfalls by encouraging judges to order payment of the Crime Victim Compensation Fee.

Your Committee has amended this measure by:

- (1) Allowing judges to waive the Crime Victim Compensation Fee if a defendant is unable or extremely unlikely to be able to pay the Crime Victim Compensation Fee in whole or in part within the next seven years instead of requiring that judges waive the fee if a defendant is unable to pay;
- (2) Requiring a court to issue a written decision or order with a written basis for the decision if the court waives the Crime Victim Compensation Fee;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2130, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2130, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 2316 Judiciary on S.B. No. 2131

The purpose and intent of this measure is to address current funding shortfalls experienced by the Crime Victim Compensation Commission by exempting the Crime Victim Compensation Special Fund from certain assessments made by the Director of Finance to administer special funds.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Kauai Victim/Witness Program, and Mothers Against Drunk Driving.

Your Committee finds that the Crime Victim Compensation Commission is struggling financially due to failure of judges to order the Crime Victim Compensation Fee in eligible cases and court closures resulting from the coronavirus disease 2019 (COVID-19) pandemic. The Crime Victim Compensation Fee was created by the Legislature in 1998 to act as the primary funding source of the Crime Victim Compensation Commission. Collection shortfalls of the Crime Victim Compensation Fee over many years have effectively deprived the Crime Victim Compensation Commission of the funding reserve it needed to survive the COVID-19 pandemic and pandemic-related court closures. Despite receiving emergency funding from the Legislature last year, revenue from the Crime Victim Compensation Fee continues to decline, falling during the first half of fiscal year 2022 and is eight percent lower than revenue from the same period from fiscal year 2021. This measure will address current funding shortfalls experienced by the Crime Victim Compensation Commission by exempting the Crime Victim Compensation Special Fund from certain assessments made by the Director of Finance to administer special funds.

Your Committee has amended this measure by:

- (1) Exempting the Crime Victim Compensation Special Fund from certain assessments made by the Director of Finance to administer special funds for three fiscal years;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2131, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2317 Judiciary on S.B. No. 2406

The purpose and intent of this measure is to define the term “public interest” with regard to the issuance of special purpose revenue bonds.

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.

Your Committee finds that the issuance of special purpose revenue bonds provides investors in private capital improvement projects with tax exemptions when those projects are in the public interest. However, the term “public interest” is ill-defined, leading to situations where these valuable tax exemptions, which decrease the State’s tax base, are given to projects that are primarily or purely in the interest of private entities without clear public benefit. Your Committee further finds that the creation of jobs alone does not sufficiently satisfy the public interest requirement of special purpose revenue bonds, especially when those jobs may not provide a living wage in Hawai‘i. This measure makes it clear that in order for a special purpose revenue bond to be issued, the benefit provided to society as a whole must extend beyond the mere creation of jobs.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2406, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2406, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2318 Judiciary on S.B. No. 2417

The purpose and intent of this measure is to repeal the cap on the amount of campaign funds candidates may donate to any community service, educational, youth, recreational, charitable, scientific, or literary organization, or public school or library.

Your Committee received testimony in opposition to this measure from Common Cause Hawaii, League of Women Voters of Hawaii, and five individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that candidates are currently permitted to donate campaign funds to any community service, educational, youth, recreational, charitable, scientific, or literary organization, or public school or library up to twice the maximum amount that one person may contribute to that candidate. Candidates should have the option to spend their campaign funds towards the betterment of the community. This measure allows candidates to donate more of their campaign monies to community organizations and schools.

Your Committee has amended this measure by:

- (1) Increasing the cap on the amount of campaign funds candidates may donate to any community service, educational, youth, recreational, charitable, scientific, or literary organization, or public school or library to \$6,000 for a candidate to a two-year office, \$12,000 for a candidate to a four-year nonstatewide office, and \$18,000 for a candidate to a four-year statewide office; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2417, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2417, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Acasio, Gabbard, Kim, Fevella). Noes, none. Excused, none.

SCRep. 2319 Judiciary on S.B. No. 2391

The purpose and intent of this measure is to:

- (1) Establish a Zero to Three Program Coordinator position;
- (2) Expand the Zero to Three Court Program to the Third Circuit; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Department of Human Services, Hawaii State Bar Association, West Hawai‘i Bar Association, Hawaii County Bar Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the period between one and three years of age is critical to the healthy development of a child. Your Committee further finds that instability and trauma in the life of a child during the early formative period can interrupt healthy patterns of growth and development, resulting in increased risk for numerous behavioral and developmental problems that can detrimentally impact the child’s future. Your Committee additionally finds that the Zero to Three Court has been established by the Judiciary to meet the needs of very young children and ensure that they can be placed in safe, permanent homes as quickly as possible. This measure provides funds to continue the Zero to Three Court Program in the Third Circuit so that the children in the County of Hawai‘i may live in healthy and safe environments.

As affirmed by the record of votes of 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. 2391 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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

SCRep. 2320 Judiciary on S.B. No. 3207

The purpose and intent of this measure is to establish a three-year women's court pilot program in the Circuit Court of the First Circuit, which is intended to acknowledge the distinct pathways that lead women into the criminal justice system and address their individual needs.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Hawaii State Bar Association, Women's Prison Project, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that there has been a significant increase in the number of women in Hawai'i jails and prisons over the past forty years, resulting in a higher proportion of women who are incarcerated. Research reflects that for women, histories of abuse, trauma, poverty, mental illness, substance abuse disorders, and unhealthy relationships intersect with their entry into criminal behavior. Women offenders also face unique barriers to success after incarceration. They are more likely to be primary caregivers for young children, have lower educational attainment, lack stable work history, and experience economic or social marginalization, which prevents them from having more positive outcomes. Your Committee believes that the State should work to better address the particular needs of women in the criminal justice system. This measure will assist the State in addressing the distinct pathways that lead women into the criminal justice system by establishing a three-year women's court pilot program in the Circuit Court of the First Circuit.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3207 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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

SCRep. 2321 Water and Land on S.B. No. 2153

The purpose and intent of this measure is to appropriate funds out of the State Parks Special Fund to raise the expenditure ceiling of the special fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawaii State Aha Moku.

Your Committee finds that the Department of Land and Natural Resources Division of State Parks oversees and has jurisdiction over fifty park units encompassing thirty thousand acres throughout the State, which are composed of some of the State's most sought after and cherished natural, cultural, and historical resources. These park units enable residents and visitors to connect with nature and experience Hawaii's unique history through outdoor recreation and cultural heritage features including wildland areas with rustic camping opportunities and notable hiking trails.

With the onset of the coronavirus disease 2019 pandemic, the state parks system increased parking, entry, camping, and lodging fees for out-of-state visitors at nine state parks. With the robust return of visitor arrivals in 2021, combined with other park revenue sources, revenue from state parks is expected to exceed \$12,000,000 while the State Parks Special Fund expenditure ceiling is \$93,312. To improve the quality of maintenance, management, and public safety of the state park system from an influx of visitor and illicit use, this measure effectively increases the State Parks Special Fund ceiling by appropriating monies from the special fund to the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2153, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2322 (Majority) Water and Land on S.B. No. 3133

The purpose and intent of this measure is to include leases for commercial, industrial, and hotel or resort purposes as eligible for disposition by negotiation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i, Kūpuna for the Mo'opuna, Unite Here! Local 5 Hawaii, and one individual.

Your Committee finds that revenues generated from public land leases provide the Department of Land and Natural Resources with funds to support its programs, mission, and stewardship of Hawaii's conservation and watershed lands. Public lands across the State provide many economic development and growth and career opportunities. However, the public auction process to dispose of leases for commercial, industrial, and hotel or resort purposes has become cumbersome and uncertain, deterring some potential lessees from participating in the process. While some community voices have expressed concern regarding transparency and public engagement with the public auction process, this measure will allow certain leases to be eligible for disposition by negotiation to allow for expedited leasing processes for prospective lessees to engage in productive use of public lands.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3133, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3133, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2323 Water and Land on S.B. No. 3328

The purpose and intent of this measure is to:

- (1) Prohibit commercial ocean use activity at Kaneohe Bay or within one thousand feet of the bay without a permit from the Department of Land and Natural Resources; and
- (2) Expand commercial ocean use activities requiring a permit to include those involving kayaks, canoes, surfboards, sailboards, dive tours, and fishing tours.

Your Committee received testimony in support of this measure from the State Aha Moku, He'eia National Estuarine Research Reserve, Ko'olau Foundation, Ko'olaupoko Hawaiian Civic Club, and three individuals. Your Committee received testimony in opposition to this measure from Kama'aina Kids and five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Kaneohe Bay Master Plan was developed pursuant to Act 208, Session Laws of Hawaii 1990, to establish a framework for the sustainable management of Kaneohe Bay's natural resources while accommodating a variety of uses. However, the limitations on commercial activity have been exceeded by other activities not previously envisioned, and by new technologies that support their proliferation such as pre-positioning of rental kayaks at Hee'ia State Park and Hee'ia Kea Pier, internet advertisements for kayaks, and the ability for customers to pay online. To perpetuate the vision of preservation and protection of Kaneohe Bay's natural resources for the continuing enjoyment of all, this measure updates permitted uses of Kaneohe Bay to reflect the intended purpose of the Kaneohe Bay Master Plan.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3328, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3328, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2324 Higher Education on S.B. No. 3186

The purpose and intent of this measure is to repeal the Candidate Advisory Council for the Board of Regents of the University of Hawaii and authorizes the Governor to appoint members to the Board of Regents of the University of Hawaii without being limited to selecting a candidate deemed qualified by the Council.

Your Committee received testimony in opposition to this measure from the Kapi'olani Community College Staff Council, Association of Emeritus Regents, and two individuals. Your Committee received comments on this measure from the Office of the Attorney General and the University of Hawai'i System.

Your Committee finds that the Board of Regents of the University of Hawaii serve in an important role to guide the policies and trajectory of the University of Hawaii. During its initial enactment in 2006, the Board of Regents Candidate Advisory Council became a vital tool to select regents in a similar method to judges and justices in the Hawaii State Judiciary.

While the Candidate Advisory Council has proven effective during periods in which a high number of individuals apply, in recent years, the Candidate Advisory Council has only recommended a small number of individuals from which the Governor may select new regents. For example, while an applicant may apply for a student regent opening, their name may also be submitted under the county opening, if applicable, making the pool of candidates only seemingly more competitive. To address concerns over thorough vetting of Board of Regents applicants, this measure eliminates the Board of Regents Candidate Advisory Council, allowing the Governor to directly appoint regents with the advise and consent of the Senate.

Your Committee has amended this measure by:

- (1) Retaining statutory language that allows the Legislature to apply the Hawaii Revised Statutes to the University of Hawaii for matters of statewide concern;

- (2) Clarifying the Board of Regents' jurisdiction of university structure, management, and operation;
- (3) Clarifying the constitutional question to address the current requirement that the Governor appoint members of the Board of Regents of the University of Hawaii from a pool of candidates presented by the Candidate Advisory Council; and
- (4) Amending section 1 to clarify its purpose.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3186, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3186, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2325 Higher Education on S.B. No. 3187

The purpose and intent of this measure is to eliminate the University of Hawaii Board of Regents Candidate Advisory Council and authorize the Governor to directly appoint members to the University of Hawaii Board of Regents, effective upon ratification of a constitutional amendment.

Your Committee received testimony in opposition to this measure from the Kapi'olani Community College Staff Council, Association of Emeritus Regents, and two individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that the Board of Regents of the University of Hawaii serve in an important role to guide the policies and trajectory of the University of Hawaii. During its initial enactment in 2006, the Board of Regents Candidate Advisory Council became a vital tool to select regents in a similar method to judges and justices in the Hawaii State Judiciary.

While the Candidate Advisory Council has proven effective during periods in which a high number of individuals apply, in recent years, the Candidate Advisory Council has only recommended a small number of individuals from which the Governor may select new regents. For example, while an applicant may apply for a student regent opening, their name may also be submitted under the county opening, if applicable, making the pool of candidates only seemingly more competitive. To address concerns over thorough vetting of Board of Regents applicants, this measure eliminates the Board of Regents Candidate Advisory Council, allowing the Governor to directly appoint regents with the advise and consent of the Senate.

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

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3187, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3187, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2326 Higher Education on S.B. No. 3277

The purpose and intent of this measure is to prohibit the President of the University of Hawaii System from serving concurrently as a campus chancellor.

Your Committee received testimony in support of this measure from the Hawaii Regional Council of Carpenters and two individuals. Your Committee received testimony in opposition to this measure from the University of Hawai'i System.

Your Committee finds that it is a matter of statewide concern that the President of the University of Hawaii System serves simultaneously as the chancellor of the University of Hawaii at Manoa. The combination of both chancellor and system president leads to inevitable conflicts of interest. While a 2015 report prepared by the Western Interstate Commission for Higher Education supported maintaining two distinct and separate positions, the president of the University of Hawaii served as interim chancellor of the University of Hawaii at Manoa until the position was abolished to transition into the newly-established provost position in 2019. To address concerns regarding simultaneous service as both chancellor of a University of Hawaii campus and as president of the University of Hawaii, this measure prohibits simultaneous service in both roles.

Your Committee also received testimony from the Hawaii Regional Council of Carpenters, which raised concerns about the president of the university also simultaneously serving as the chief procurement officer. Your Committee further finds that this is also problematic and warrants addressing as the chief procurement officer's role is to comply with the complexities of the procurement code, while the president has other obligations and duties that may not allow for the attention and focus required for such detailed compliance oversight.

Your Committee therefore has amended this measure by:

- (1) Inserting proposed language to prohibit the president of the University of Hawaii from simultaneously serving as the chief procurement officer for the university; and
- (2) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3277, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2327 (Joint) Higher Education and Labor, Culture and the Arts on S.B. No. 3267

The purpose and intent of this measure is to:

- (1) Allow the University of Hawaii to enter into contracts with the Research Corporation of the University of Hawaii for the purposes of supporting or facilitating sponsored research and training activities, or for advancing innovation and entrepreneurship in the State using funds appropriated by the Legislature; and
- (2) Require the University of Hawaii to consult with employee unions to review conformance positions with exceptions to collective bargaining for the purpose of employment of personnel.

Your Committees received testimony in opposition to this measure from the Research Corporation of the University of Hawaii, Maui Forest Bird Recovery Project, and fourteen individuals. Your Committees received comments on this measure from the University of Hawai'i System.

Your Committees find that the Research Corporation of the University of Hawaii, a public instrumentality of the State that is administratively attached to the University of Hawaii, was established in 1965 for the purposes of promoting, encouraging, initiating, developing, and conducting scientific research and investigation in all branches of learning, and disseminating to the public, the benefits of such research and investigation. However, recent issues regarding the blended use of the Research Corporation of the University of Hawaii beyond its stated purpose has created some ambiguity regarding employment of personnel and certain contracts for University of Hawaii projects. To support the continued pursuit of sponsored research and training activities, innovation, and entrepreneurship for the State, this measure authorizes the Research Corporation of the University of Hawaii to enter into contracts with the University of Hawaii for specific purposes and requires the University of Hawaii to consult with employee unions to review the conformance of positions with exceptions to collective bargaining.

Your Committees have amended this measure by:

- (1) Authorizing the Research Corporation of the University of Hawaii's to retain contracts related to invasive species control and eradication;
- (2) Clarifying that the University of Hawaii is required to consult with employee unions only in cases where a state project or program, or state employee is involved; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Higher Education and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3267, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3267, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).
Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2328 Higher Education on S.B. No. 3374

The purpose and intent of this measure is to appropriate funds for the University of Hawaii Workforce Development Program for administration, training, positions, and student support.

Your Committee received testimony in support of this measure from the University of Hawai'i System and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that Hawaii's community colleges play a critical role in the economic recovery and revitalization of the State, including support for residents, by providing opportunities to improve their employment prospects. The development of a skilled workforce helps companies and nonprofit organizations meet the community's needs and survive and thrive as businesses. Hawaii's community college faculty and administrators work with employers, industry associations, economic development leaders, and community organizations to develop and offer workforce training programs and credit-bearing educational programs to offer residents different, enriching pathways to achieve educational or career goals with industry-recognized credentials and valuable experience. To support the community colleges and their role in workforce development and revitalization, this measure appropriates funds to the University of Hawaii Workforce Development Program for administration, training, positions, and student support.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3374 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2329 Energy, Economic Development, and Tourism on S.B. No. 2697

The purpose and intent of this measure is to exclude the electronic transfer of virtual currency through virtual currency companies and cryptocurrency companies from the Money Transmitters Modernization Act.

Your Committee received testimony in support of this measure from seven individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Financial Institutions, Hawaii Technology Development Corporation, and Grassroot Institute of Hawaii.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation have jointly created a two-year sandbox, called the Digital Currency Innovation Lab (DCIL), to allow for limited activity of digital currency companies, virtual currency companies, and cryptocurrency companies in the State to better understand the cryptocurrency industry and determine the best method of its regulation and oversight. Your Committee further finds that there are approximately sixty-one thousand digital currency consumers who have completed more than \$611,000,000 in transactions with the fifteen cryptocurrency-based companies that have been accepted into DCIL. Your Committee recognizes that digital currency transactions are not like money transmissions and do not fit into the licensing scheme under the State's Money Transmitters Modernization Act under chapter 489D, Hawaii Revised Statutes. Your Committee further recognizes with the end of DCIL in June 30, 2022, this measure would allow virtual currency activity to legally continue in the State.

Accordingly, your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee notes that with the exclusion of virtual currency transactions from the State's Money Transmitters Modernization Act, there will be no consumer protection, regulation, or oversight for these transactions and respectfully requests that your subsequent Committees on Commerce and Consumer Protection and Ways and Means further examine these issues.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2697, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2330 Energy, Economic Development, and Tourism on S.B. No. 2695

The purpose and intent of this measure is to establish a Blockchain and Cryptocurrency Task Force.

Your Committee received testimony in support of this measure from Grassroot Institute of Hawaii 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 Budget and Finance, Department of Commerce and Consumer Affairs' Division of Financial Institutions, and one individual.

Your Committee finds that there is a vast potential for blockchain technology to drastically change and improve the State's public sector operations and private industry capabilities in areas such as cybersecurity, disaster recovery, clearance and settlement, supply chain transparency, title registries, communications, and document verification. Your Committee further finds that Hawaii has yet to determine whether or how to regulate and/or provide oversight to the cryptocurrency industry in the State.

Your Committee has amended this measure by:

- (1) Placing the Blockchain and Cryptocurrency Task Force (Task Force) administratively within the Department of Commerce and Consumer Affairs;
- (2) Expanding the scope of the Task Force's purpose to include the review of additional aspects of the blockchain and cryptocurrency industry, including but not limited to the development of a plan to expand blockchain adoption in both the private and public sectors;
- (3) Adding the following members to the Task Force:
 - (A) A representative from the Department of Commerce and Consumer Affairs' Division of Financial Institutions;
 - (B) A representative from a Hawaii-based bank or financial institution who shall be appointed by the Governor; and
 - (C) A representative of a Hawaii-based company with a focus on non-transactional blockchains who shall be appointed by the Governor;
- (4) Specifying that the following members be from Hawaii-based organizations:
 - (A) A president or chief financial officer of a cryptocurrency company who shall be appointed by the Governor;
 - (B) A representative of a cryptocurrency exchange who shall be appointed by the Governor; and
 - (C) A representative of a blockchain payments solution company who shall be appointed by the Governor;
- (5) Clarifying that:
 - (A) The President of the Senate and the Speaker of the House of Representatives shall designate one member each to serve as co-chairpersons of the Task Force; and
 - (B) Members of the Task Force are not considered employees of the State for purposes of chapter 84, Hawaii Revised Statutes, based solely upon their participation on the Task Force; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2695, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2695, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2331 Housing on S.B. No. 2237

The purpose and intent of this measure is to:

- (1) Increase the rate of conveyance tax for condominiums and single-family residences with a value of at least \$2,000,000 that are ineligible for a county homeowner's exemption;
- (2) Exempt from the conveyance tax documents and instruments that convey real property subject to a government assistance program approved and certified by the Hawaii Housing Finance and Development Corporation and used for the provision of affordable housing for qualified persons; and
- (3) Remove the maximum dollar amount of conveyance tax revenues that are to be paid into the Rental Housing Revolving Fund each fiscal year.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawai'i, Hawai'i Children's Action Network Speaks!, EAH Housing, and 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 the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the conveyance tax is an important source of income for the State and supports Hawaii's affordable housing initiatives. An increase in conveyance tax rates for high-value residences would further benefit the State. This measure increases the conveyance tax rate for high-value homes and exempts conveyances of real property subject to a government assistance program from the conveyance tax. However, your Committee further finds that, according to testimony submitted by the Tax Foundation of Hawaii, discontinuities at break points in the tax brackets may incentivize undesirable behavior among taxpayers.

Accordingly, your Committee has amended this measure by:

- (1) Adjusting the tax rate for each tax bracket to lessen the degree of discontinuities while still achieving an increased revenue collection to support the State's housing initiatives;
- (2) Replacing the effective date with January 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2237, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2332 Housing on S.B. No. 2588

The purpose and intent of this measure is to appropriate funds to the Hawaii Public Housing Authority for the rehabilitation of housing units.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority and Hawai'i Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that many families in the State rely on access to quality public housing units. However, due to the age of the Hawaii Public Housing Authority's inventory, many of these units require maintenance and other repairs to be suitable for the needs of those families, including modernizing and upgrading the units to meet health, safety, and federally mandated standards. This measure supports public housing programs in the State by appropriating funds for the rehabilitation of housing units.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2588 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2333 Education on S.B. No. 2183

The purpose and intent of this measure is to exempt certain Department of Education employees from the state residency requirement under section 78-1, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association and one individual.

Your Committee finds that given expanding telework options and infrastructure, the hiring of entirely remote professionals for certain positions within the Department of Education has the potential to satisfy critical hiring needs in a fiscally prudent manner. This is particularly applicable to positions in the areas of information technology and online learning, as well as other highly specialized positions.

Accordingly, this measure will help satisfy critical hiring needs for the Department of Education, in a fiscally prudent manner, by exempting certain employees from the state residency requirement. Your Committee notes that this measure includes certain criteria to ensure that the exemption is limited to situations in which the hiring of non-resident employees is in the best interests of the State.

Your Committee further notes, however, concerns expressed by the Hawaii State Teachers Association regarding a preference for employing qualified persons living within the State. Accordingly, your Committee has amended this measure by:

- (1) Restricting the state residency exemption to positions that are already being contracted outside of the State; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2183, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2334 Education on S.B. No. 3292

The purpose and intent of this measure is to:

- (1) Authorize, under certain circumstances, the School Facilities Authority Board to provide to the Governor a list of up to three candidates for the position of Executive Director of the School Facilities Authority; and
- (2) Require the Governor to select a nominee for Senate approval within sixty days of receiving the list of candidates from the School Facilities Board.

Your Committee received testimony in support of this measure from the School Facilities Authority.

Your Committee finds that the sound operation of the School Facilities Authority requires the timely appointment of its Executive Director. Your Committee further finds that the School Facilities Authority Board is, under certain circumstances, in the best position to screen and nominate candidates for the position of Executive Director of the School Facilities Authority.

Your Committee therefore finds that this measure promotes the sound operation of the School Facilities Authority by imposing a reasonable timeframe for the Governor to appoint the Executive Director of the School Facilities Board. This measure also facilitates the nomination process by authorizing the School Facilities Authority Board to provide to the Governor a list of up to three candidates for the position if a vacancy remains for more than ninety days.

Your Committee notes, however, concerns regarding the ways in which references to the Governor's interim appointment power has been interpreted in the past and extended vacancies with respect to the position of Executive Director of the School Facilities Authority.

Accordingly, your Committee has amended this measure by:

- (1) Removing the reference to the Governor's interim appointment power; and
- (2) Providing that the Assistant Superintendent for the Office of Facilities and Operations shall serve as the Interim Executive Director until such time as the vacancy is filled.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3292, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2335 Education on S.B. No. 3093

The purpose and intent of this measure is to provide increased protection for educational workers by establishing a misdemeanor offense for harassment of an educational worker.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from the Hawai'i Association of School Psychologists.

Your Committee finds that the coronavirus disease 2019 pandemic and increased political polarization have created a more difficult and fraught environment for educational workers to perform their jobs. Your Committee additionally finds that existing law does not adequately protect educational workers from harassment that jeopardizes their safety and interferes with school functions, such as aggressive or harassing behavior from parents and members of the public.

Accordingly, your Committee finds that this measure provides additional protection for educational workers by establishing a misdemeanor offense for certain actions that disrupt or interfere with the administration or functions of any school, school administration office, or school board. Your Committee further finds that this measure will deter the harassment of educational workers and facilitate the orderly administration of school operations.

Your Committee has amended this measure by:

- (1) Providing a definition for "person" to clarify that the misdemeanor offense established by this measure shall not apply to certain students within the age of minority; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3093, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3093, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2336 Human Services on S.B. No. 2002

The purpose and intent of this measure is to:

- (1) Codify the administrative definition of “assistance animal”;
- (2) Clarify the type of verification that may be provided by the individual to establish the need for an assistance animal; and
- (3) Specify that possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute valid verification of a disability-related need for an assistance animal.

Your Committee received testimony in support of this measure from the Hawai‘i Civil Rights Commission, Hawai‘i Association of REALTORS®, and Community Associations Institute Legislative Action Committee.

Your Committee finds that the term “service animal” applies in the general context of the federal Americans with Disabilities Act, while the broader term “assistance animal”, which is used under the federal and state fair housing laws, includes a wider spectrum of animals that provide support, including emotional support animals and service animals. This measure defines “assistance animals” and clarifies the type of verification that may be provided to establish the need for the assistance animal. Your Committee finds that this measure is necessary to improve processes for an individual with a disability to request a reasonable accommodation for an assistance animal and for landlords who receive these requests.

Your Committee notes the testimony from the Hawaii Civil Rights Commission raising concerns that the verification process in this measure substantively differs from the process set forth in the rules adopted by the commission, which reflect the provisions in the federal Fair Housing Act.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 3 to reflect the verification process and requirements set forth in the rules adopted by the Hawaii Civil Rights Commission; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2002, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2002, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2337 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2158

The purpose and intent of this measure is to provide flexibility in the use of sirens by emergency response vehicles in certain circumstances.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the use of sirens by emergency vehicles can be necessary to alert other vehicles and pedestrians that the emergency vehicle is exercising its authority to disregard certain traffic laws, such as proceeding through a red light or exceeding the posted speed limit. Some emergency response sectors have determined that there should be flexibility to not engage the siren in situations where it is unnecessary, such as responding at night when the streets are empty of cars and pedestrians. Further, the City and County of Honolulu has expressed in its ordinances that the siren should be used “as may be reasonably necessary”. Your Committee notes that the unnecessary use of a siren contributes to noise pollution, especially in heavily-congested residential areas. This measure will allow the State to reduce noise pollution by allowing emergency response vehicles to not use sirens if the siren is not reasonably necessary under the circumstances.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2158 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, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Baker, Riviere).

SCRep. 2338 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3206

The purpose and intent of this measure is to require first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

Your Committee received testimony in support of this measure from Mālama Pūpūkea-Waimea and sixty-eight individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that every year an average of sixty-six Hawaii residents and visitors experience snorkel related drowning events, including twenty which are ultimately fatal. Currently, data is not systematically collected on the circumstances of the event or

type of snorkel. Your Committee believes that understanding snorkel use can lead to better public health messaging and improvements in snorkel design. This measure will allow the State to assess the risk of certain equipment and ultimately take action to inform and protect the thousands of people who snorkel in Hawaiian waters each day by requiring first responders to include in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3206 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, 3. Noes, none. Excused, 2 (Baker, Riviere).

SCRep. 2339 Education on S.B. No. 2892

The purpose and intent of this measure is to establish a working group to address the student enrollment, capacity, and expansion needs of Ke Kula 'o 'Ehunuikaimalino (KKOE) by studying and developing a plan to utilize funds previously appropriated by the Legislature.

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

Your Committee finds that KKOE, a Department of Education Hawaiian immersion school, is in high demand. KKOE was established with federal assistance under the Native Hawaiian Education Act and is federally mandated to accept all students.

Your Committee further finds that KKOE's current student enrollment greatly exceeds the physical capacity of KKOE's campus, which is situated in Kealakekua, on the island of Hawaii. Act 6, Session Laws of Hawaii 2020 (Act 6), appropriated \$2,000,000 to the Department of Education for purposes of land acquisition to expand the KKOE campus. These funds have not yet been expended.

Accordingly, your Committee finds that this measure will help address the student enrollment, capacity, and expansion needs of KKOE and facilitate the utilization of funds appropriated under Act 6 by establishing a working group to study and develop a cogent plan to use the funds for their intended purpose.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation for costs associated with the working group established by this measure;
- (2) Amending section 1 to clarify that KKOE is a Department of Education Hawaiian immersion school; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2892, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2892, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2340 Education on S.B. No. 2081

The purpose and intent of this measure is to:

- (1) Ensure that the Department of Education has a revolving fund into which it may deposit funds generated from the monetization of facilities to help cover future repair and maintenance costs;
- (2) Establish the Department of Education Commercial Enterprises Revolving Fund to provide funds to be expended in the operation of commercial enterprises by the Department of Education; and
- (3) Make an appropriation into the Department of Education Commercial Enterprises Revolving Fund.

Your Committee received testimony in support of this measure from the Department of Education and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Education supports opportunities for students to participate in commercial enterprises in school and to monetize existing school facilities. This activity has the potential to provide students with the experiences necessary for post-secondary and workforce success, while providing, in many instances, funds for ongoing facility maintenance.

Your Committee further finds, however, that existing restrictions on the Department of Education's intake of revenue generated by commercial enterprises in public schools hampers the successful implementation and expansion of these enterprises.

Accordingly, your Committee finds that this measure will promote student success in education and the workforce and help bring a measure of self-sufficiency to school facility maintenance by removing certain fiscal barriers to the implementation and growth of commercial enterprises in public schools.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2081, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2081, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2341 (Joint) Education and Labor, Culture and the Arts on S.B. No. 3092

The purpose and intent of this measure is to allow for greater implementation of commercial enterprises in schools by:

- (1) Deeming student interns to be employees of the State; and
- (2) Allowing the Department of Education to use revenue from school commercial enterprises.

Your Committees received testimony in support of this measure from the Department of Education.

Your Committees find that commercial enterprises provide students with the hands-on and real-world experiences that are critical to post-secondary and workforce success. Your Committees further find that the restrictions on students as interns in schools present undue obstacles to the implementation of commercial enterprises activities in schools. Accordingly, this measure will promote educational and career outcomes by clarifying the status of students engaging in commercial enterprises at school.

As affirmed by the records of votes of the members of your Committees on Education and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3092 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 5. Noes, none. Excused, none.
Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

SCRep. 2342 (Joint) Education and Water and Land on S.B. No. 2186

The purpose and intent of this measure is to:

- (1) Direct the conveyance to the Department of Education of certain lands used for public schools and owned by the counties of Kauai and Maui, the State, and the Department of Land and Natural Resources;
- (2) Require legislative approval prior to the sale, gift, or alienation of the fee simple title to lands owned by the Department of Education; and
- (3) Appropriate funds to the Department of Education to effectuate conveyances and manage real property.

Your Committees received testimony in support of this measure from the Department of Education. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that non-unified ownership of the land under existing Department of Education schools and offices complicates redevelopment, especially when private investment is involved. This has resulted in delays in the permitting and delivery of vital capital improvements throughout the public school system.

Your Committees further find that previous legislation transferred to the Department of Education title to certain public school lands. The intent of this measure is to transfer and consolidate the remainder.

Accordingly, your Committees finds that, to provide the Department of Education with the requisite flexibility to redevelop, reposition, and improve its assets in a timely and efficient manner, sole ownership of all land under existing public schools should be consolidated and held by the Department of Education. Your Committees further find that this will benefit students and improve educational outcomes by facilitating the development and improvement of public school assets in the State.

Your Committees have amended this measure by:

- (1) Amending the list of properties to be transferred under section 2, in accordance with the recommendations of the Department of Education; 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 Education and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2186, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2186, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 4. Noes, none. Excused, 1 (Kanuha).
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 2343 Education on S.B. No. 2823

The purpose and intent of this measure is to:

- (1) Establish a school psychologist national certification incentive program; and
- (2) Make an appropriation to fund the incentive program.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Hui for Excellence in Education, Children's Action Network Speaks!, Hawai'i Association of School Psychologists, and eighteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that mental and behavioral health experts are needed in schools now more than ever. Your Committee further finds that public schools in the State continue to suffer from a chronic shortage of qualified education professionals. Accordingly, your Committee finds that this measure will promote student mental health and well-being and help address the shortage of qualified education professionals by establishing an incentive program to encourage the hiring and retention of credentialed school psychologists.

Your Committee has amended this measure by:

- (1) Clarifying the parameters of the incentive program;
- (2) Inserting a blank appropriation amount; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2823, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2344 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 3334

The purpose and intent of this measure is to:

- (1) Add the Director of Business, Economic Development, and Tourism (DBEDT) as an ex officio voting member to the Board of Directors of the:
 - (A) Hawaii Tourism Authority;
 - (B) Stadium Authority; and
 - (C) School Facilities Authority;
- (2) Transfer the Stadium Authority from the Department of Accounting and General Services (DAGS) to DBEDT, which includes:
 - (A) Designating the President of the University of Hawaii and the Superintendent of Education as voting members of the Stadium Authority;
 - (B) Allowing the designees of the President of the University of Hawaii and the Superintendent of Education to serve on the Board of Directors of the Stadium Authority;
 - (C) Repealing the Stadium Development Special Fund's exemption from the pro rata share of the departmental administrative assessment fee;
 - (D) Increasing the amount in general obligation bonds that may be issued for the Stadium Development District; and
 - (E) Designating DBEDT as the expending authority for capital improvement projects in the Stadium Development District; and
- (3) Transfer the School Facilities Authority from the Department of Education to DBEDT.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Accounting and General Services; and Land Use Research Foundation of Hawaii. Your Committees received testimony in opposition of this measure from one individual. Your Committees received comments on this measure from the Department of Education, Hawai'i Tourism Authority, and Stadium Authority.

Your Committees find that attached enterprise agencies with land development functions are currently scattered across the State executive branch. This measure would aggregate expertise regarding land development and other related resources under DBEDT. Your Committees recognize the concerns raised by the Stadium Authority in its testimony. First, making the President of the University of Hawaii and the Superintendent of Education voting members of the Stadium Authority would increase the perceived or real conflicts of interest as the Stadium Authority executes its responsibilities as there are no other regular tenants of the Stadium Development District who are also members of the Stadium Authority. Second, repealing the Stadium Development Special Fund's exemption from the pro rata share of the departmental administrative assessment fee would increase the need for the Stadium Authority to seek additional state funding as it works to deliver and operate the New Aloha Stadium Entertainment District. And lastly, designating DBEDT as the expending authority for capital improvement projects in the Stadium Development District may cause confusion with appropriated funds that were delegated to and encumbered by DAGS.

Accordingly, your Committees have amended this measure by:

- (1) Restoring:
 - (A) The President of the University of Hawaii and the Superintendent of Education as ex officio nonvoting members of the Stadium Authority;
 - (B) The Stadium Development Special Fund's exemption from the pro rata share of the departmental administrative assessment fee; and
 - (C) The Stadium Authority as the expending authority for capital improvement projects in the Stadium Development District;

- (2) Clarifying that the designees of the President of the University of Hawaii and the Superintendent of Education may serve as ex officio nonvoting members of the Stadium Authority; and
- (3) 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3334, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3334, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2345 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2170

The purpose and intent of this measure is to:

- (1) Require the Legislative Reference Bureau (LRB) to conduct a study that identifies and analyzes alternative tourism governance systems;
- (2) Require the study to include a solicitation of input from certain stakeholder groups;
- (3) Require an interim report to be published no later than October 1, 2024, and a final report to be submitted to the Legislature prior to the convening of the Regular Session of 2025;
- (4) Allow LRB to contract the professional services of one or more consultants to perform part or all of the study;
- (5) Allow the procurement of the professional services to be exempt from chapter 103D, Hawaii Revised Statutes, relating to the State Procurement Code; and
- (6) Appropriate moneys for the study.

Your Committees received testimony in support of this measure from Hawai'i Tourism Authority and two individuals. Your Committees received testimony in opposition to this measure from the State Procurement Office. Your Committees received comments on this measure from the Legislative Reference Bureau and Department of Budget and Finance.

Your Committees find that this measure will help the State identify any alternative governance models that would better manage tourism in Hawaii. Based on the testimony received, your Committees believe that LRB can perform the study without additional resources. According to testimony received from the State Procurement Office, government procurement that is exempt from the State Procurement Code does not have the same level of oversight, accountability, transparency, and potential cost savings than procurements that are executed pursuant to the State Procurement Code.

Accordingly, your Committees have amended this measure by removing language that:

- (1) Allows LRB to contract the professional services of consultants to perform part or all of the study;
- (2) Allows the procurement of the professional services to be exempt from chapter 103D, Hawaii Revised Statutes, relating to the State Procurement Code; and
- (3) Appropriates moneys for the study.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2170, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2170, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2346 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2077

The purpose and intent of this measure is to:

- (1) Add the Director of Business, Economic Development, and Tourism; Director of Transportation; Chairperson of the Board of Land and Natural Resources; Director of Agriculture; and the Executive Director of the State Foundation on Culture and the Arts as ex officio nonvoting members of the Hawaii Tourism Authority's Board of Directors;
- (2) Clarify the authority and responsibility of the Hawaii Tourism Authority's Board of Directors;
- (3) Rename the Tourism Marketing Plan to the Tourism Branding Plan;
- (4) Require any state or county agency to render services upon request of the Hawaii Tourism Authority; and
- (5) Repeal the Hawaii Tourism Authority Advisory Board.

Your Committees received testimony in support of this measure from the University of Hawai'i System and Hawai'i Tourism Authority. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; and State Foundation on Culture and the Arts.

Your Committees find that this measure better aligns with the Hawaii Tourism Authority's updated mission to focus on visitor and designation management. Your Committees recognize that although the provision to mandate any state or county agency to render services upon the authority's request could enable it to more effectively partner with other governmental agencies to resolve issues and effect change, the language is overly broad and does not provide any context for the types of services to be provided nor the conditions under which they must be provided.

Accordingly, your Committees have amended this measure by:

- (1) Restoring language that allows, rather than require, any state or county agency to render services upon request of the Hawaii Tourism Authority; 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2077, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2077, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.
Government Operations: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Chang).

SCRep. 2347 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2419

The purpose and intent of this measure is to:

- (1) Create a pilot project that repeals on June 30, 2028, for counties with a population of less than 200,000 to regulate the operation of hosting platforms that provide booking services for transient accommodation operators; and
- (2) Require a report to the Legislature.

Your Committees received testimony in support of this measure from Hawai'i Tourism Authority and County of Maui Department of Planning. Your Committees received testimony in opposition to this measure from AirBnb.

Your Committees find that illegal transient vacation units are increasingly located in residential areas, often in violation of zoning laws and in conflict with residential neighbors. Your Committees note that this pilot project seeks to give both the counties and hosting platforms an opportunity to explore different types and levels of regulation to determine which option or options ensure transparency, enforcement, and accountability in the transient accommodations industry within the State, while preserving the quality of life for Hawaii's residents and visitors.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2419 and recommend that it pass Second Reading and be referred to your Committees on Ways and Means and Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2348 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2483

The purpose and intent of this measure is to:

- (1) Include, as an objective in energy-related planning for the State's facility systems, that all new utility scale electricity generation projects be renewable;
- (2) Establish state policies that ensure short- and long-term provision of adequate, reasonably priced, and dependable renewable energy services, prioritizing the dispatch of renewable energy generation;
- (3) Update the State's policies to ensure that all new utility scale electricity generation projects are renewable, prioritize renewable energy generation, and include the use of non-fossil fuel sources in the development or expansion of energy systems; and
- (4) Appropriate moneys for the Hawaii Natural Energy Institute (HNEI) to study the costs of dispatching renewable energy resources.

Your Committees received testimony in support of this measure from Hawai'i Natural Energy Institute, Hawaii Clean Power Alliance, Tawhiri Power LLC, and one individual. Your Committees received testimony in opposition to this measure from the Hawaiian Electric Company and one individual. Your Committees received comments on this measure from the Department of Budget and Finance and Hawaii State Energy Office.

Your Committees find that this measure requires electric utilities to prioritize the dispatch of energy from renewable sources above those from fossil fuels. Although your Committees appreciate the discussion regarding renewable capable utility scale electricity generation projects, your Committees note that a renewable capable project could allow the energy produced or generated to come from diesel, a fossil fuel. According to testimony received by your Committees, HNEI can perform the study with the funds it receives from its portion of the environmental response, energy, and food security tax that is deposited into the energy systems development special fund established by section 304A-2169.1, Hawaii Revised Statutes.

Accordingly, your Committees have amended this measure by specifying that the amounts appropriated for the study are to be deducted from the moneys that HNEI receives from its portion of the environmental response, energy, and food security tax.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2483, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2483, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2349 Water and Land on S.B. No. 2135

The purpose and intent of this measure is to authorize the Ocean Stewardship Special Fund to be used for planning, development, designing, or implementation of beach restoration projects, including the awarding of grants to nonprofit organizations for beach and nearshore environmental cleanup.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Surfrider Foundation, Clean the Pacific, Malama Pūpūkea-Waimea, Friends of Hanauma Bay, Hawai'i Wildlife Fund, Sustainable Coastlines Hawai'i, Na Kama Kai, and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawaii's ocean waters and marine resources are some of the State's most ecologically, economically, and culturally valuable environmental assets. To protect Hawaii's coastal waters, the Thirty-First Legislature passed Act 46, Session Laws of Hawaii 2021, to create the Ocean Stewardship Special Fund for the conservation, restoration, and enhancement of the State's marine resources. While many users enjoy Hawaii's marine resources, a disproportionate burden is placed on nonprofit organizations to organize events and volunteers to remove debris from marine resources. Many nonprofit organizations also utilize personal funds to purchase equipment to maintain clean shorelines and oceans at Hawaii's beaches.

Your Committee has also heard the concerns of Malama Pūpūkea-Waimea regarding the eligibility of native plant projects to be considered for coastal restoration funding to allow for projects such as restorative native plant landscaping. The Department of Land and Natural Resources concurred with Malama Pūpūkea-Waimea, agreeing that native plant projects should also qualify for coastal restoration projects. To maintain Hawaii's scenic beauty and recreational sites at state parks and marine resources, this measure authorizes the Ocean Stewardship Special Fund to expand its uses for beach and nearshore environmental cleanup.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2135, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2350 Water and Land on S.B. No. 2519

The purpose and intent of this measure is to:

- (1) Require an emergency shoreline hardening permit for the construction, maintenance, or improvement of a temporary erosion control structure;
- (2) Provide that each permit is valid for a maximum of one year; provided that the lifetime of the structure may be extended no more than an additional two and a half years upon an applicant demonstrating a concerted effort, as deemed acceptable by the Board of Land and Natural Resources, to develop and implement a long-term solution that will enable the removal of the temporary erosion control structure;
- (3) Establish penalties for persons who build, improve, or maintain a temporary erosion control structure without a valid permit; and
- (4) Require the Board of Land and Natural Resources to administer and enforce this Act.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Surfrider Foundation. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that many beachfront homeowners in the State have built seawalls, sandbag walls, known locally as "burritos", or other shoreline hardening structures, including geotextile fabric, to stave off local sea level rise, strong wave action, and coastal flooding along the coast. However, these structures accelerate coastal erosion in areas they are meant to protect and further cause increased erosion in adjacent areas of the beach that do not have similar structures. While some of these structures are built without permission, others are built with emergency permits that are typically limited to three years, are often granted endless extensions, and are generally not removed after the expiration of the permit.

Your Committee also finds that the State has a "no tolerance" policy for new shoreline armoring. Although property owners may apply to build a seawall, this process is long and cumbersome, including a formal environmental review and public hearings, and requires approval from the Department of Land and Natural Resources. The emergency permit, in contrast, does not require the lengthy review process that is required for formal, authorized seawalls. This measure strengthens rules regarding the issuance of permits and its validity; long-term solutions to enable the removal of temporary erosion control structures; and penalties for persons who build, improve, or maintain a temporary erosion control structure without a valid permit.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2519, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2519, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2351 Water and Land on S.B. No. 3251

The purpose and intent of this measure is to:

- (1) Require that hunting guides obtain written permission from private landowners or other appropriate person before taking their clients to hunt on those private lands; and
- (2) Require hunting guides to provide copies of those written permission documents to the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that guided hunting tours assist in the management of game populations, provide a living wage for hunting guides, and support Hawaii's economy. As the popularity of guided hunting tours have increased, some irresponsible hunting guides have guided their clients to hunt on private lands without the permission of landowners, who have witnessed unknown individuals walking on their land with guns or other weapons. While current law requires hunters to obtain permission to hunt on private land, hunting guides often lie to clients, leading to disagreements, allegations of trespassing, and damage to the guided hunting tour industry. To address systemic issues regarding hunting on private properties, this measure requires hunting guides to obtain written permission prior to hunts on private land and provide copies of the written permission to the Department of Land and Natural Resources.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3251, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3251, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2352 Water and Land on S.B. No. 3351

The purpose and intent of this measure is to:

- (1) Specify parking violations for all patrons engaging in ocean recreation and coastal areas program property; and
- (2) Authorize the Department of Land and Natural Resources to collect fines for each violation of parking rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that proper enforcement of parking rules allows many residents to use and enjoy state properties for ocean recreational activities. However, traffic and parking congestion at state properties has created additional difficulties for patrons. Limited enforcement of parking rules causes many difficulties for boaters and individuals engaging in recreational activities, as inconsistent enforcement also contributes to traffic congestion problems at state properties. To address issues arising from traffic congestion and parking at state properties, this measure implements specific parking violations to be enforced by the Department of Land and Natural Resources Division of Boating and Ocean Recreation.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3351, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2353 Judiciary on S.B. No. 1211

The purpose and intent of this measure is to repeal the law relating to exemption for vehicles designated as vehicles used by farmers as set forth in section 286-208, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawai'i Farm Bureau.

Your Committee finds that existing state law as set forth in section 286-208, Hawaii Revised Statutes, is superseded by title 49 Code of Federal Regulations section 390.39. This measure will repeal this outdated statute. According to testimony received by your Committee, failure to enact this measure could disqualify the State from receiving \$1,200,000 in federal Motor Carrier Safety Assistance Program funds annually. The Motor Carrier Safety Assistance Program funds provide financial assistance to the State in carrying out its commercial motor vehicle safety program to promote safety on the State's roadways. This measure will ensure that the State continues to have the funds it needs to keep the roadways safe.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1211, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1211, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Acasio, Gabbard).

SCRep. 2354 (Joint) Education and Higher Education on S.B. No. 214

The purpose and intent of this measure is to establish freedom of press protections for student journalists producing school-sponsored media or university-sponsored media, subject to certain exceptions.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Student Press Law Center, Hawaii Publishers Association, All Hawaii News, Big Island Press Club, and eleven individuals. Your Committees received comments on this measure from the Department of Education, Department of the Attorney General, and Office of Information Practices.

Your Committees find that journalism is a critical component of a well-functioning democracy. Your Committees also find that promoting student journalism in public schools prepares the next generation of journalists for the challenge of seeking and sharing truth, and exposing falsehoods, in an era of misinformation.

Your Committees further find that states may enhance the protections guaranteed by the First Amendment of the United States Constitution through state laws and regulations. Your Committees believe that student journalists attending Hawaii public schools and colleges need additional protection against censorship, and that their advisors need additional protections against retaliation for refusing to illegally censor student journalists.

Accordingly, your Committees find that this measure will protect and promote the constitutional rights of student journalists and their advisor by codifying and clarifying the same.

Your Committees have amended this measure by:

- (1) Clarifying that the invasion of privacy that is excepted from the protections afforded by this measure is a clearly unwarranted invasion of personal privacy;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 214, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 214, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 5. Noes, none. Excused, none.
Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 2355 (Joint) Education and Higher Education on S.B. No. 2142

The purpose and intent of this measure is to:

- (1) Allow Department of Education students to fulfill world language, fine arts, or career and technical education graduation requirements with computer science;
- (2) Establish a scholarship at the University of Hawaii to encourage students majoring in education to take a computer science course;
- (3) Require University of Hawaii to establish computer science pathways for students majoring in education;
- (4) Require teacher licensing and certification to include computer science; and
- (5) Appropriate funds for the computer science in teaching scholarship program.

Your Committees received testimony in support of this measure from the Department of Education; State Public Charter School Commission; University of Hawai'i System; Hawaii State Teachers Association; Code.org; HawaiiKidsCAN; TechNet; Purple Mai'a Foundation; Oceanit Laboratories, Inc.; and six individuals. Your Committees received testimony in opposition to this measure from five individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Education, and one individual.

Your Committees find that the time has come to welcome computer science into the ranks of world language, fine arts, and career and technical education as a graduation requirement for Hawaii's public school students. Today, computer science knowledge and skills are a critical component of education and career success. Your Committees therefore find that this measure will promote education and career success by allowing computer science to satisfy certain graduation requirements and establishing scholarships, programs, and licensure requirements that encourage the development of computer science course offerings in public schools.

Your Committees note the testimony of the State Public Charter School Commission requesting that this measure apply in certain respects to public charter schools, in addition to Department of Education schools.

Accordingly, your Committees have amended this measure by:

- (1) Amending this measure to also include students who want to teach at public charter schools to participate in the computer science in teaching scholarship program;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2142, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2142, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Higher Education: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 2356 Commerce and Consumer Protection on S.B. No. 2292

The purpose and intent of this measure is to amend the definition of “personal information” to include various personal identifiers and data elements that are found in more comprehensive laws.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Office of Enterprise Technology Services, and one individual. Your Committee received comments on this measure from the Hawaii Insurers Council; Hawaiian Electric Company, Inc.; Hawaii Financial Services Association; Hawaii Credit Union League; Hawaii Bankers Association; Hawaii Association of Health Plans; Hawai'i Pacific Health; State Privacy & Security Coalition; and one individual.

Your Committee finds that Hawaii was one of the first states to enact certain privacy laws nearly twenty years ago that specify the circumstances in which a business or government agency shall notify a consumer that his or her personal information has been breached. However, due to rapidly advancing technology and the vast amounts of data collected by businesses and government agencies, it is necessary to update and modernize existing law by amending the definition of what constitutes “personal information”. This will enhance consumer protections involving privacy and align Hawaii with other jurisdictions that have recently adopted similar legislation.

Your Committee has heard the concerns raised in testimony that this measure, as currently written, fails to take into account Act 112, Session Laws of Hawaii (2021), which adopted the Insurance Data Security Model Law to strengthen data privacy and consumer breach notification obligations of insurance licensees. Amendments are therefore necessary to address these concerns, as well as additional concerns raised in the testimony.

Your Committee has amended this measure by:

- (1) Clarifying that an individual’s social security number, either in its entirety or more than the last four digits, shall be considered a “specified data element”;
- (2) Clarifying that “specified data element” does not include medical information that is protected by the Health Insurance Portability and Accountability Act and its enacting regulations or other applicable federal or state law;
- (3) Providing that any insurance licensee subject to the Insurance Data Security Law codified in Article 3B, Chapter 431, Hawaii Revised Statutes shall be deemed to be in compliance with section 487N-2, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2292, S.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. 2357 Commerce and Consumer Protection on S.B. No. 2279

The purpose and intent of this measure is to:

- (1) Require scrap dealers who deal with catalytic converters to keep records of purchases and sales of catalytic converters; and
- (2) Establish the offense of theft of catalytic converter as a class C felony.

Your Committee received testimony in support of this measure from the City and County of Honolulu Department of the Prosecuting Attorney, Hawaii Insurers Council, American Property Casualty Insurance Association, Pearl City Neighborhood Board, Stolen Stuff Hawaii, Hawaii Transportation Association, and five individuals. Your Committee received comments on this measure from the Department of the Attorney General, Maui County Department of the Prosecuting Attorney, Schnitzer Steel Hawaii, and Geico.

Your Committee finds that catalytic converter thefts are on the rise, not just locally, but nationwide. Catalytic converters are required for vehicles as they remove toxic elements from the exhaust stream. Because they contain precious metals such as platinum, palladium, and rhodium, stolen or recycled catalytic converters can usually be resold on the market for roughly \$250, yet replacing a stolen catalytic converter can cost a car owner approximately \$1,000 or more. This measure establishes the offense of theft of a catalytic converter as a class C felony, thereby removing any burdensome requirement of proving a defendant had knowledge of the

value of the property, and further will require scrap dealers to obtain additional information and maintain records relating to their purchase of catalytic converters to disincentivize dealers to purchase stolen catalytic converters.

According to testimony received by your Committee, a similar measure also heard by your Committee concerning catalytic converters, specifically S.B. No. 2733, Regular Session 2022, contains favorable provisions that should be incorporated into this measure to require used motor vehicle parts and accessories licensees to collect additional information from sellers of catalytic converters. By requiring both used motor vehicle parts and accessories dealers and scrap dealers to obtain certain information from sellers and extending the class C felony penalty for violations of those requirements, a more effective and comprehensive approach to reducing the theft of catalytic converters can be achieved. Therefore, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Inserting language that requires used motor vehicle parts and accessories licensees to obtain a written statement that the seller has the lawful right to sell and dispose of the catalytic converter;
- (2) Inserting language that requires certain sellers to provide copies of receipts or a notarized declaration that contains specific information regarding their purchase or acquisition of the catalytic converter;
- (3) Inserting language that requires a used motor vehicle parts and accessories licensee to refuse purchase of the catalytic converter if the seller does not provide a receipt or notarized declaration and to report the attempted sale to the police;
- (4) Requiring that used motor vehicle parts and accessories licensees take one or more separate photographs of each individual catalytic converter offered for sale;
- (5) Requiring that used motor vehicle parts and accessories licensees verify the seller's identity by obtaining a photocopy of the seller's photo identification card or driver's license and taking a photograph of the seller;
- (6) Requiring used motor vehicle parts and accessories licensees to maintain certain records at their place of business for a two-year period that may be examined at any time by the Director of Finance, Chief of Police, Attorney General, Prosecuting Attorney, or their designees;
- (7) Requiring every used motor vehicle parts and accessories licensee to attach a tag to each purchased catalytic converter that shall include certain information, report the purchase to the applicable county police department, and maintain possession of the purchased catalytic converter for a period of sixty days before selling, exchanging, recycling, or otherwise disposing of the catalytic converter;
- (8) Specifying that a person who violates these requirements, or violates section 289-2, Hawaii Revised Statutes, shall be guilty of a class C felony;
- (9) Requiring used motor vehicle parts and accessories licensees to pay for catalytic converters by check and specifying that any person who violates this requirement shall be guilty of a class C felony;
- (10) Clarifying that a person commits the offense of theft of catalytic converter if the person obtains, receives, retains, disposes of, or exerts unauthorized control of a catalytic converter through any means described in section 708-830, Hawaii Revised Statutes, or violates chapter 289 or chapter 445, Hawaii Revised Statutes, with regard to a catalytic converter;
- (11) Clarifying the definition of "catalytic converter" to mean a device that is incorporated in a motor vehicle's exhaust system and contains a catalyst for converting pollutant gas emissions into less harmful emissions, regardless of whether the device has been removed from a motor vehicle's exhaust system;
- (12) Deleting language that would have amended the definition of "used motor vehicle part or accessory" to exclude catalytic converters in chapter 289, Hawaii Revised Statutes;
- (13) Deleting language that would have added a definition for "catalytic converter" to section 445-231, Hawaii Revised Statutes;
- (14) Extending certain requirements for the purchase of palladium, platinum, and rhodium, rather than specifically referring to "catalytic converters", in chapter 445, Hawaii Revised Statutes, relating to scrap dealers;
- (15) Clarifying that scrap dealers shall obtain a photograph of the seller and a copy of the seller's identification card or license;
- (16) Requiring scrap dealers to pay for palladium, platinum, or rhodium by check payable to the seller;
- (17) Clarifying that a person who violates certain sections of chapter 445, Hawaii Revised Statutes, involving palladium, platinum, or rhodium, shall be guilty of a class C felony;
- (18) Requiring that each county police department shall:
 - (A) Establish a database for collecting and maintaining the information reported by used motor vehicle parts and accessories licensees regarding their purchases of catalytic converters; and
 - (B) Initiate an education program to encourage its residents to take personal measures to prevent catalytic converter thefts;
- (19) Amending section 1 to reflect its amended purpose; and
- (20) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2279, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2279, S.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. 2358 Transportation on S.B. No. 3162

The purpose and intent of this measure is to require the replacement of current audible reverse warning systems (back-up beepers) on construction, agricultural, and industrial vehicles with more effective broadband reversing alarms by January 1, 2025.

Your Committee received testimony in opposition to this measure from Young Brothers; Matson Navigation Company, Inc.; Building Industry Association Hawaii; and General Contractors Association of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General, Department of Transportation, and Hawaii Transportation Association.

Your Committee finds that reversing alarms of commercial and construction vehicles cause significant urban noise pollution while being significantly less effective than similar options. The current tonal alarms have been shown in a study to be inferior to broadband alarm sounds which are two thirds more effective. Furthermore, the tonal “beep-beep-beep” contributes more toward noise pollution than the broadband “pshh-pshh-pshh” noise. Therefore, the purpose of this measure is to protect Hawaii’s residents from disruptive noise pollution and utilize safer vehicular reversing practices by requiring the use of broadband reversing alarms instead of tonal alarms by January 1, 2025.

Your Committee has amended this measure by:

- (1) Narrowing the scope of the measure to apply only to state and county-owned vehicles purchased after January 1, 2025;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3162, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3162, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2359 Transportation on S.B. No. 2896

The purpose and intent of this measure is to appropriate funds to the Department of Transportation to widen Queen Kaahumanu Highway and Kuakini Highway between Henry Street and Kamehameha III Road on the island of Hawaii.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Hawaii, and two members of the Hawaii County Council. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Bipartisan Infrastructure Law includes more than \$100,000,000,000 in new funds to invest in the nation’s roads, bridges, and major infrastructure projects. Queen Kaahumanu Highway and Kuakini Highway between Henry Street and Kamehameha III Road on the island of Hawaii are subject to chronic vehicular traffic that typically lasts several hours in the morning and evenings with a higher number of accidents resulting from the bottleneck, making widening the roads an important change and a possible project to receive federal funding. Therefore, the purpose of this measure is to appropriate funds to the Department of Transportation to widen Queen Kaahumanu Highway and Kuakini Highway between Henry Street and Kamehameha III Road on the island of Hawaii.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2896 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2360 Transportation on S.B. No. 652

The purpose and intent of this measure is to authorize the issuance of special number license plates for members of the Hawaii Civil Air Patrol.

Your Committee received testimony in support of this measure from Hawaii Wing, Civil Air Patrol, and two individuals.

Your Committee finds that members of the Hawaii Civil Air Patrol should have license plates that indicate their profession. In times of emergency, vehicles bearing this license plate can be quickly identified by police and allowed through barriers efficiently to conduct their missions. Therefore, the purpose of this measure is to, in lieu of the number plates contracted on behalf of the counties by the Director of Finance of the City and County of Honolulu, provide, for a fee, one set of special number plates upon the receipt of an application together with specific proof that the applicant was or is a member of the Hawaii Civil Air Patrol.

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. 652 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2361 Transportation on S.B. No. 2105

The purpose and intent of this measure is to allow for the renewal of driver's licenses online or by electronic or digital means.

Your Committee received testimony in support of this measure from the Department of Customer Services of the City and County of Honolulu, Department of Information Technology of the City and County of Honolulu, and one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that especially during the coronavirus disease 2019 pandemic, driver's licenses should be renewable both by mail and digitally for those who are unable to appear in person. Therefore, the purpose of this measure is to allow driver's licenses to be renewed using electronic means or by mail.

Your Committee has amended this measure by:

- (1) Specifying that an applicator for renewal by mail must include documentation of a physical exam conducted not more than three months prior to expiration of the driver's license, rather than six months; and
- (2) Inserting an effective date of January 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. 2105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2105, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2362 Transportation on S.B. No. 3148

The purpose and intent of this measure is to repeal sections 266-2.3, Hawaii Revised Statutes, relating to the Kewalo Basin use permit, and 266-22 Hawaii Revised Statutes, relating to maintenance of a fire boat, which have become obsolete or unnecessary.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that sections 266-2.3, Hawaii Revised Statutes, and 266-22, Hawaii Revised Statutes, are obsolete or unnecessary. The purpose of this measure is to repeal these sections.

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. 3148 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, 5. Noes, none. Excused, none.

SCRep. 2363 Transportation on S.B. No. 2118

The purpose and intent of this measure is to require the driver of a moped to be in immediate possession of a valid driver's license or instruction permit at all times.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from Moped Doctors Inc.

Your Committee finds that the current wording of the law that requires moped drivers to have a license is vague and confusing to enforce. Currently, the law requires moped drivers to possess a valid driver's license but does not specifically require that license to be in immediate possession. This measure clarifies that moped drivers must always have a valid driver's license or instruction permit on their person while operating a moped.

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. 2118 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, 5. Noes, none. Excused, none.

SCRep. 2364 Transportation on S.B. No. 2268

The purpose and intent of this measure is to require public utilities to prioritize maintenance and upkeep to infrastructure in areas of heavy traffic to minimize disruption to transportation.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from Hawai'i Gas.

Your Committee finds that prolonged maintenance work by public utilities in areas of high traffic can create bottlenecks which lead to greater numbers of accidents and prolong already lengthy commutes. The purpose of this measure is to require public utilities to prioritize maintenance and upkeep to infrastructure in areas with heavy traffic in order to minimize disruptions to transportation.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation 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, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2365 (Joint/Majority) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 3314

The purpose and intent of this measure is to transfer the Hawaii State Energy Office from the Department of Business, Economic Development, and Tourism to the Department of Land and Natural Resources.

Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; and Department of Land and Natural Resources.

Your Committees find that the Hawaii State Energy Office (HSEO) was established in 2019 to, in part, facilitate renewable energy, energy efficiency, energy resiliency, and clean transportation project deployment to assist private sector project completion when aligned with state energy goals. However, your Committees note that over the past few years, the focus of the agency has shifted towards climate change mitigation and sea level rise priorities. Although your Committees also find that the Department of Land and Natural Resources is an already large department with a broad mandate, its focus on natural and cultural resources may better align with HSEO's current priorities. Your Committees further note that the transfer of HSEO to the Department of Land and Natural Resources should not affect the Department's base budget as HSEO is primarily funded through a portion of the environmental response, energy, and food security tax.

Accordingly, your Committees have amended this measure by:

- (1) Emphasizing that HSEO is to be administratively attached to the Department of Land and Natural Resources; 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 Energy, Economic Development, and Tourism and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3314, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3314, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 3. Noes, 2 (Riviere, Fevella). Excused, none.
Water and Land: Ayes, 3. Noes, 2 (Riviere, Fevella). Excused, none.

SCRep. 2366 (Majority) Judiciary on S.B. No. 3254

The purpose and intent of this measure is to propose a constitutional amendment to specify that reapportionment shall be based on the resident population, as counted in the most recent decennial United States Census.

Your Committee received testimony in support of this measure from Common Cause Hawaii and four individuals. Your Committee received testimony in opposition to this measure from nine individuals. Your Committee received comments on this measure from the Department of the Attorney General and Office of Elections.

Your Committee finds that the Hawaii State Constitution is unique in its determination of resident population for reapportionment purposes. Reapportionment is the process of re-distributing seats for elected officials so that the seats are relatively evenly distributed based on the resident population. Since being ratified by voters in November 1992, sections 4 and 6, of the Hawaii State Constitution, have required that reapportionment for state senators and representatives be based on the average number of "permanent residents" in each district. Any resident not deemed permanent, even if included in the decennial United States census, counts as a "usual resident" of the State, is extracted, or deleted, from the total used by the State Reapportionment Commission, and therefore not factored into the allocation of state senate and house districts. This measure will ensure that all individuals that are extracted but live in a specific area are counted for representation purposes for that district.

As affirmed by the record of votes of 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. 3254 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Gabbard). Noes, 2 (Acasio, Kim). Excused, 1 (Fevella).

SCRep. 2367 Judiciary on S.B. No. 3252

The purpose and intent of this measure is to:

- (1) Impose a cap on the charged costs for the reproduction of certain government records;
- (2) Waive reproduction costs for the first one hundred pages if disclosure is in the public's interest;
- (3) Waive the cost of duplication of government records in an electronic format;
- (4) Impose a cap on charged costs for searching, reviewing, and segregating records; and
- (5) Provide for a waiver of fees when the public interest is served.

Your Committee received testimony in support of this measure from the Department of Transportation, Common Cause Hawaii, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, All Hawaii News, Big Island Press Club, and two

individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Department of Land and Natural Resources, Employees' Retirement System, Office of Information Practices, and Grassroot Institute of Hawaii.

Your Committee finds that public records laws provide a critical mechanism to maintain government accountability and transparency and support citizen involvement in government decision-making. The real-world consequences of restricting access to that information can range from serious to routine but, in all cases, result in a less informed citizenry. Fee waivers offer a simple and flexible solution. By providing public-interest fee waivers uniformly, the public records request process can provide equity to access.

Your Committee notes that this measure is adopting the Freedom of Information Act standard which allows for waivers for media if the request is likely to contribute significantly to the public understanding of the operations or activities of the government and is not primarily in the commercial interest. Simply having a commercial interest is not a disqualifier for a fee waiver.

Your Committee has amended this measure by clarifying that reproduction costs will not be charged for producing documents provided to requesters in electronic format if the agency maintains those documents in an electronic format; however, requesters shall be charged for documents requested that are not maintained in electronic format and must be manually faxed or scanned into an electronic format.

As affirmed by the record of votes of 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. 3252, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3252, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2368 Judiciary on S.B. No. 3227

The purpose and intent of this measure is to:

- (1) Create an electronic citation program under the Judiciary;
- (2) Establish an electronic citation surcharge; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Department of Transportation, Honolulu Police Department, and Maui Police Department. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the use of paper citation sometimes gives rise to difficulties including supervisors, prosecutors, and judiciary personnel having to decipher handwritten notes that are difficult to read, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These difficulties have the potential to lead to delays in access to citations and to dismissal of traffic citations. Your Committee further finds that the use of an electronic citation system resolves handwriting legibility issues and eliminates the need to collect and scan paper citations. This measure provides numerous benefits to law enforcement, the Judiciary, and the general public, including the streamlining of processes and increased access to information.

Your Committee notes that committee members question why instituting a system that is expected to save the State money is going to cost violators more money. There was also discussion regarding the privacy of the data. Also, there was a request for information relating to the costs of establishing the electronic citation program, how much revenue would be generated, and what, if any, the necessary surcharge should be.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that would have established an electronic citation surcharge;
- (2) Clarifying that there is established within the Judiciary a statewide electronic citation program;
- (3) Making a general fund appropriation to the Judiciary for the purposes of establishing the statewide electronic citation program;
- (4) Making general fund appropriations as grants-in-aid to the counties for the purposes of establishing the statewide electronic citation program;
- (5) Making a general fund appropriation of \$51,024 to the Judiciary for the establishment of one permanent full-time equivalent accountant position; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3227, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 2 (Gabbard, Keohokalole).

SCRep. 2369 Education on S.B. No. 2564

The purpose and intent of this measure is to appropriate funds for the Department of Education's resources for enrichment, athletics, culture, and health program to match federal dollars that the State receives for the 21st Century Community Learning Center.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Hawaii State Teachers Association, University of Hawai'i System, Hawai'i Afterschool Alliance, and one individual.

Your Committee finds that after-school programs provide important learning and enrichment opportunities for students while allowing parents to maintain employment. After-school programs keep students safe, offer additional learning support, and provide parents peace of mind that their children are constructively engaged.

Your Committee further finds that after-school programs are particularly needed for middle and intermediate school students. The intermediate years are important for reversing high school drop-out rates and ensuring students remain engaged in their education and community. The R.E.A.C.H. initiative, which stands for "resources for enrichment, athletics, culture, and health" was established in 2013 to meet the need for dedicated after-school programs for public middle and intermediate school students and uses a community-based approach. The R.E.A.C.H. initiative utilizes state funds and partners with schools, parents, and other community-based organizations.

Your Committee also finds that expanding funding for after-school programs represents an upfront investment in Hawaii's youth. With federal dollars already being invested in after-school programs, your Committee believes that now is the time to commit to expanding access to quality after-school programs for public middle and intermediate students.

Accordingly, this measure will promote learning and enrichment activities for middle and intermediate students across the State, while helping their parents maintain employment, by appropriating funds for the Department of Education's enrichment, athletics, culture, and health program to match certain federal moneys received by the State.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

Your Committee notes that the estimated appropriation required for this measure is \$6,123,398.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2564, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2564, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2370 Education on S.B. No. 2333

The purpose and intent of this measure is to:

- (1) Authorize supplemental categorical funding for remote schools; and
- (2) Make and appropriation for supplemental categorical funding for remote schools.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and State Public Charter Schools Commission.

Your Committee finds that the Reinventing Education Act of 2004 (Act 51, Session Laws of Hawaii 2004) established a weighted student formula to allocate moneys to schools according to the different costs of educating students with varying needs. Despite the intended equitable distribution of funds, your Committee finds that the weighted student formula has placed small, remote schools at a disadvantage.

Your Committee further finds that despite the current economic situation, remote schools should be funded to retain the minimal personnel and resources necessary to allow students to graduate. One way to address this is to allow these schools to receive supplemental funding based on their remote status.

Accordingly, your Committee finds that this measure will provide greater financial assistance to certain remote schools in great need of the assistance by allowing these schools to receive supplemental funding and appropriating funds for the same.

Your Committee has amended this measure by:

- (1) Expanding the definition of "remote schools" to include certain schools identified by the Department of Education; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2333, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2333, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2371 Education on S.B. No. 3280

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist Saint Joseph School in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving educational facilities.

Your Committee received testimony in support of this measure from Saint Joseph High School and Cardinal Legacy Foundation. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Saint Joseph School was founded in 1869 and is the only parochial school on Hawaii island. Your Committee further finds that enrollment at the school has increased and a number of campus improvements are underway. However, additional funding is necessary to help build a stronger learning environment for students and the surrounding community.

Accordingly, your Committee finds that this measure is in the public interest and will help Saint Joseph School construct a multipurpose gymnasium for both school and community events through the issuance of special purpose revenue bonds.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3280 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Kim).

SCRep. 2372 Education on S.B. No. 2612

The purpose and intent of this measure is to:

- (1) Establish a reusable utensil pilot project in Department of Education schools on Molokai;
- (2) Require the Department of Education to report to the Legislature on the feasibility of statewide implementation; and
- (3) Appropriate funds for the pilot project.

Your Committee received testimony in support of this measure from the Department of Education, Kualapuu Public Conversion Charter School, Ho'okāko'o Corporation, Kilohana Elementary School, and twelve individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that single-use plastics are a serious threat to the State's environmental and economic sustainability. Your Committee further finds that the Department of Education contributes to the State's annual plastic waste through its use of single-use plastic utensils in school cafeterias, which is contrary to the State's sustainability goals.

Accordingly, your Committee finds that this measure will help reduce plastic waste, pollution, and greenhouse gas emissions associated with the production, transportation, recycling, and disposal of single-use plastics by implementing a pilot program to explore and study the use of reusable utensils in Department of Education schools.

Your Committee has amended this measure by:

- (1) Removing the requirement that the Department of Education adopt rules for purposes of the pilot project; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2612, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2612, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Kim).

SCRep. 2373 (Joint) Education and Labor, Culture and the Arts on S.B. No. 2711

The purpose and intent of this measure is to update the list of exceptions under state child labor laws to include work-based learning programs with employers.

Your Committees received testimony in support of this measure from the Department of Education, Chamber of Commerce Hawaii, HawaiiKidsCAN, and one individual. Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations.

Your Committees find that the career readiness of Hawaii's students is of the utmost importance, both for the economic stability of these individuals and the State more broadly. Hawaii's schools have made great progress in recent years to expand opportunities for students to engage in work-based learning, in which students gain technical knowledge and skills that align with particular industries.

Your Committees further find that employer-school partnerships are a vital and powerful tool for creating authentic learning experiences for students. Students in the State benefit from a deep pool of work-based learning partnerships and employers to choose from in order to pursue their interests most effectively.

Your Committees therefore find that this measure will benefit students, schools, and employers by providing greater clarity as to the status of students working in an intern capacity. Your Committees note, however, the testimony of the Department of Labor and Industrial Relations expressing concern regarding the wholesale exemption of student interns from child labor laws.

Accordingly, your Committees have amended this measure by:

- (1) Deleting section 2, which added certain exceptions under 390-5, Hawaii Revised Statutes;
- (2) Defining youth vocational training programs and internships in section 390-1, Hawaii Revised Statutes;
- (3) Adding youth vocational training programs and internships and certain programs as allowable employment under section 390-2, Hawaii Revised Statutes;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and

- (5) 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 Education and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2711, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2711, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5. Noes, none. Excused, none.

Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

SCRep. 2374 (Joint) Housing and Government Operations on S.B. No. 2812

The purpose and intent of this measure is to:

- (1) Specify that allocation of the state bond ceiling to the State shall be used entirely for housing related projects;
- (2) Require that if a county elects to receive their allocation, it shall do so by resolution and specify the amount requested;
- (3) Remove the authorizations for counties or issuers to request additional allocations of the state bond ceiling;
- (4) Prioritize projects of counties that assign their allocation back to the State over projects of counties with their own private activity bond issuance program;
- (5) Require counties or issuers that retain their allocation to submit quarterly reports on the status or use of any allocation;
- (6) Require a project to first apply to the county in which the project is located, if the county has a private activity bond issuance program, before applying to the State; and
- (7) Change the dates for reverted or remaining allocations and requires certain reverted or remaining allocations to be sued for housing related projects.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Planning and Permitting of the City and County of Honolulu; EAH Housing; Mutual Housing Association of Hawai'i, Inc.; and Schatz Collaborative, LLC. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the State is in desperate need of affordable housing. Greater access to private activity bond financing provides a tool through which the State can increase the production of affordable housing. This measure supports the issuance of private activity bonds for affordable housing projects by amending the processes governing the issuance of private activity bonds to counties and prioritizing private activity bonds for state housing projects.

Your Committees have amended this measure by:

- (1) Removing a requirement that counties request to receive bond allocation through resolution;
- (2) Clarifying the process through which a county or other issuer shall submit reports to the Department of Budget and Finance;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2812, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2812, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2375 (Joint) Housing and Government Operations on S.B. No. 2922

The purpose and intent of this measure is to authorize the counties to adopt ordinances that allow up to one dwelling per quarter-acre in rural districts.

Your Committees received testimony in support of this measure from the Planning Department of the County of Hawai'i, Hawai'i Association of REALTORS, and one individual. Your Committees received comments on this measure from the Office of Planning and Sustainable Development and the Department of Agriculture.

Your Committees find that the State faces a severe shortage of housing. Allowing counties to increase density in rural districts offers a mechanism for providing more housing at lower costs. However, it is also important that the State avoid urban and suburban sprawl to the extent possible. This measure authorizes counties to increase density in rural areas but also highlights the need for greater understanding of the potential for urban and suburban sprawl. Your Committees received testimony from the Office of Planning and Sustainable Development, which noted that S.B. No. 2766, Regular Session of 2022, proposes that the Office of Planning and Sustainable Development perform a study that aligns with the purpose and intent of this measure.

Accordingly, your Committees have amended this measure by:

- (1) Incorporating the contents of S.B. No. 2766, which:
 - (A) Directs the Office of Planning and Sustainable Development to conduct a study of rural district land use laws;

- (B) Directs the Office Planning and Sustainable Development to coordinate with other departments and agencies, and community stakeholders to conduct the study;
 - (C) Requires the Office of Planning and Sustainable Development to report to the Legislature on its findings and recommendations; and
 - (D) Appropriates funds to the Department of Business, Economic Development, and Tourism; 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2922, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2922, S.D. 1, and be referred to your Committees on Ways and Means and Water and Land.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2376 (Joint) Housing and Government Operations on S.B. No. 2238

The purpose and intent of this measure is to establish the procedures for a housing savings account system for all employees in the State.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Hawaii Government Employees Association, and Tax Foundation of Hawaii.

Your Committees find that many residents of the State lack the needed funds to afford housing in Hawaii. A housing savings account system would support those residents by providing a stable and consistent source of funds to purchase housing. This measure establishes a housing savings account system that includes contributions for employers and employees. However, your Committees received testimony from the Department of Budget and Finance, which recommended that, instead of moving forward with enacting the housing savings account system, a thorough study should first be conducted by the Legislative Reference Bureau. Your Committees also note that concerns were raised about whether independent contractors should also be included in the housing savings account system, and the possibility that accumulated savings may disqualify some individuals from participating in government-subsidized public housing programs.

Accordingly, your Committees have amended this measure by:

- (1) Replacing the contents of section 1 with language directing the Legislative Reference Bureau to conduct a study of a housing savings account system and requiring it to report its findings and recommendation to the Legislature; 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2238, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2238, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2377 (Joint) Housing and Government Operations on S.B. No. 2479

The purpose and intent of this measure is to require each public housing project, dwelling unit, and state low-income housing project that is built, renovated, or constructed after January 1, 2023, to include all necessary infrastructure for tenants to access broadband services.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority; Department of Business, Economic Development, and Tourism; Hawaii State Council on Developmental Disabilities; Hawaiian Telcom; and Common Cause Hawaii.

Your Committees find that broadband access is essential for residents of the State. This fact was especially elucidated by the coronavirus disease 2019 pandemic. Without access to broadband services, many living in public and low-income housing find it difficult to connect with others in an increasingly-digital world. This measure supports residents in public and low-income housing by requiring that future units have the necessary infrastructure to support broadband services.

As affirmed by the records of votes of the members of your Committees on Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2479 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2378 (Joint/Majority) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 2535

The purpose and intent of this measure is to require offshore wind turbines to be sited no closer than twelve miles from the shoreline of a main Hawaiian island.

Your Committees received testimony in support of this measure from Progression Energy and one individual. Your Committees received testimony in opposition to this measure from three individuals. Your Committees received comments on this measure from the Hawaii State Energy Office; Public Utilities Commission; and Hawaiian Electric Company, Inc.

Your Committees find that wind energy facilities are a valuable source of renewable energy that brings the State closer to realizing its goal of one hundred percent renewable energy by 2045. Your Committees further find that wind energy facility siting or setback requirements vary across the nation.

Your Committees note the testimony from the Hawaii State Energy Office, which stated that it is in the process to better inform future actions regarding the establishment of minimum setback requirements for offshore wind projects to identify impacts and the effectiveness of potential mitigation measures. Therefore, your Committees respectfully request your Committee on Judiciary to further examine and continue discussions on the concerns raised by the testimony on this measure.

Accordingly, your Committees have amended this measure by:

- (1) Leaving blank the number of miles from the shore that an offshore wind turbine must be sited;
- (2) Amending section 1 to reflect the deletion of the twelve mile set back; and
- (3) 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 Energy, Economic Development, and Tourism and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2535, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2535, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, 1 (Fevella). Excused, none.

Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2379 Labor, Culture and the Arts on S.B. No. 2855

The purpose and intent of this measure is to create an exemption to existing law that prohibits workers from working on Saturdays, Sundays, and state holidays, on certain state public work job sites unless the worker receives overtime pay for all hours worked that day. This measure specifically exempts from this overtime pay requirement, Saturdays of a week during which a condition or circumstance beyond the control of the employer prevented workers from working for eight hours on one or more of the regularly scheduled Monday through Friday workdays and the total hours of work performed by the worker on the project during the workweek has not exceeded forty hours.

Your Committee received testimony in support of this measure from Nan, Inc. and one individual. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations.

Your Committee finds that existing law deters contractors from scheduling work for workers on Saturdays, even when they could not work the scheduled forty hours that week due to conditions and circumstances beyond the contractor's control. This measure will eliminate such deterrence and allow workers to work and receive a full week's pay while preventing the public works project from incurring unnecessary delay.

Your Committee notes that certain collective bargaining agreements allow employers to schedule work for workers on a Saturday as a "make up" day when a condition or circumstance beyond the control of the employer prevented the workers from working for eight hours on one or more of the regularly scheduled Monday through Friday workdays, and caused the total hours of work performed during the workweek to be less than forty hours.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the exemption to the overtime pay requirement created in this measure applies only when an applicable collective bargaining agreement permits;
- (2) Removing "equipment breakdown" as a condition or circumstance that is beyond the control of the employer;
- (3) Appropriating an unspecified amount of funds to the Department of Labor and Industrial Relations for purposes of this measure;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has also reviewed the testimony of the Department of Labor and Industrial Relations opposing this measure stating enforcement issues. The Department also noted that if this measure is enacted, the Department would need additional staffing and resources to carry out its provisions. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committee on Ways and Means further examine those issues and concerns raised by the Department's testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2855, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2855, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2380 Labor, Culture and the Arts on S.B. No. 3126

The purpose and intent of this measure is to:

- (1) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors who are in the exclusive employment of an owner-user inspection organization, defined as “an owner or user of a pressure retaining item, whose organization and inspection procedures meet the requirements of the National Board of Boiler and Pressure Vessel Inspectors, and is approved by the Director of Labor and Industrial Relations to perform safety inspections of pressure retaining items; and
- (2) Extend the time by which the Director of Labor and Industrial Relations is required to reimburse the general fund for the initial appropriation made as a loan to the Boiler and Elevator Revolving Fund, from ten to thirteen years from the date the fund was established.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaiian Electric Company, Inc.

Your Committee finds that existing law requires safety inspections of pressure retaining items to be performed by Deputy Boiler Inspectors employed with the Department of Labor and Industrial Relations, and upon receiving authorization from the Director of Labor and Industrial Relations, by a Special Inspector, who is a qualified boiler inspector employed by insurance companies insuring pressure retaining items in Hawaii. Your Committee also finds that qualified boiler inspectors who are in exclusive employment with an owner-user inspection organization are certified by the National Board of Boiler and Pressure Vessel Inspectors to the same standards as the Special Inspectors, and are better equipped to readily perform necessary inspections of pressure retaining items owned by their employers.

Your Committee also finds that the National Board of Boiler and Pressure Vessel Inspectors allows owner-user inspection organizations to establish and maintain an inspection program, provided that the organization and its inspection procedures meet national accreditation requirements and are approved by the appropriate authority in the jurisdiction in which the owner-user is located. Furthermore, the existing rules adopted by the Department of Labor and Industrial Relations allow owner-user inspection organizations to perform safety inspections, provided that the inspections are performed by qualified boiler inspectors. This measure codifies the current practice engaged in by the Department of Labor and Industrial Relations and owner-user inspection organizations in Hawaii.

Your Committee further finds that the Legislature established the Boiler and Elevator Special Fund in 2012 to enable the Boiler and Elevator Inspection Branch of the Department of Labor and Industrial Relations’ Hawaii Occupational Safety and Health Division to become financially self-sufficient. The Legislature appropriated \$1,000,000 to the fund as a loan and required the Director of Labor and Industrial Relations to repay the amount in five years. In 2018, the fund was converted into the Boiler and Elevator Revolving Fund and the deadline to repay the loan was extended by five years, to 2022. Your Committee finds, however, that the viability of the Revolving Fund had been threatened during recent years, as the branch has been struggling to collect fees for inspections the branch had completed. Act 200, Session Laws of Hawaii 2021, addressed this issue by allowing the Director of Labor and Industrial Relations to prohibit the operation of pressure retaining items, amusement rides, and elevators and kindred equipment if inspection fees or fines were not timely paid. According to testimony by the Department of Labor and Industrial Relations, to date, the department has deposited \$750,000 to reimburse the general fund. Your Committee believes that an extension of the reimbursement deadline will enable the Department to continue to provide the necessary safety inspections and services while maintaining a feasible repayment schedule.

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3126, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3126, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2381 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 3224

The purpose and intent of this measure is to:

- (1) Establish the Pulehunui community development district;
- (2) Establish community development district authority boards for each community development district; and
- (3) Amend the membership and reassign certain duties of the Hawaii Community Development Authority to the community development district authority boards.

Your Committees received testimony in support of this measure from the Hawaii Community Development Authority. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of the Attorney General, Department of Hawaiian Home Lands, and Department of Budget and Finance.

Your Committees find that the public lands in Pulehunui, Maui are relatively underdeveloped and have strong potential for increased growth and development that can provide for the community’s needs. However, your Committees recognize that under Article III, section 14, of the Hawaii State Constitution, the title of this measure, relating to the Pulehunui Community Development District, is too narrow to effectuate its provisions regarding the Hawaii Community Development Authority and other community development districts.

Accordingly, your Committees have amended this measure by:

- (1) Adopting the language suggested in the testimony from the Hawaii Community Development Authority, which limits the content of the measure to addressing issues that fit within the measure's title establishes the:
 - (A) Pulehunui community development district; and
 - (B) Pulehunui community development district board; 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 Energy, Economic Development, and Tourism and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3224, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3224, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.
Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2382 Water and Land on S.B. No. 2799

The purpose and intent of this measure is to:

- (1) Transfer lands to the Department of Land and Natural Resources and establish that land and adjacent state-owned lands as the Kaiwi Coast State Park; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Friends of Hanauma Bay, Surfrider Foundation, Ko'olau Waiialua Alliance, Sierra Club of Hawai'i, Hawaii Reef and Ocean Coalition, and six individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Budget and Finance.

Your Committee finds that the lands of the Kaiwi coast are an invaluable natural asset for the people of Hawaii. Numerous community members and organizations have fought long and hard over many decades to protect and preserve this unspoiled area for future generations, collaborating with government agencies to address myriad issues, such as managing human impacts, preventing invasive species, and restoring the Wawamalu dune system. As the Kaiwi Coast draws thousands of visitors every year, the area may become an inevitable target for commercial interests and future development. To preserve and protect the lands of the Kaiwi Coast, this measure establishes the Kaiwi Coast State Park and appropriates funds for the establishment of management for the new state park.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, the transfer of specific lands spanning Wawamalu to Makapuu to the Department of Land and Natural Resources;
- (2) Authorizing, rather than requiring, the designation of a state park under the name "Kaiwi Coast State Park";
- (3) Authorizing, rather than requiring, the Department of Land and Natural Resources to consider the lands within or added to the Kaiwi Coast State Park to be considered for designation as conservation lands;
- (4) Adding one full-time equivalent (1.0 FTE) general laborer to the positions established within the Department of Land and Natural Resources; and
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2799, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2383 Water and Land on S.B. No. 2833

The purpose and intent of this measure is to:

- (1) Establish the Waiakea Peninsula Redevelopment District and Planning Committee for the redevelopment of public lands on the Waiakea Peninsula;
- (2) Establish the Waiakea Peninsula Redevelopment District Revolving Fund;
- (3) Make an appropriation; and
- (4) Sunset on June 30, 2032.

Your Committee received testimony in support of this measure from the Mayor of the County of Hawaii, County of Hawaii Planning Department, Hawaii Primary Care Association, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that the State has a fiduciary duty to manage state lands in the best interests of the public by enhancing state revenues and promoting social, environmental, and economic well-being of Hawaii's people. East Hawaii, including the notable

Banyan Drive area, remains as the center of tourism for the island of Hawaii, and many improvements have not been made to infrastructure and key resources that make the region an economic hub. While the East Hawaii area includes several hotels, condominiums, restaurants, and retail buildings that comprise the economic districts, recent financial problems and closures have led to a decline in economic activities and opportunities in the area.

Your Committee also finds that the deterioration of key areas for economic growth and tourism impacts the economic, social, and community opportunities of Hawaii's people. The rejuvenation of public lands located on the Waiakea Peninsula on Hawaii island that have become dilapidated, obsolete, or have deteriorated over time is of statewide importance and constitutes a valid public purpose.

However, your Committee has heard the concerns of the Department of the Attorney General regarding Article XI, Section 5, of the Hawaii State Constitution, that this measure may be construed as special legislation. Additionally, your Committee also heard the concerns of the Department of Land and Natural Resources regarding issues over leases and jurisdiction. As the economic, social, and career opportunities resulting from the redevelopment of the Waiakea Peninsula have great benefits to the State, amendments to this measure are therefore necessary to address the concerns of the Department of the Attorney General and the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Inserting findings on the Waiakea Peninsula area and how the area provides economic and social opportunities and well-being to Hawaii residents, and its role as a tourism and economic hub in East Hawaii;
- (2) Renaming the "Waiakea Planning Committee" the "Waiakea Redevelopment Planning Committee";
- (3) Limiting the powers and duties of the Planning Committee to planning and advising, and serving as an advisory committee to the Department of Land and Natural Resources;
- (4) Retaining all management of public lands, including leases, within the Waiakea Peninsula under the Department of Land and Natural Resources;
- (5) Deleting language that would have authorized the planning committee to do the following:
 - (A) Lease public lands in the Waiakea Peninsula Redevelopment District and renew or renegotiate leases in connection with any project contained in the redevelopment plan;
 - (B) Reduce or waive the lease rental on any lease of public land for any project in the Waiakea Peninsula Redevelopment District that requires substantial improvements not exceeding one year;
 - (C) Make and execute all contracts necessary for the exercise of the committee's powers and functions relating to the Waiakea Peninsula Redevelopment District;
 - (D) Enter into development agreements with a developer for any project contained in the redevelopment plan with certain provisions regarding the information on land to be developed, uses of the land, the construction timeline, and other terms and conditions; and
 - (E) Be exempt from laws regarding administrative supervision of boards and commissions;
- (6) Deleting language specifying the rental calculation for public takings under the redevelopment plan;
- (7) Requiring the redevelopment plan to be submitted and adopted by the Board of Land and Natural Resources;
- (8) Requiring the Board of Land and Natural Resources to render a decision on any proposals submitted following the adoption of the redevelopment plan within one year of the submission date or proposals shall be deemed approved;
- (9) Requiring the Board of Land and Natural Resources to submit the plan adopted and requests of appropriations and authorizations of bonds necessary to implement the redevelopment plan to the Legislature;
- (10) Deleting lease requirements for leases that would have been issued by the committee;
- (11) Removing the establishment of and appropriations into and out of the Waiakea Redevelopment District Revolving Fund;
- (12) Removing any unnecessary transfer language;
- (13) Inserting a blank appropriation from the general fund for fiscal year 2022-2023 to the Department of Land and Natural Resources for the Waiakea Redevelopment Planning Committee;
- (14) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (15) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2833, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2833, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2384 (Majority) Water and Land on S.B. No. 3188

The purpose and intent of this measure is to appropriate funds for flood mitigation measures at Makaha Valley and Lualualei, based on structural and nonstructural measures recommended in studies previously conducted.

Your Committee received testimony in support of this measure from two individuals. 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 Department of Budget and Finance and three individuals.

Your Committee finds that Act 283, Session Laws of Hawaii 2012, mandated the Makaha Valley Flood Mitigation Study to identify specific recommendations for the control of storm drainage throughout the study area to reduce recurring flooding to residences and businesses; provide an evaluation of recommendations; and address other issues as deemed necessary. The study found that many flood mitigation projects are located on private property, with projects ranging from \$83,000,000 to \$118,000,000 based on 2014 estimates. Ongoing maintenance of flood mitigation projects is costly, as some streams and drainage features are not properly maintained by private property owners. To address concerns raised by deteriorating flood mitigation systems and structures, this measure appropriates funding for flood mitigation measures at Makaha Valley and Lualualei.

Your Committee has amended this measure by:

- (1) Replacing all instances of "Department of Land and Natural Resources" as the expending agency with "City and County of Honolulu";
- (2) Deleting the appropriation for the plans, design, and construction for installation of a drain line on Noholio Road; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3188, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3188, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2385 (Joint) Water and Land and Energy, Economic Development, and Tourism on S.B. No. 2510

The purpose and intent of this measure is to:

- (1) Establish firm renewable energy generation policy in the Hawaii State Planning Act to ensure the reliable one hundred percent replacement of fossil fuel electricity generation to increase the sustainability and energy self-sufficiency of the State to improve the quality of life for residents and visitors; and
- (2) Include policy of incentives to facilitate and encourage fuel-producing crops and energy-producing crops and bioenergy and standards for achieving renewable portfolio standards.

Your Committees received testimony in support of this measure from Island Cold Storage; Kulana Foods, Ltd.; Pacific Biodiesel Technologies; Suisan; Eco4Life; Sustainable Energy Hawaii; Hilo Products, Inc.; Hawaii Clean Power Alliance; and forty individuals. Your Committees received testimony in opposition to this measure from 350Hawaii; Energy and Climate Action Committee, Environmental Caucus of the Democratic Party of Hawaii; Tawhiri Power LLC; and four individuals. Your Committees received comments on this measure from the Department of the Attorney General, University of Hawai'i System, Department of Budget and Finance, Office of Planning and Sustainable Development, Hawaii State Energy Office, Hawaiian Electric, Hawaii Bioeconomy Trade Organization, and one individual.

Your Committees find that to meet the goals set by Hawaii's commitment to one hundred percent renewable energy by 2045, there is an increasing need to promote clean, non-climate harming renewable energy, sustainability, and self-sufficiency. To achieve Hawaii's renewable energy goals, the State must consider a variety of renewable energy sources to address the needs of the State while providing clean energy to Hawaii's people.

Despite their clear commitment to renewable energy, your Committees have heard the concerns from several agencies and organizations, including the Department of the Attorney General, Hawai'i Natural Energy Institute, Hawaiian Electric, and Office of Planning and Sustainable Development, that this measure as drafted may create issues regarding binding legislation to future legislatures, no exceptions for emergency circumstances, and no appropriation to carry out current updates to the Energy State Functional Plan. Amendments are therefore needed to address the concerns of the various agencies and organizations while also considering the State's goals and commitment to renewable energy sources.

Your Committees have amended this measure by:

- (1) Authorizing the generation of fossil fuels after December 1, 2045, in cases of emergencies or natural disaster, a situation where unavailability of renewable fuels would require limited use of fossil fuels to maintain grid reliability, and in events or circumstances that are beyond reasonable control that could not be reasonably foreseen or ameliorated;
- (2) Authorizing rather than requiring updates to the energy state functional plan;
- (3) Deleting language that would have appropriated funds to the Office of Planning and Sustainable Development beyond the current Legislature;
- (4) Appropriating funds out of the energy systems development special fund pursuant to section 304A-2169.1, Hawaii Revised Statutes, instead of general revenues, for the Hawaii Natural Energy Institute to conduct the study as required by this measure;
- (5) Appropriating general funds for fiscal year 2022-2023 for the Office of Planning and Sustainable Development to update the energy state functional plan;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of July 1, 2050, to encourage further discussion; and

- (8) 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 Water and Land and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2510, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2510, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 2386 (Joint) Water and Land and Energy, Economic Development, and Tourism on S.B. No. 3192

The purpose and intent of this measure is to:

- (1) Establish within the Department of Land and Natural Resources a visitor green fee program to collect a fee to allow visitors to visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area;
- (2) Establish the Environmental Legacy Commission to allocate the revenues from the visitor green fee program to protect and manage Hawaii's natural resources; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, Kauhako 'Ohana Association, Surfrider Foundation, Malama Pūpūkea-Waimea, Kua'āina Ulu 'Auamo, Hawai'i Alliance for Community Based Economic Development, Climate Protectors Hawai'i, Hawai'i Alliance for Progressive Action, Ulupono Initiative, Conservation Council for Hawai'i, Resources Legacy Fund, The Nature Conservancy Hawaii, Hawai'i Conservation Alliance Foundation, Wild Kids, Sustainable Coastlines Hawaii, Hawaii Green Fee, and twenty-seven individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committees find that Hawaii's natural resources, including reefs, beaches, oceans, forests, streams, estuaries, and shorelines provide irreplaceable and invaluable benefits to visitors and the global community at large, which are critical to generating billions of dollars for Hawaii's economy and local community, as well as supporting thousands of jobs. Hawaii's natural environment also faces significant environmental pressure from the heavy use it receives from persons traveling from throughout the world to enjoy the State's natural beauty and resources. Continuing underinvestment in the protection and care of natural resources poses a significant liability to the visitor industry, the stability of our natural systems including our water quality, economic resilience, and health and safety of the citizens of the State.

To address emerging and ongoing environmental issues from climate change, a visitor green fee program would provide additional resources to restore, enhance, and protect in perpetuity, Hawaii's state-owned natural resources. A fee paid by visitors who enjoy Hawaii's public parks, beaches, and trails could generate necessary funding each year to enable Hawaii to leave future generations with a healthy and safe environment. Visitor green fees have also been successfully implemented at other visitor destinations around the world, including the Galapagos Islands, New Zealand, and Palau. In addition, a visitor green fee program would indirectly support economic diversification and potentially create thousands of public and private jobs. To protect Hawaii's natural resources and scenic beauty, this measure establishes a visitor green fee program, and accompanying special fund, to provide sustained funding for the protection, restoration, and care amidst an influx of increased visitor use.

Your Committees have amended this measure by:

- (1) Adding language to authorize the visitor green fee special fund moneys to be expended for certain purposes;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Water and Land and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3192, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3192, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 2387 (Joint/Majority) Agriculture and Environment and Water and Land on S.B. No. 2062

The purpose and intent of this measure is to exempt the proposed drilling, construction, or use of a well on lands leased from the Department of Agriculture from laws requiring environmental impact statements, provided that the land is being used to support agriculture and food production.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau and one individual. Your Committees received testimony in opposition to this measure from the Sierra Club of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Alliance for Progressive Action, Americans for Democratic Action Hawai'i, and three individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Agriculture, and Office of Planning and Sustainable Development.

Your Committees find that existing requirements for environmental review can inhibit important agricultural projects and limit the feasibility of new agricultural operations. This measure will remove barriers to increase local agricultural production.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2062 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, 2 (Acasio, Fevella). Excused, none.

Water and Land: Ayes, 4; Ayes with Reservations (Riviere). Noes, 1 (Fevella). Excused, none.

SCRep. 2388 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2064

The purpose and intent of this measure is to:

- (1) Require the Board of Land and Natural Resources to identify all private and public lands suitable for the planting of koa trees; and
- (2) Authorize the Board of Land and Natural Resources to issue licenses to applicants desiring to plant, care for, and harvest koa trees in certain circumstances.

Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that this measure would allow individuals to plant and harvest koa trees on private and public lands. Your Committees further find, however, that the Department of Land and Natural Resources lacks the appropriate jurisdiction to regulate the planting and harvesting of koa trees on private lands.

Accordingly, your Committees have amended this measure by limiting its jurisdiction to public lands.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2064, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2064, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2389 (Joint/Majority) Agriculture and Environment and Water and Land on S.B. No. 2065

The purpose and intent of this measure is to prohibit the possession or use of unmanned aerial vehicles in state waters for the purposes of fishing.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii State Aha Moku; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Mālama Pūpūkea-Waimea; For the Fishes; and one individual. Your Committees received testimony in opposition to this measure from the Office of the Public Defender and six individuals. Your Committees received comments on this measure from two individuals.

Your Committees find that the use of unmanned aerial vehicles for fishing can pose a risk to certain protected species. Your Committees further find, however, that the definition of "unmanned aerial vehicle" in this measure requires clarification and should exclude remote controlled airplanes, defined as small aircraft made from insubstantial material with fixed wings and two or fewer remote controlled electric rotors.

Your Committees have amended this measure by:

- (1) Clarifying the definition of "remote controlled airplane"; 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 Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2065, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2065, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3. Noes, 2 (Acasio, Fevella). Excused, none.

Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2390 (Majority) Agriculture and Environment on S.B. No. 2070

The purpose and intent of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to Hawaiian Legacy Reforestation Initiative, LLC.

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.

Your Committee finds that the issuance of special purpose revenue bonds to Hawaiian Legacy Reforestation Initiative, LLC for generating a sustainable model of endemic reforestation, ecosystem revitalization, endangered species recovery, and carbon credit sequestering is in the public interest and for the public health, safety, and general welfare.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2070 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3; Ayes with Reservations (Rhoads). Noes, 2 (Acasio, Fevella). Excused, none.

SCRep. 2391 Agriculture and Environment on S.B. No. 2288

The purpose and intent of this measure is to:

- (1) Establish a compost reimbursement program within the Department of Agriculture to provide reimbursements to farmers, ranchers, and landscapers when purchasing compost; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Pueo Orchards; Hawai'i Farmers Union United; Hawaii Medicinal, LLC; Sunshine Farms, LLC; Hawai'i Alliance for Progressive Actions; Growing Together Edible Landscaping; and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that food waste contributes significantly to landfills. Recycling food waste into compost can provide significant environmental benefits, such as improving soil health, increasing drought resistance, and reducing the need for supplemental water, fertilizers, and pesticides. This measure supports the use of compost by establishing a compost reimbursement program to assist farmers, ranchers, and landscapers. Your Committee further finds, however, that it is important for this measure to specify that only locally-produced compost will be eligible for reimbursement.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2288 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 2392 Agriculture and Environment on S.B. No. 2297

The purpose and intent of this measure is to add the forfeiture of any vehicle as a penalty for the use of the vehicle in the commission of illegal disposal of solid waste.

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 one member of the Kaua'i County Council.

Your Committee finds that the illegal dumping of solid waste causes damage to the environment and to human health. Additional penalties for the dumping of solid waste may deter the practice. This measure imposes forfeiture of a vehicle as an additional penalty for the illegal dumping of solid waste.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2297 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; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Nishihara).

SCRep. 2393 Agriculture and Environment on S.B. No. 2628

The purpose and intent of this measure is to:

- (1) Require any disposition of public lands under the jurisdiction of the Board or Department of Agriculture by public auction to be open to the public; and
- (2) Require the Board or Department of Agriculture, as applicable, to issue public advertisements for each public auction.

Your Committee received testimony in support of this measure from Hawaii Meats, LLC; Thompson Ranch; and twelve individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture and one individual. Your Committee received comments on this measure from the Hawaii Cattlemen's Council, Inc., and Hawai'i Farm Bureau.

Your Committee finds that public participation is crucial to the disposition of public lands. Additionally, public participation requires timely notice be given to members of the public. This measure promotes public participation in the disposition of public lands by requiring the Board and Department of Agriculture to open public auctions to the public and issue public advertisements for each public auction.

Your Committee has amended this measure by limiting the provisions to disposition for new leases and not renegotiation of existing leases.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2628, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2628, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Nishihara).

SCRep. 2394 Agriculture and Environment on S.B. No. 2955

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish a three-year compost reimbursement pilot program to provide reimbursements to farmers and ranchers when purchasing compost;
- (2) Establish a temporary compost reimbursement pilot program manager position;
- (3) Require a report to the legislature; and
- (4) Appropriate funds for a compost reimbursement pilot program.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Alliance for Progressive Action; Birds With Arms Farms; Hawai'i Farmers Union United; Hawai'i Farm Bureau; Adaptations, Inc.; and twenty-four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that food waste constitutes a significant source of materials sent to landfills and that recycling food waste by converting it to compost has many environmental benefits. Notably, compost improves soil health, increases drought resistance, and reduces the need for supplemental water, fertilizers, and pesticides. Accordingly, this measure supports the State's efforts to improve agricultural productivity and environmental sustainability.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2955 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2395 Agriculture and Environment on S.B. No. 2960

The purpose and intent of this measure is to require the Department of Agriculture to partner with the State's agriculture community to establish and implement a food safety certification program and to appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Food Industry Association, North Shore Economic Vitality Partnership, Ulupono Initiative, Hawai'i Farm Bureau, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii is the most geographically isolated state in the country. The State's geographical isolation places it at greater risk for food supply chain disruption and highlights the need for greater food self-sufficiency. Additionally, food self-sufficiency presents an important economic goal and opportunity for the State. This measure supports food-self sufficiency by helping local farmers meet Food and Drug Administration food safety standards.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2960 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2396 Agriculture and Environment on S.B. No. 2982

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to establish a five-year food hub pilot program to increase access to local food;
- (2) Allow the awarding of grants to qualified applicants wishing to establish or expand a food hub;
- (3) Require a report to the legislature; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawai'i Primary Care Association; Adaptations, Inc.; A'a Li'i Farm; Pono Hawai'i Initiative; Sustainable Kohala; Hawai'i Alliance for Progressive Action; Ulupono Initiative; Hawai'i Farmers Union United; Grow Some Good; Birds With Arms Farms; Hawaii Foodbank; Ho'ola Farms; We Are One, Inc.; Our Revolution Hawaii; Hawai'i 'Ulu Producers Cooperative; Aloha Harvest; and sixty-five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State's food security may be strengthened by growing more local food. Food hubs play a vital role in ensuring that food grown locally is accessible to consumers by providing greater access to institutional and retail markets throughout the State. This measure supports the establishment and expansion of food hubs to increase access to locally-produced food.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2982 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2397 Agriculture and Environment on S.B. No. 2990

The purpose and intent of this measure is to establish and appropriate funds for a cover crop reimbursement pilot program in the State for the costs of acquiring cover crop seeds, green manure, and compost.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i; Hawai'i Farmers Union United; Our Revolution Hawaii; Larry Jeffs Farms, LLC; Birds With Arms Farms; Hawai'i Farm Bureau; 350Hawaii.org; Adaptations, Inc; and thirty-six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure supports the use of cover crops, green manure, and compost by Hawaii's agricultural producers through a pilot program. The pilot program will increase agricultural productivity and align agricultural production with the State's sustainability goals.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2990 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2398 Transportation on S.B. No. 2126

The purpose and intent of this measure is to increase the minimum and potential maximum fine for violating certain provisions relating to the installation of a noisy muffler.

Your Committee received testimony in support of this measure from the Department of Transportation, Livable Honolulu, Free Access Coalition, and five individuals.

Your Committee finds that growing noise pollution and disturbances from loud mufflers on motor vehicles are a problem. This noise adversely affects sleep in the early and late hours, which has a negative impact on public health and safety as well as general enjoyment and quality of life.

Your Committee further finds that laws currently exist to prohibit vehicle owners from installing mufflers that increase the noise of their vehicles, but the punishment for violating these laws are too minimal to deter violators. Therefore, this measure shall increase the fines that may be issued for violation of the loud muffler laws.

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. 2126 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, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2399 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.B. No. 3023

The purpose and intent of this measure is to prohibit real estate brokers and agents licensed in the State from advertising, offering for rent, receiving any remuneration for, or in any way representing illegal transient vacation units and whole-home short-term rentals.

Your Committees received testimony in support of this measure from the Real Estate Commission, Hawaii Thousand Friends, Livable Hawaii Kai Hui, Ko'olau Waialua Alliance, Save North Shore Neighborhoods, UNITE HERE! Local 5 Hawaii, and nineteen individuals. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that the growth of the short-term rental industry in recent years has resulted in many local neighborhoods being overrun by illegal rentals, which has increased noise, traffic and parking problems, and disrupted the stability and character of many rural communities. This measure will help curtail the referral and commissioning of illegal vacation rentals to enhance efforts to protect residential neighborhoods. Your Committees note the concern raised in testimony that the activity prohibited by this measure, as currently drafted, is established in session law and would instead be better placed into existing statute to provide the Real Estate Commission an appropriate enforcement mechanism.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language into section 467-14, Hawaii Revised Statutes, to grant the Real Estate Commission authority to discipline a licensee for, in any way, advertising, promoting, representing, receiving remuneration for, or offering for rent any transient vacation unit or whole-home short-term rental unless the unit or rental is permitted by the relevant county;
- (2) Deleting language that would have inserted the requirements of this measure into session law and deleting the requirement of the Real Estate Commission to amend its administrative rules by December 31, 2022;
- (3) Inserting definitions for the terms "transient vacation unit" and "whole-home short-term rental";
- (4) Inserting an effective date of December 31, 2050, to promote further discussion; and
- (5) 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3023, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3023, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2400 (Joint) Labor, Culture and the Arts and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3142

The purpose and intent of this measure is to include reserve public safety law enforcement officers on the list of volunteer occupations covered under the State's workers' compensation law.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Public Safety, and one individual.

Your Committees find that the Department of Public Safety is prepared to start a volunteer enforcement program similar to the police reserve programs in county police departments. The program will recruit the Department's recent retirees and motivated members of the public as volunteer reserve public safety law enforcement officers to assist the Department with its law enforcement responsibilities. Your Committees further find that the volunteer reserve public safety law enforcement officers will be trained to the same standard as the Department's full-time law enforcement officers, since they will be exposed to the same extent of risk, danger, and injuries as full-time law enforcement officers. This measure will allow any such injuries to be compensated under the State's workers' compensation law, and therefore, enable the Department of Public Safety to enhance public safety by augmenting its cadre of volunteer reserve public safety law enforcement officers with qualified personnel.

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3142 and recommend that it pass Second Reading and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Riviere).

SCRep. 2401 (Joint) Energy, Economic Development, and Tourism and Transportation on S.B. No. 2721

The purpose and intent of this measure is to subject aviation fuel to the Environmental Response, Energy, and Food Security Tax beginning January 1, 2023.

Your Committees received testimony in support of this measure from Hawai'i Natural Energy Institute and two individuals. Your Committees received testimony in opposition of this measure from the Department of Transportation and Airlines for America. Your Committees received comments on this measure from the Department of the Attorney General, Department of Taxation, Hawai'i State Energy Office, Tax Foundation of Hawaii, and Simonpietri Enterprises.

Your Committees find that implementing a tax on each barrel or fractional part of a barrel of gasoline or other aviation fuel sold for use in or used for airplanes would result in over \$6,000,000 in tax revenues for the State. However, your Committees recognize that under federal law, specifically the 49 U.S.C. section 47133, the uses of taxes collected on aviation fuel are exclusively limited to the operating or capital costs related to airports, local airport systems, or local facilities and that are directly and substantially related to the air transportation of passengers or property.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying the language establishing a tax on each barrel or fractional part of a barrel of gasoline or other aviation fuel sold for use in or used for airplanes by placing it in a new section;
- (2) Creating a special fund for the flight assistance tax established above; provided that:
 - (A) Fifty percent of the moneys in the special fund shall be set aside for the maintenance, operation, and repair of the statewide system of airports;
 - (B) Thirty percent of the moneys in the special fund shall be set aside for airport innovation projects; and
 - (C) Twenty percent of the moneys in the special fund shall be set aside for aeronautical and aerospace development; and
- (3) 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 Energy, Economic Development, and Tourism and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2721, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2721, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Transportation: Ayes, 5; Ayes with Reservations (Inouye). Noes, none. Excused, none.

SCRep. 2402 Higher Education on S.B. No. 3268

The purpose and intent of this measure is to:

- (1) Authorize the University of Hawaii Board of Regents to terminate the athletic director and head coaches at four-year campuses for cause; and
- (2) Require the Board of Regents to approve all coaching contracts at four-year campuses with salaries greater than \$200,000, including additional private funding and bonuses.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association AFSCME Local 152, AFL-CIO, and one individual. Your Committee received comments on this measure from the University of Hawaii Board of Regents.

Your Committee finds that the University of Hawaii Athletics, including the University of Hawaii Rainbow Warrior football team, is a significant cultural aspect to Hawaii's people. Beginning in 1909, the University of Hawaii football program has remained as one of the university's signature programs, captivating the State for decades. One component of success to athletic programs are head coaches, who serve as impactful, influential figures to student athletes across all athletic programs. To some student athletes, head coaches become parental figures who provide mentorship, provide player health and well-being, and even maintain relationships with players and families beyond graduation.

However, from December 2021 to January 2022, at least eighteen Warrior football players declared their intent to enter the transfer portal. Following the declarations, which were highly unusual, allegations surfaced against a former football head coach.

The transfer portal issues and other allegations made against the coach by current and former players became a matter of statewide concern, with the Senate Committees on Ways and Means and Higher Education holding an informational briefing to learn more about budget and costs related to coaching staff contracts and issues surrounding the transfer of players.

Your Committee also finds that the Board of Regents of the University of Hawaii should have the authority to terminate a coach for cause because significant costs to the State may result from the termination. According to Board of Regents Policy 9.202 (RP 9.202), upon recommendation from the Chancellor and the President, with approval from the Chairperson or Vice Chairperson of the Committee on Intercollegiate Athletics, the Board of Regents is required to approve original terms of head coaches lasting more than five years; amended terms of head coaches lasting more than five years; and appointments, extensions, and salary adjustments for head coaches, non-head coaches, and administrators exceeding the salary schedule by more than twenty-five percent, or exceeding \$500,000 annually.

Upon hire, the former football coach's salary was valued at \$800,000. While the Board of Regents is ultimately responsible for the cost of contract termination and should carry the responsibility of voting on termination, the Board of Regents Executive Administrator could not provide documentation regarding the Board of Regents' approval on the former football coach's contract, which was subject to its oversight pursuant to RP 9.202. If action had been taken to fire the former football coach without cause, the university could have lost as much as \$1 million to buy out his contract. The issues relating to the former football coach raise concerns that there should be checks and balances in place between the university, the Board of Regents, and potential athletic department hires.

To prevent a similar situation in the future, this measure authorizes the Board of Regents to terminate the athletic director and head coaches for cause and requires it to approve all coaching salaries greater than \$200,000, including additional private funds and bonuses.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3268 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Wakai). Noes, none. Excused, none.

SCRep. 2403 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 2963

The purpose and intent of this measure is to:

- (1) Require and establish deadlines for state facilities, except smaller facilities and facilities within the stadium development district, to implement cost-effective energy efficiency measures;
- (2) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive appropriations for energy expenditures;
- (3) Allow the Department of Accounting and General Services to opt out of the cost-effective energy efficiency measures if a facility will be demolished within five years;
- (4) Direct the Hawaii Natural Energy Institute to collect utility bill and energy usage data for state-owned buildings and to make the data publicly available;
- (5) Establish a goal for the State to achieve at least a twenty-five percent reduction in the electricity consumption of state facilities; and
- (6) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency, maximize energy generation potential, and use building materials that reduce the carbon footprint of the project.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services; Office of Planning and Sustainable Development; Hawai'i Natural Energy Institute; Hawaii State Energy Office; Ulupono Initiative; Johnson Controls, Inc.; Blue Planet Foundation; and eleven individuals. Your Committees received comments on this measure from the Department of Transportation.

Your Committees find that this measure supports green building management and the sustainable development and operations of state-owned buildings and facilities. According to testimony received from the Department of Accounting and General Services, additional time is needed for all agencies to establish and implement cost-effective energy efficiency measures.

Your Committees note that although the Hawaii State Energy Office currently collects and reports on the energy usage of state-owned buildings on an annual basis, it has no experience or expertise in water efficiency management.

Accordingly, your Committees have amended this measure by:

- (1) Requiring the Hawaii State Energy Office, instead of the Hawaii Natural Energy Institute, to collect utility bill and energy usage data for state-owned buildings and to make the data publicly available;
- (2) Transfer the water efficiency management portion of this measure to the Office of Planning and Sustainable Development by:
 - (A) Specifying that the Hawaii State Energy Office shall collect electric utility bill and energy usage data for state-owned buildings and make this data publicly available, while the Office of Planning and Sustainable Development shall collect water utility bill and water usage data for state-owned buildings and make that data publicly available; and
 - (B) Appropriating an unspecified amount of funds for an unspecified amount of full-time equivalent positions at the Office of Planning and Sustainable Development for the collection and publication of water utility bill and water usage data for state-owned buildings;
- (3) Extending the deadlines for certain state facilities to implement cost-effective energy efficiency measures; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that as your Committee on Ways and Means considers the amount of funds and positions for Office of Planning and Sustainable Development to carry out its water management duties under this measure, it may also consider expanding the Office's responsibilities to include facilitating the use of reclaimed water for uses other than drinking and for potable water needs in one hundred percent of state and county facilities by December 31, 2045, pursuant to the Hawaii Water Plan in section 174C-31(g)(6), Hawaii Revised Statutes.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2963, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2963, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2404 (Joint) Education and Higher Education on S.B. No. 2636

The purpose and intent of this measure is to:

- (1) Define the scope and application of chapter 368D, Hawaii Revised Statutes, and set forth requirements with which covered entities must comply; and
- (2) Require annual reporting to the Legislature on certain relevant information and the number and types of Title IX cases received by the Department of Education, public charter schools, and University of Hawaii.

Your Committees received testimony in support of this measure from the Department of Education, State Public Charter School Commission, University of Hawai'i System, Hawai'i Civil Rights Commission, American Association of University Women, The Sex Abuse Treatment Center, Hawai'i Women Lawyers, Hawai'i Women's Coalition, and eight individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that this year marks the fiftieth anniversary of the Patsy T. Mink Equal Opportunity in Education Act, otherwise known as Title IX of the Education Amendments of 1972 (Title IX). Title IX has given millions of girls and women educational opportunities that were undreamed of before its enactment, in classrooms and beyond. Your Committees recognize, however, that Congresswoman Mink's celebrated legacy has not yet been fully realized.

Accordingly, your Committees find that this measure is necessary to further promote the protections afforded under Title IX by clarifying the law and requiring annual data reporting from the Department of Education, public charter schools, and University of Hawaii, to ensure that the needs of victims of unlawful sex-based discrimination are properly addressed.

Your Committees have amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;
- (2) Clarifying the scope and construction of the statutory sections added under section 2;
- (3) Deleting certain definitions under section 2;
- (4) Clarifying certain reporting requirements under section 2;
- (5) Clarifying the scope and applicability of section 368D-1, Hawaii Revised Statutes, which prohibits discrimination in educational programs and activities;
- (6) Inserting an appropriation of an unspecified amount for purposes of funding three new positions within the University of Hawaii;

- (7) Inserting appropriations of unspecified amounts for purposes of implementing this measure by the State Public Charter School Commission and the Department of Education;
- (8) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (9) 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 Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2636, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2636, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 2405 (Joint) Education and Higher Education on S.B. No. 2928

The purpose and intent of this measure is to:

- (1) Establish a working group to study and prepare an implementation plan for agricultural career pathways and report to the Legislature; and
- (2) Appropriate funds for the working group.

Your Committees received testimony in support of this measure from the Department of Education, University of Hawai'i System, and Hawai'i Farm Bureau.

Your Committees find that the State's future depends on further development of the agricultural sector for its security, economic development, and sustainability. A qualified workforce to support agriculture, food innovation, natural resources, and related employment is necessary to advance the State's goals.

Your Committees further find that career pathways map out the education, training, and experiences necessary to prepare young people for employment and career success. Your Committees additionally find that there is a critical need for an implementation plan for career pathways for the agricultural sector that prepares more of the State's young people to be Hawaii's future agricultural workforce, which includes scientists, inspectors, food producers, field technicians, natural resource managers, entrepreneurs, and of course, farmers.

Accordingly, your Committees find that this measure will promote the State's agricultural goals by convening a working group to study and develop agricultural career pathways for students.

Your Committees have amended this measure by:

- (1) Placing the working group within the Department of Education for administrative and fiscal purposes;
- (2) Providing that the Department of Education shall select members for the working group in consultation with the University of Hawaii;
- (3) Amending the appropriation to be directed to the Department of Education; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2928, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2928, S.D. 2, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 2406 (Joint) Commerce and Consumer Protection and Government Operations on S.B. No. 2185

The purpose and intent of this measure is to:

- (1) Impose a consumer fireworks tax at the wholesale and retail levels; and
- (2) Require the fireworks and articles pyrotechnic records auditor of each county fire department to submit an annual report to the Legislature detailing inventory, recordkeeping, and sales of fireworks to license or permit holders.

Your Committees received testimony in support of this measure from the Hawaii State Fire Council, Maui Fire Department, and Honolulu Fire Department. Your Committees received testimony in opposition to this measure from the Hawaii Food Industry Association; American Promotional Events, Inc.; and one individual. Your Committees received comments on this measure from the Department of the Attorney General, Department of Taxation, Tax Foundation of Hawaii, and one individual.

Your Committees find that the use of fireworks in recent years has substantially increased in the State, resulting in property damage, serious injuries, and in some cases, fatalities, and can put a significant strain on emergency medical services and hospital emergency rooms. This measure would impose a consumer fireworks tax at the retail and wholesale level to discourage the use of fireworks by consumers.

Your Committees note the Illegal Fireworks Task Force established by Act 170, Session Laws of Hawaii 2010, recommended the Legislature consider increasing fireworks permit fees to deter the use of illegal fireworks. Accordingly, amendments to this measure

are necessary to incorporate this preferred recommendation. Your Committees also note the lack of enforcement by the Department of Taxation concerning the payment of taxes on illegal aerial fireworks and requests your Committee on Ways and Means further examine this issue and concern.

Your Committees have amended this measure by:

- (1) Inserting a findings and purpose section;
- (2) Inserting language that doubles the fees for permits required for the purchase and use of fireworks in section 132D-10, Hawaii Revised Statutes;
- (3) Deleting language that would levy a consumer fireworks tax at the wholesale and retail levels;
- (4) Inserting an effective date of January 1, 2023; and
- (5) 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 Commerce and Consumer Protection and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2185, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2185, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 7; Ayes with Reservations (DeCoite, Nishihara, Riviere, Fevella). Noes, none. Excused, none.

Government Operations: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2407 (Joint) Human Services and Government Operations on S.B. No. 2370

The purpose and intent of this measure is to:

- (1) Establish the Office of Homelessness and Housing Solutions within the Department of Budget and Finance, to be headed by the Governor's Coordinator on Homelessness;
- (2) Establish the Homelessness and Housing Solutions Special Fund within the State Treasury;
- (3) Appropriate \$2,000,000 out of general fund revenues to be deposited into the Homelessness and Housing Solutions Special Fund; and
- (4) Appropriate \$2,000,000 out of the Homelessness and Housing Solutions Special Fund to be expended by the Department of Budget and Finance for the administration of the Office of Homelessness and Housing Solutions.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Public Safety, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Free Access Coalition, St. Michael the Archangel Church, Aloha Hawaii Onipaa Org, and nine individuals. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Department of Human Services.

Your Committees find that Hawaii has one of the highest homelessness per capita rates in the nation. Your Committees also find that the task of addressing homelessness in the State requires a long-term commitment with a great amount of collaboration and coordination among diverse government entities and private organizations. Your Committees acknowledge that in 2012, the Legislature established the Hawaii Interagency Council on Homelessness to serve as the statewide homelessness planning and policy development entity. That year, the council, chaired by the Governor's Coordinator on Homelessness, adopted a ten-year statewide plan to address homelessness in Hawaii. Your Committees find that, despite solutions to homelessness requiring a long-term commitment, the position of the Coordinator is currently funded as part of a special project under the Department of Human Services and the full-time staff of four are not permanent employees. Your Committees also recognize that year-to-year funding for programs, as opposed to stable funding in the base budget of an agency, creates uncertainty for staff to continue performance of their duties and responsibilities. This measure will create a central agency--the Office of Homelessness and Housing Solutions headed by the Governor's Coordinator on Homelessness--and a special fund for the Office to spearhead greater collaboration and coordination among various state and county agencies and private organizations to continue to develop and implement effective initiatives to address homelessness in Hawaii.

Your Committees note the testimony from multiple parties that coordination among state and county departments and the permanent staffing and authority of the Office of Homelessness and Housing Solutions are critical. The Department of Human Services testified, however, that the Governor's Coordinator on Homelessness, Coordinator's staff, and Hawaii Interagency Council on Homelessness are currently located within the Department, and given the considerable time and resources required to transfer their functions and staffing to the Department of Budget and Finance, recommended that the Office of Homelessness and Housing Solutions be established as an administratively attached agency to the Department of Human Services, rather than the Department of Budget and Finance, to ensure its independence and authority as provided in this measure.

Your Committees also note testimony from the Governor's Coordinator on Homelessness suggesting that disbursements from the Homelessness and Housing Solutions Special Fund to public and private agencies involved in homelessness and housing solutions should be in accordance with chapter 103F, Hawaii Revised Statutes, which governs purchases of health and human services, rather than chapter 42F, Hawaii Revised Statutes, which governs grants.

Accordingly, your Committees have amended this measure by:

- (1) Establishing the Office of Homelessness and Housing Solutions within the Department of Human Services rather than the Department of Budget and Finance;

- (2) Clarifying that disbursements from the Homelessness and Housing Solutions Special Fund to public and private agencies involved in homelessness and housing solutions be in accordance with chapter 103F, Hawaii Revised Statutes, rather than chapter 42F, Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees have reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committees find that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the Department's testimony on this matter.

As affirmed by the records of votes of the members of your Committees on Human Services and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2370, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2370, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2408 (Joint) Human Services and Labor, Culture and the Arts on S.B. No. 2875

The purpose and intent of this measure is to:

- (1) Establish "Employment First"--defined as the competitive employment and full inclusion of persons with a disability in an integrated setting as a first and preferred option for employment services--as a policy of the State and counties;
- (2) Require state and county agencies to ensure that Employment First is effectively implemented in hiring and all programs and services administered or funded by the State and counties; and
- (3) Require the Department of Human Services to apply Employment First principles to Medicaid home and community-based services programs.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities and Hawaii Disability Rights Center. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that over the past few years, the State has been removing various barriers for individuals with disabilities to enter the workforce, including the enactment of Act 155, Session Laws of Hawaii 2019, which enabled individuals receiving Medicaid to earn up to a livable wage without losing their Medicaid services; and Act 55, Session Laws of Hawaii 2021, which ended the discriminatory practice of paying subminimum wages to individuals with disabilities. This measure will further expand employment opportunities for individuals with disabilities, thereby enabling them to further integrate into their communities.

Your Committees note the testimony of the Department of Human Services stating that it will require time, additional resources, and clarification from the Department of Human Resources Development to implement this measure.

Your Committees also note the testimony of the State Council on Developmental Disabilities requesting that the definition of Employment First be clarified in a manner consistent with the intent of nationally adopted Employment First practices.

Your Committees have amended this measure by:

- (1) Clarifying the definition of "Employment First" to ensure that it is consistent with the intent of nationally adopted Employment First practices;
- (2) Clarifying the definition of a "person with a disability" to conform to the definition used in the employment context;
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2875, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2875, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 4. Noes, none. Excused, 1 (Misalucha).
 Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

SCRep. 2409 (Joint) Human Services and Labor, Culture and the Arts on S.B. No. 2457

The purpose and intent of this measure is to appropriate moneys for the Department of Labor and Industrial Relations' Office of Community Services to reestablish its Immigrant Resource Centers to address the specific needs of the low-income immigrant population in the State.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Labor and Industrial Relations - Office of Community Services, Department of Human Services, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, Common Cause Hawaii, Democratic Party of Hawai'i - Health Committee, Americans for

Democratic Action Hawaii, The Legal Clinic and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that immigrants and their children have made, and continue to make, significant contributions to the State. Your Committees further find that despite being vital members of the community and the workforce in Hawaii, many immigrants face barriers to success, including discrimination, cultural misunderstanding, and language access to government information and services. Your Committees believe that it is essential for the well-being of the State that new immigrants are assimilated into our society as quickly and with as few barriers as reasonably possible. From fiscal years 2014 through 2017, the Office of Community Services maintained Immigrant Resource Centers in all four counties to provide low-income immigrants with the needed support services; however, the centers are no longer operating, due to lack of funding. This measure will restore funds for the Immigrant Resource Centers to provide the immigrant and refugee populations the necessary support to transition into life in Hawaii and become contributing members of our society.

Your Committees have reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committees find that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimony.

As affirmed by the records of votes of the members of your Committees on Human Services and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2457 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Misalucha).

Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

SCRep. 2410 Human Services on S.B. No. 2072

The purpose and intent of this measure is to require the family court to appoint counsel to indigent parents upon the filing of a petition for custody or family supervision and make every effort to do so at the first hearing attended by the parents.

Your Committee received testimony in support of this measure from the Health Committee of the Democratic Party of Hawai'i and National Coalition for a Civil Right to Counsel.

Your Committee finds that this measure is necessary to protect the constitutional rights of parents to counsel under the due process clause of article I, section 5, of the Hawaii Constitution.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2072, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2072, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2411 Human Services on S.B. No. 3110

The purpose and intent of this measure is to:

- (1) Rename the Preschool Grant Program Special Fund to the Child Care Grant Program Special Fund;
- (2) Authorize the Child Care Grant Program Special Fund to be used to give grants to child care facilities;
- (3) Add federal funds as one of the fund sources for the Child Care Grant Program Special Fund;
- (4) Change the legislative report due date for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund from August 31 to twenty days prior to the start of the next legislative session; and
- (5) Remove the authority to expend without an appropriation for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund statutes to conform to section 5 of article VII of the Hawaii State Constitution.

Your Committee received testimony in support of this measure from the Department of Human Services and Executive Office on Early Learning.

Your Committee finds that through Act 9, Session Laws of Hawaii 2020, the Legislature established a child care grant program within the Department of Human Services to support child care providers during the coronavirus disease 2019 pandemic. With each new variant of the SARS-CoV-2 virus, this administrative measure will allow the Department of Human Services to execute similar grant programs for child care facilities without additional legislation when alternative funding, such as federal moneys, become available. Your Committee recognizes that child care grant programs improve the ability of child care facilities to provide safe and qualified child care. Such care will also support parents and care givers' ability to continue employment and other important societal functions.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3110, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3110, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2412 Human Services on S.B. No. 2858

The purpose and intent of this measure is to allow grandparents of a minor child to be awarded reasonable visitation rights when the child's parent is unable to exercise parental visitation.

Your Committee received testimony in support of this measure from the Grandparents Rights Hawaii Campaign and three individuals.

Your Committee finds that a close relationship between grandparents and grandchildren can be mutually beneficial for the health and well-being of both parties. Grandparents, whose parenting and intense work commitments have usually passed, can offer the time and undivided attention that can be challenging for busy parents. Through interaction with grandparents, children gain a sense of history and a vital connection to the past, while learning that they can love and depend upon someone other than their parents. Correspondingly, interaction with grandchildren encourages many grandparents to remain active, educate themselves on important issues to children, and protect their own health.

In those instances where a child's parent dies, is in a coma, is incarcerated, or is otherwise unable to visit with the child, the child should not be deprived of the affection, history, or affinity of that parent's family.

Thus in those limited instances, your Committee finds that it is in the best interest of the child to have grandparents visit.

Your Committee further finds that many grandparents in Hawaii desire to maintain their relationship with or assist in caring for their minor grandchildren when their child who is a parent of the minor, cannot otherwise provide the necessary care for various reasons, including death and incarceration. This measure will allow grandparents to petition for and be awarded reasonable grandparent visitation rights in such circumstances, while preserving the fundamental right of parents to make decisions concerning the care, custody, and control of their children, by setting a rebuttable presumption that a parent's decision regarding visitation is in the best interest of the child.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2858, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2858, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2413 (Joint) Human Services and Water and Land on S.B. No. 2372

The purpose and intent of this measure is to require state agencies to report annually to the Governor's Coordinator on Homelessness on any vacant state land that could be utilized for construction of affordable housing.

Your Committees received testimony in support of this measure from the Office of the Public Defender, Hawai'i Health & Harm Reduction Center, and Hawai'i Association of Realtors. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness and Department of Land and Natural Resources.

Your Committees find that state lands suitable for the development of affordable rental housing were identified in 2018 by a Special Action Team led by the Director of the Office of Planning and Sustainable Development. Specifically, Act 127, Session Laws of Hawaii 2016, established a goal of developing 22,500 affordable rental units statewide to be ready for occupancy by December 31, 2026, and created a Special Action Team on Affordable Rental Housing to recommend actions to achieve this goal. In July 2018, the Special Action Team published a report titled "Affordable Rental Housing Report and Ten-Year Plan", which evaluated and identified state, county, and private lands suitable for rental housing that are affordable for low- and moderate-income families and categorized them into three tiers of suitability and readiness for development. Therefore, your Committees find that it is now necessary to have the Governor's Coordinator on Homelessness review the lands identified in the Special Action Team's Ten-Year Plan and make recommendations on the actions required to develop the lands into affordable rental housing.

Accordingly, your Committees have amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;
- (2) Replacing the content of sections 2 and 3, with language that requires the Governor's Coordinator on Homelessness to:
 - (A) Review the Affordable Rental Housing Report and Ten-Year Plan issued by the Special Action Team on Affordable Rental Housing in July 2018;
 - (B) Determine whether any of the lands identified in the report are suitable for development of temporary housing for the Ohana Zone program or other forms of affordable housing;
 - (C) Determine the actions required to develop the lands into temporary housing for the Ohana Zone program or other forms of affordable housing; and

(D) Submit a report of the Coordinator's findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and

(3) 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 Human Services and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2372, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2372, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2414 (Joint) Human Services and Water and Land on S.B. No. 3169

The purpose and intent of this measure is to:

- (1) Ensure the continued existence of the Low-Income Tiny Home projects developed pursuant to the Governor's 2015 or 2018 Emergency Proclamations related to homelessness or their supplemental proclamations, by exempting the projects from certain statutes for the duration of the underlying state land leases; and
- (2) Establish the Low-Income Tiny Home Village Pilot Program to provide shelter and certain services to low-income and homeless individuals.

Your Committees received testimony in support of this measure from the Hawaii Youth Services Network. Your Committees received testimony in opposition to this measure from the Department of Human Services, State Procurement Office, and Department of Land and Natural Resources. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Hawaii Housing Finance and Development Corporation, Department of the Attorney General, Office of Information Practices, and Department of Budget and Finance.

Your Committees find that under the Governor's 2015 and 2018 Emergency Proclamations related to homelessness and the supplemental proclamations, the State and counties, in partnership with developers and nonprofit organizations, created portable homes, commonly referred to as tiny homes or kauhale. Your Committees further find that the proclamations exempted the development of these tiny homes from numerous statutory provisions; however, the final supplemental proclamation issued on December 16, 2019, expired on February 14, 2020. Your Committees find that these tiny homes that serve as a pathway out of homelessness for working families who cannot afford market rentals, are critical in addressing the State's homelessness issue. This measure ensures that the existing tiny homes are protected and enables the development of new low-income rental tiny homes.

Your Committees note the testimonies of the following departments and agencies raising concerns over of the exemptions from the Hawaii Revised Statutes granted to existing tiny homes in this measure: Department of Land and Natural Resources--chapter 6E, Hawaii Revised Statutes; Department of the Attorney General and Department of Budget and Finance--sections 37-41, 37-74(d), 40-66, and 103-2, Hawaii Revised Statutes; Office of Information Practices--chapter 92, Hawaii Revised Statutes; and Department of Human Services--chapter 346, Hawaii Revised Statutes.

Your Committees also note the testimony of the Hawaii Housing Finance and Development Corporation, stating that it does not have the capacity or the expertise to develop tiny homes.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the final supplemental proclamation to the Governor's 2018 Emergency Proclamation related to homeless expired on February 14, 2020;
- (2) Deleting the following statutes from the list of exemptions in section 3 of the measure granted to existing low-income rentals, tiny home villages, or kauhale developed on state land pursuant to the Governor's 2015 or 2018 Emergency Proclamations on homelessness or the supplemental proclamations:
 - (A) Chapter 6E, Hawaii Revised Statutes, governing historic preservation;
 - (B) Section 37-41, Hawaii Revised Statutes, governing appropriations to revert to state treasury;
 - (C) Section 37-74(d), Hawaii Revised Statutes, governing the executive budget program execution;
 - (D) Section 40-66, Hawaii Revised Statutes, governing the lapsing of appropriations;
 - (E) Chapter 92, Hawaii Revised Statutes, governing public agency meetings and records;
 - (F) Chapter 171, Hawaii Revised Statutes, public lands; and
 - (G) Chapter 346, Hawaii Revised Statutes, governing social services;
- (3) Deleting the requirement that the Hawaii Housing Finance and Development Corporation develop and implement the Low-Income Tiny Home Village Pilot program;
- (4) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees have requested the Department of the Attorney General to provide the Legislature with proposed amendments to the measure addressing the concerns raised in its written testimony with the consideration that the purpose of this measure is to ensure

the continuation of the existing tiny homes despite the expiration of the Emergency Proclamations that exempted them from numerous laws.

As affirmed by the records of votes of the members of your Committees on Human Services and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3169, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3169, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5; Ayes with Reservations (Acasio, Ihara, Fevella). Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Riviere, Fevella). Noes, none. Excused, none.

SCRep. 2415 Higher Education on S.B. No. 3340

The purpose and intent of this measure is to appropriate funds to the University of Hawaii Maui College to lease 14.5 acres of land from Kamehameha Schools in Kalamaula, Molokai to expand and relocate the Molokai Education Center.

Your Committee received testimony in support of this measure from the University of Hawai'i System, one individual from the Maui County Council, and Kamehameha Schools Bishop Estate. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that it is of paramount importance to ensure the necessary space and resources for Hawaii students of all ages to learn and thrive in academic environments. As sea-level rise impacts caused by climate change impact many low-lying communities across Hawaii, the State has a responsibility to ensure proper planning and resource management for the future of academic institutions and educational opportunities for the students of Hawaii.

The importance and prioritization of education has led to enrollment at near-capacity for the University of Hawaii Maui College, Molokai Education Center. As the campus faces some challenges accommodating a high volume of students, the Molokai Education Center is also located in a low-lying area susceptible to sea level rise. Relocating the Molokai Education Center would allow for the education of Hawaii's students to continue while also mitigating impacts from climate change-induced sea level rise. To address these concerns, this measure appropriates funds to the University of Hawaii Maui College to relocate the Molokai Education Center to land owned by Kamehameha Schools.

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

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3340, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2416 (Joint) Water and Land and Government Operations on S.B. No. 2725

The purpose and intent of this measure is to:

- (1) Expand the purpose and rationale for which counties may create special improvement districts to include environmental research, restoration, and maintenance; natural resource management; and natural hazard mitigation to improve environmental conditions; and
- (2) Provide community benefits.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawai'i Sea Grant College Program, Climate Resiliency Initiative; and Waikiki Beach Special Improvement District Association. Your Committees received comments from the Hawai'i Emergency Management Agency.

Your Committees find that Act 107, Session Laws of Hawaii 1999 (Act 107), authorized the counties to create special improvement districts for the purpose of restoring or promoting business activity. Since the enactment of Act 107, the needs and demands in these districts have broadened to include the management or mitigation of environmental and other conditions that impact natural resources. As Hawaii is exposed to a variety of threats that impact its environment and ecosystems, including coastal hazards and effects of climate change, such as the increase in the frequency and severity of storms and drought, sea-level rise, groundwater inundation, and coastal erosion, there is concern to the State due to its island topography and substantial coastal exposure.

Your Committees have also heard the concerns from the Department of Land and Natural Resources regarding climate change and hazard mitigation. As climate change and sea-level rise impacts may impact communities, enabling communities to utilize special improvement districts for improving resilience and environmental conditions may mitigate some potential effects. The Department of Land and Natural Resources continues to address impacts related to coastal erosion and beach loss in Hawaii through beach restoration and management projects, making the Department a key resource to the State's development of creative and community-engaged projects and policies to support restoration and adaption projects.

Therefore, your Committees have amended this measure by:

- (1) Including climate change and hazard mitigation among eligible purposes for the creation of special improvement districts; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2725, as amended herein, and

recommend that it pass Second Reading in the form attached hereto as S.B. No. 2725, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 2417 (Joint) Water and Land and Government Operations on S.B. No. 3135

The purpose and intent of this measure is to:

- (1) Transfer authority for certain reviews of projects in conjunction with section 6E-42, Hawaii Revised Statutes, from the Department of Land and Natural Resources to the counties; and
- (2) Provide financial assistance to the counties to hire qualified staff to conduct the reviews.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Maui County Council, NAIOP Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Society for Hawaiian Archaeology and two individuals. Your Committees received comments on this measure from the Maui County Department of Planning; City and County of Honolulu Department of Planning and Permitting; a letter signed by each county planning department director; Hawaii Government Employees Association AFSCME Local 152, AFL CIO; and Historic Hawai'i Foundation.

Your Committees find that laws governing the review of proposed projects play an essential role in the protection and management of the State's historic places, burial sites, and aviation artifacts by requiring agencies and offices of the State and its subdivisions to submit for review all projects that may affect historic properties to the State Historic Preservation Division of the Department of Land and Natural Resources before approval. The Department of Land and Natural Resources notes that in every other state in the union, many of these reviews would be subject to review at the county or municipal level--only Hawaii requires reviews and evaluations at the state level. To conform with practices in other states, the Department of Land and Natural Resources believes it is reasonable and appropriate to authorize the counties to assume responsibilities for such reviews.

However, your Committees have heard the concerns of the Department of Land and Natural Resources and the planning departments of all four counties regarding third-party reviewers. Currently, the Department of Land and Natural Resources State Historic Preservation Division is experiencing delays with reviews due to staffing shortages and budget issues. The use of third-party reviews addresses these issues to expedite the review process for pending permits. While the Department of Land and Natural Resources recognizes that third-party reviewers are not a long-term solution, reviewers serve an important purpose to continue the Division's mission to ensure the preservation of Hawaii's past for future generations.

To address the concerns regarding third-party reviewers by the Department of Land and Natural Resources and the counties, your Committees have amended this measure by:

- (1) Authorizing the Department of Land and Natural Resources to review projects affecting properties within or affecting a designated historic district;
- (2) Defining the role of third-party reviewers for the Department of Land and Natural Resources to include review of backlogged cases for departmental consistency;
- (3) Clarifying that third-party reviewers may be released once the volume of permits reaches a manageable level for the existing department staff to review;
- (4) Inserting a blank appropriation amount; and
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3135, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3135, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 2418 (Joint) Judiciary and Government Operations on S.B. No. 2694

The purpose and intent of this measure is to require all principal departments in the State to use gender-neutral terminology in all state contracts.

Your Committees received testimony in support of this measure from the Department of Health, Stonewall Caucus of the Democratic Party of Hawai'i, American Civil Liberties Union of Hawai'i, Hawai'i Health & Harm Reduction Center, Hawai'i Rainbow Chamber of Commerce, and thirteen individuals.

Your Committees find that language matters. Language has the power to offer the validation and acknowledgement of identities and the power to deny it. Your Committees further find that requiring gender neutral language in government contracts will reinforce the need to make a conscious effort to use language that is inclusive and validating for everyone.

As affirmed by the records of votes of the members of your Committees on Judiciary and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2694 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2419 (Joint) Judiciary and Government Operations on S.B. No. 2670

The purpose and intent of this measure is to:

- (1) Establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission and the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission Trust Fund; and
- (2) Require each county mayor to appoint a county committee on the status of lesbian, gay, bisexual, transgender, queer, plus affairs.

Your Committees received testimony in support of this measure from the Department of Health, Hawai'i Civil Rights Commission, Stonewall Caucus of the Democratic Party of Hawai'i, Common Cause Hawaii, North Shore Ko'olau Diversity Collective, Hawai'i Health & Harm Reduction Center, Americans for Democratic Action Hawai'i, Hawaii Rainbow Chamber of Commerce, and fifteen individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and Harm Reduction Hawaii.

Your Committees find 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 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 equity of the lesbian, gay, bisexual, transgender, queer plus community in Hawai'i.

Your Committees have amended this measure by:

- (1) Deleting language that would have established a Trust Fund;
- (2) Adding a general fund appropriation for the purposes of the Commission; and
- (3) 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 Judiciary and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2670, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2670, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2420 Judiciary on S.B. No. 3189

The purpose and intent of this measure is to:

- (1) Impose a heightened penalty of a class C felony for persons who repeatedly commit the offenses of gambling or possession of gambling records in the second degree;
- (2) Raise the criminal penalty to a class C felony for the offense of possession of gambling devices; and
- (3) Direct all forfeited property or proceeds from sales thereof to units of state or local government that administer, manage, operate, or oversee programs addressing homelessness, substance abuse, or compulsive gambling.

Your Committee received testimony in support of this measure from the Honolulu Police Department and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that recently there has been a steady rise in complaints involving illegal gambling establishments. These game rooms operate twenty-four hours a day, seven days a week, causing peripheral crimes such as narcotics trafficking, assaults, robberies, thefts, vehicle break-ins, and even homicides. In addition to these peripheral crimes, illegal gambling establishments create a nuisance to the community that includes excessive noise, unnecessary foot traffic, and loitering at all hours. Furthermore, numerous studies have confirmed that gambling causes problems such as bankruptcy, theft, embezzlement, suicide, child abuse and neglect, divorce, incarceration, and homelessness. This measure will allow the State to address the problems caused by gambling establishments.

Your Committee has amended this measure by:

- (1) Making the penalty for the offense of possession of a gambling device a misdemeanor for the first offense and a class C felony for a second or subsequent offense that occurs within ten years of a prior conviction;
- (2) Deleting language that would have directed all forfeited property or proceeds from sales thereof to units of state or local government that administer, manage, operate, or oversee programs addressing homelessness, substance abuse, or compulsive gambling;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3189, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Acasio, Gabbard).

SCRep. 2421 Judiciary on S.B. No. 2734

The purpose and intent of this measure is to appropriate funds for staff positions and various services to support the 'Ōlelo Hawai'i Initiatives.

Your Committee received testimony in support of this measure from the Judiciary and one individual. 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 Budget and Finance.

Your Committee finds that article XV, section 4, of the Hawaii State Constitution affirms that English and 'Ōlelo Hawai'i (Hawaiian language) shall be the official languages of the State. Your Committee further finds that the Judiciary has already taken initial steps to explore ways of providing 'Ōlelo Hawai'i resources, interpreter, and translation services to the public. To advance this work, in 2015, the Legislature adopted a concurrent resolution, H.C.R. No. 217, Session Laws of Hawaii 2015, that requested the Judiciary to convene a task force to examine and report on establishing 'Ōlelo Hawai'i resources for the Judiciary. The task force report made several findings including that 'Ōlelo Hawai'i "possesses appropriate specificity, sophistication, and technical breadth of terminology to accurately translate legal terminology from English into 'Ōlelo Hawai'i." Further, the task force found that as an independent branch of government, the Judiciary could effectively serve as a focused model to demonstrate the use of 'Ōlelo Hawai'i. The task force report made several recommendations and identified projects that can serve as a guide to the Judiciary. This measure will appropriate funds to support the implementation of the recommendations and ultimately the revitalization of the Hawaiian language.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2734 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Gabbard, Keohokalole).

SCRep. 2422 Judiciary on S.B. No. 2744

The purpose and intent of this measure is to propose to amend article 1 of the Hawaii State Constitution by establishing the right of each person to own and have an exclusive property right in the data they generate on the internet.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from TechNet. Your Committee received comments on this measure from the Hawaii Credit Union League.

Your Committee finds that the collection and processing of consumer information has grown exponentially in recent years. Your Committee further finds that some jurisdictions have attempted to regulate the collection, transmission, processing, protection, and storing of personal data and information in an effort to protect privacy of internet users. Your Committee additionally finds that Hawaii law and culture has a high bar for privacy when compared to other states. This measure will ensure that a person's data is their exclusive property to ensure that their privacy is protected.

As affirmed by the record of votes of 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. 2744 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Gabbard, Keohokalole).

SCRep. 2423 Judiciary on S.B. No. 3143

The purpose and intent of this measure is to conform Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended as of December 31, 2021.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this annual conformity measure is submitted by the Department of Taxation to ensure state income tax and state estate and generation-skipping transfer tax laws conform to the federal Internal Revenue Code as it exists on the December 31 preceding each Regular Session. The purpose of conformity is to update the state tax laws with those changes made to the federal Internal Revenue Code during the past year and to adopt those changes that are appropriate for Hawaii 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 S.B. No. 3143 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Gabbard, Keohokalole).

SCRep. 2424 Judiciary on S.B. No. 2801

The purpose and intent of this measure is to require greater accountability and transparency in the government's provision of law enforcement services by:

- (1) Providing that a law enforcement officer has a duty to intervene if the law enforcement officer reasonably believes that another law enforcement officer is using or is about to use unnecessary or excessive force on an arrestee;
- (2) Requiring the intervening law enforcement officer to report the incident to the other law enforcement officer's supervisor; and
- (3) Requiring relevant departments to submit an annual report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Transportation and two individuals. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committee finds that law enforcement services are an essential government function. Law enforcement services are government services that relate to the law because these services aim to promote respect for, and compliance with, state and county laws. Your Committee believes that it is in the State's interest to mitigate any future actions of excessive force by law enforcement officers which may lead to unnecessary loss of life or harm. This measure will require greater accountability and transparency in government's provision of law enforcement services by providing that a law enforcement officer has a duty to intervene if the law enforcement officer reasonably believes that another law enforcement officer is using unnecessary or excessive force on an arrestee, requiring the intervening law enforcement officer to report the incident to the other law enforcement officer's supervisor, and requiring relevant departments to submit an annual report to the Legislature.

Your Committee has amended this measure by:

- (1) Removing language that would have required a law enforcement officer to intervene if the law enforcement officer reasonably believes that another law enforcement officer is about to use unnecessary or excessive force on an arrestee;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2801, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2425 (Joint) Energy, Economic Development, and Tourism and Transportation on S.B. No. 2196

The purpose and intent of this measure is to require cooperative housing corporations, homeowners associations, planned community associations, and condominium associations to:

- (1) Develop plans to integrate electric vehicle charging stations onto their properties by January 1, 2030; and
- (2) Make funds from their overall reserves available to integrate electric vehicle charging stations onto the properties that they manage.

Your Committees received testimony in support of this measure from the Hawai'i State Energy Office, Hawaiian Electric Company, Community Associations Institute, Hawaii Electric Vehicle Association, KauaiEV, Pearl City Neighborhood Board No. 21, and three individuals. Your Committees received testimony in opposition to this measure from the Practical Policy Institute of Hawaii, Kipuka at Hoakalei Association of Unit Owners, and one individual. Your Committees received comments on this measure from the Hawaii Council of Community Associations and Associa.

Your Committees find that with the growing popularity of electric and other alternative fuel vehicles, including hydrogen fuel cell vehicles, the installation of available zero-emissions fueling stations is essential to increasing the use of these vehicles and decreasing the State's reliance on fossil fuels. Your Committees recognize that most of the State's existing multi-dwelling units might have very difficult challenges to retrofit their common areas, parking garages, and parking stalls to comply with this measure, and notes that there are existing incentives to install publicly available electric vehicle charging stations.

Accordingly, your Committees have amended this measure by:

- (1) Limiting the requirement to plan the installation of electric charging stations to residential properties that are constructed after January 1, 2023; and
- (2) Amending the description of charging stations to accommodate new and developing technologies in alternative fuels and other zero-emissions vehicles.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2196, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2196, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.
Transportation: Ayes, 5. Noes, none. Excused, none.

SCRep. 2426 (Joint) Education and Health on S.B. No. 2187

The purpose and intent of this measure is to:

- (1) Include advanced practice registered nurses with prescriptive authority in the list of health care professionals authorized to administer medication to public school students; and

- (2) Require administration of the medication to be approved by the Department of Health or other on-campus, school-based, health care provider pursuant to a written agreement with the Department of Education.

Your Committees received testimony in support of this measure from the Department of Health; State Council on Developmental Disabilities; University of Hawai'i System; Hawai'i State Center for Nursing; Hilopa'a Family to Family, Inc.; Hawai'i Primary Care Association; and five individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Education.

Your Committees find that there are limitations on what medications can be administered by certain professionals at public schools. Your Committees additionally find that there are a growing number of agreements between school campuses and health providers to implement school-based health services during school hours. These providers, including advanced practice registered nurses with prescriptive authority, are already on school campuses and are well-positioned to direct the administration of medication during the school day.

Your Committees further find, however, that the existing list of health care professionals authorized to administer medication to students on public school campuses does not include advanced practice registered nurses with prescriptive authority.

Accordingly, this measure will streamline and facilitate the process for the administration of prescribed medications on school campuses by expanding the list of health care professionals authorized to administer such medication to include advanced practice registered nurses with prescriptive authority.

Your Committees have amended this measure by replacing the term "aides" with "assistants" to conform with current usage, as noted in testimony.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2187, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2187, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.
 Education: Ayes, 4. Noes, none. Excused, 1 (Kim).
 Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2427 (Joint) Education and Health on S.B. No. 2071

The purpose and intent of this measure is to:

- (1) Require all principals, guidance counselors, and teachers to perform self-review of seizure safety materials annually;
- (2) Require the preparation of seizure action plan for each public and public charter school student diagnosed with a seizure disorder and distribution of the plan to employees charged with supervising the student;
- (3) Require public schools, private schools, and public charter schools to have an employee trained to administer seizure disorder rescue medication;
- (4) Exempt schools that do not have a student with a seizure disorder; and
- (5) Make an appropriation.

Your Committees received testimony in support of this measure from the State Public Charter School Commission, Hawaii Association for Justice, Epilepsy Foundation Hawaii, Hawai'i Primary Care Association, Special Education Advisory Council, and fifteen individuals. Your Committees received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committees find that safety and continuity of care in the event of a seizure is a critical priority for the seizure disorder community. Seizures can happen at any place and time and while they do not necessarily occur every day on school campuses, students living with seizure disorders face the risk of a life-threatening seizure every single day.

Accordingly, your Committees find that this measure promotes student safety and well-being by requiring schools to implement certain proactive measures to prepare for and appropriately respond to a student seizure event. Proper seizure first aid at school and consistency of care for students with seizure disorders are crucial to ensuring these students reach their full potential with as little disruption to their education as possible.

Your Committees note the testimony of the State Public Charter School Commission regarding the need for additional funding for health assistant and nurse services to accomplish the intent of this measure.

Your Committees have therefore amended this measure by:

- (1) Inserting an additional appropriation in an unspecified amount for the purpose of increasing health assistant and nurse services in state public charter schools;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2071, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2071, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Education: Ayes, 4. Noes, none. Excused, 1 (Kim).
 Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2428 (Joint) Education and Health on S.B. No. 2822

The purpose and intent of this measure is to require the Department of Education to offer optional asthma education courses to students and provide mandatory asthma training to teachers and other department employees who interact with students.

Your Committees received testimony in support of this measure from the American Lung Association, Hawai'i Children's Action Network Speaks!, Hawai'i Public Health Association, Hawai'i Primary Care Association, Hawaii Chapter of the American Academy of Pediatrics, AlohaCare, Hawaii Medical Association, Hawai'i Association of School Psychologists, and three individuals. Your Committees received comments on this measure from the Department of Education and Department of Health.

Your Committees find that, according to the Department of Health, more than one hundred ten thousand Hawaii residents are living with asthma and approximately one-third of those are children. Your Committees further find that asthma is one of the leading causes of chronic disease-related school absenteeism. Absenteeism due to poorly controlled asthma may negatively affect educational outcomes and limit students' ability to fully participate in school activities.

Your Committees further find that research has shown that students who engage in school-based asthma education experienced significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after participation in the intervention. School-based asthma instruction has been shown to reduce symptoms, activity limitations, and health care utilization.

Accordingly, your Committees find that this measure will provide health and educational benefits to students with asthma through school-based instruction and training.

Your Committees also note the testimony of the Department of Education, providing that certain asthma support services are currently provided in public schools. Your Committees have therefore amended this measure by:

- (1) Amending section 2 to better align with existing asthma support services in public schools;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) 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 Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2822, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2822, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Education: Ayes, 4. Noes, none. Excused, 1 (Kim).
 Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 2429 Health on S.B. No. 2882

The purpose and intent of this measure is to establish the Community Health Worker Certification Program within the Department of Commerce and Consumer Affairs.

Your Committee received testimony in support of this measure from the Hawai'i Primary Care Association and three individuals. Your Committee received testimony in opposition to this measure from Kula No Nā Po'e Hawai'i o Papakōlea. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, Department of Health, University of Hawai'i System, Hawaii Home Birth Collective LLC, Hawai'i Public Health Institute, Hawaii Medical Service Association, Hawaii Substance Abuse Coalition, Ohana Pacific Health, and Pacific Birth Collective.

Your Committee finds that community health workers provide critical services by connecting rural and underprivileged communities throughout the State with health care resources. However, because the community health workers are not licensed by the Department of Commerce and Consumer Affairs, in accordance with existing law, their services are not reimbursable by private or public insurance. This has greatly diminished the services that they can provide, particularly in areas that are experiencing a critical lack of health care professionals to provide basic services. Establishing a certification program for community health workers will improve the quality of care and access to health care for residents throughout the State.

Your Committee acknowledges the testimony of the Department of Commerce and Consumer Affairs, which requested additions to the measure that would facilitate the implementation of the Community Health Worker Certification Program.

Therefore, your Committee has amended this measure by:

- (1) Authorizing the Department of Commerce and Consumer Affairs to assess fees for certificate applications and renewals, which shall be maintained in a separate account within the compliance resolution fund;
- (2) Adding separate provisions regarding the renewal of certificates and grounds for refusal to renew, reinstate, or restore a certificate and for denial, revocation, suspension, or condition of a certificate;
- (3) Adding an appropriation for funds to administer the Community Health Worker Certification Program;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2882, as amended herein, and recommends that it pass Second Reading in the form

attached hereto as S.B. No. 2882, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2430 (Majority) Health on S.B. No. 2680

The purpose and intent of this measure is to revise the medical-aid-in-dying law by:

- (1) Authorizing advanced practice registered nurses, in addition to physicians, to practice medical-aid-in-dying in accordance with their scope of practice and prescribing authority;
- (2) Authorizing psychiatric mental health nurse practitioners and clinical nurse specialists, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient;
- (3) Reducing the mandatory waiting period between oral requests from twenty days to fifteen days; and
- (4) Waiving the mandatory waiting period for those terminally ill individuals not expected to survive the mandatory waiting period.

Your Committee received testimony in support of this measure from AlohaCare, Compassion & Choices, Hawaiian Islands Association for Marriage and Family Therapy, Hawai'i – American Nurses Association, Hawai'i Psychological Association, Hawaii Society of Clinical Oncology, National Association of Social Workers - Hawai'i, Democratic Party of Hawai'i Health Committee, Hawai'i Association of Professional Nurses, Democratic Party of Hawai'i Kūpuna Caucus, and eleven individuals. Your Committee received opposition to this measure from Hawaii Family Forum and four individuals. Your Committee received comments on this measure from the Board of Nursing and Hawai'i State Center of Nursing.

Your Committee finds that in 2018, the State passed Act 2, Session Laws of Hawaii 2018, known as the Our Care, Our Choice Act, which allows mentally capable, terminally ill individuals with six months or less to live to voluntarily request and receive prescription medication that allows the person to die in a peaceful, humane, and dignified manner. However, due to the State's unique geography and shortage of physicians, finding a physician who can administer medical-aid-in-dying can be burdensome and many terminally ill patients die while waiting to complete the statutory requirements. Therefore, this measure aims to ease the regulatory requirements of the Our Care, Our Choice Act to assist those terminally ill patients with difficulty accessing end-of-life care options.

Your Committee acknowledges the testimony of the Department of Health, which offers amendments strengthening the measure's nondisclosure protections. Your Committee also heard from several mental health professional associations, which requested that marriage and family therapists be authorized to provide counseling to a qualified patient.

Therefore, your Committee has amended this measure by:

- (1) Strengthening the nondisclosure protections of the Our Care, Our Choice Act to prevent the Department of Health from releasing sensitive information;
- (2) Authorizing licensed marriage and family therapists to provide counseling to a qualified patient;
- (3) Requiring that all professionals who provide counseling to qualified patients be licensed;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2680, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2680, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2431 (Joint) Health and Higher Education on S.B. No. 2597

The purpose and intent of this measure is to appropriate funds for the Hawaii state loan repayment program administered through the John A. Burns School of Medicine, subject to a matching funds requirement.

Your Committees received testimony in support of this measure from the Department of Health, Department of Labor and Industrial Relations, University of Hawai'i System, East Hawaii Region of the Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Kaiser Permanente Hawaii, The Queen's Health Systems, Hawaii Medical Association, Hawai'i Pacific Health, Hawai'i Primary Care Association, Hawaii Psychiatric Medical Association, Hawai'i State Rural Health Association, and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the State faces a shortage of health care professionals. The shortage is particularly acute in rural communities in the State. The high cost of education for health care professionals often lead them to train in highly specialized fields of care and practice in urban areas, rather than maintain a general practice on neighbor islands or in underserved areas. Your Committees also find that the Hawaii State Loan Repayment Program administered by the John A. Burns School of Medicine successfully provided loan repayments to sixty-two individuals, with eighty-three percent remaining in Hawaii and seventy percent remaining at the site they performed their service. This measure appropriates funds to the Department of Health to fund the Hawaii

State Loan Repayment Program to continue to provide a financial incentive to health care professionals working in health care shortage areas.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Health and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2597, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2597, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Kidani).

SCRep. 2432 (Joint) Public Safety, Intergovernmental, and Military Affairs and Human Services on S.B. No. 2375

The purpose and intent of this measure is to require and appropriate funds for the Department of Public Safety, in collaboration with the Department of Human Services, to develop and establish a program to train incarcerated nonviolent individuals in the area of social work.

Your Committees received testimony in support of this measure from the Community Alliance on Prisons; Hawai'i Health & Harm Reduction Center; Hawaii Substance Abuse Coalition; National Association of Social Workers, Hawai'i Chapter; and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Human Services, and Department of Public Safety.

Your Committees find that the State is facing a shortage of social workers to help people in the State manage their mental health and cope with stressors in their everyday lives. This shortage is of concern as social workers already have full caseloads and may be unable to provide additional services, which may in turn intensify the need for help and increase burnout among social workers. The demand for social workers will likely continue to rise, especially during the coronavirus disease 2019 pandemic and its aftermath, as individuals experiencing depression, anxiety, life transitions, and other mental health challenges will need social workers' support to address difficult or stressful life situations. Your Committees believe that some nonviolent incarcerated individuals may have experienced the need for social services or may have firsthand experience receiving services from social workers that make them uniquely qualified to enter the field of social work as assistants after undergoing training. This measure will allow the State to help nonviolent incarcerated individuals reintegrate into society and address the high demand for social workers by requiring and appropriating funds for the Department of Public Safety, in collaboration with the Department of Human Services, to develop and establish a program to train incarcerated nonviolent individuals in the area of social work.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2375 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Riviere).

Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2433 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2646

The purpose and intent of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported stolen and listed on a publicly available online stolen item database;
- (2) Require the police department in counties with a population of five hundred thousand or more to establish the publicly available online stolen item database; and
- (3) Update the recordkeeping and retention requirements for businesses that buy previously owned articles.

Your Committee received testimony in support of this measure from the Honolulu Police Department and Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Hawaii Pawnbrokers Association, National Pawnbrokers Association, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that the theft of personal items may significantly impact a person financially as well as in other ways, such as the loss of work data, school notes on a laptop, or the loss of memories on a cellular phone. Additionally, bicycle thefts further impact the State's sustainability goals of reducing carbon emissions and utilizing low carbon transportation as residents are inhibited in investing in and using bicycles for transportation. Your Committee believes that reducing resale opportunities for these items is one way to decrease the motivation to steal them. Stolen items are often resold through pawnshops, business that purchase secondhand items, and online sales platforms. Although businesses with a physical presence and monetary transactions in the State must be licensed to operate and are required to submit records of transactions to county police departments, these transactions are currently being submitted in hard copy. This manual inputting of data by the county police departments creates an unnecessary lag and is an impediment to quickly comparing and identifying potentially stolen items against itemized lists from recent burglaries and thefts. Your Committee believes that allowing pawnbrokers and secondhand dealers to submit electronic records will enable county police departments to process these records in a more efficient manner and decrease the time frame for record retention. This measure will improve victim's chances of being reunited with their property by prohibiting, in counties with a population of five hundred thousand

or more, the sale of a bicycle that is reported stolen and listed on a publicly available online stolen item database, requiring the police department in counties with a population of five hundred thousand or more to establish the publicly available online stolen item database, and updating the recordkeeping and retention requirements for businesses that buy previously owned articles.

Your Committee has amended this measure by:

- (1) Requiring the working group established pursuant to House Resolution No. 154 (2014) to submit to the Legislature a report of its findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2023;
- (2) Inserting an effective date of July 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes testimony that this measure, as applied to pawn brokers, may be inconsistent with federal law and requests that your Committee on Judiciary consider that issue upon further hearing of this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2646, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2646, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 2434 (Joint) Public Safety, Intergovernmental, and Military Affairs and Human Services on S.B. No. 3295

The purpose and intent of this measure is to:

- (1) Establish the Women's Correctional Implementation Commission within the Department of Public Safety to provide oversight of state correctional facilities that incarcerate women, receive and investigate complaints from incarcerated women, monitor the criminal justice system's progress in implementing reforms, and monitor programs and data that are important to ensuring successful outcomes for women in the correctional system; and
- (2) Appropriate moneys to fund the Commission's operations, including the hiring of necessary staff.

Your Committees received testimony in support of this measure from the Women's Prison Project and four individuals. Your Committees received comments on this measure from the Hawai'i Correctional System Oversight Commission, Department of Public Safety, and Department of Budget and Finance.

Your Committees find that many aspects of the State's criminal justice system are designed to meet the needs of men because they make up a larger proportion of the criminal justice system's population. Consequently, the needs of women, who made up about twelve percent of the State's combined jail and prison population in 2018, are often not being met. Your Committees further find that women often have very different pathways into the criminal justice system than men. Similarly, women in the correctional system have different needs and experience different barriers to success. Your Committees believe that the State has an important interest in ensuring that the unique needs of women in this system are being met. This measure will allow the State to ensure that women are not being left behind in a system that was designed primarily with men in mind by establishing and funding the Women's Correctional Implementation Commission within the Department of Public Safety to provide oversight of state correctional facilities that incarcerate women, receive and investigate complaints from incarcerated women, monitor the criminal justice system's progress in implementing reforms, and monitor programs and data that are important to ensuring successful outcomes for women in the correctional system.

Your Committees have heard the testimony of the Department of Public Safety noting the close similarity of the measure's requirements to the duties and responsibilities of the Hawaii Correctional Systems Oversight Commission. Your Committees also note the recommendation that the Women's Correctional Implementation Commission be placed within the Hawaii Correctional Systems Oversight Commission to receive funding. Your Committees find that these issues raise concerns that merit further consideration and request that your Committee on Ways and Means further examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3295 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Riviere).
Human Services: Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2435 (Joint) Health and Transportation on S.B. No. 2127

The purpose and intent of this measure is to:

- (1) Direct the Department of Health to adopt rules for the control, prevention, and abatement of noise pollution emitted by vehicles in the State; and
- (2) Prohibit the use, ownership, and sale of excessively loud vehicles.

Your Committees received testimony in support of this measure from the Waikiki Neighborhood Board No. 9, Free Access Coalition, Quieter O'ahu, Quieter & Healthier Maui, and twenty-two individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that noise pollution is a growing problem in the State. Motor vehicles that have after-market modifications are significant contributors to noise pollution. Despite attempts to regulate noise pollution, residents still grapple with excessive noises, particularly in residential neighborhoods. Therefore, this measure directs the Department of Health to adopt rules to control noise pollution from vehicles and prohibits the use, ownership, and sale of excessively loud vehicles.

Your Committees acknowledge the testimony of the Department of Health, which noted that many regulations prohibiting noise pollution already exist and that previous programs aimed at controlling vehicular noise achieved limited success and were discontinued. Your Committees have also heard from constituents that noise complaints often go unenforced.

Therefore, your Committees have amended this measure by:

- (1) Deleting the contents of the measure and establishing a noise pollution task force within the Department of Health to investigate noise pollution and provide recommendations on how to better regulate excessive noise pollution throughout the State, from both stationary and non-stationary sources;
- (2) Appropriating funds to support the noise pollution task force;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2127, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2127, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 2436 (Joint) Health and Human Services on S.B. No. 2200

The purpose and intent of this measure is to require the Department of Health to amend its administrative rules regarding tuberculosis screening requirements for direct support workers in the Department's Developmental Disabilities Division.

Your Committees received testimony in support of this measure from Full Life Hawaii and one individual. Your Committees received testimony in opposition to this measure from the Department of Health. Your Committees received comments on this measure from the State Council on Developmental Disabilities.

Your Committees find that direct support workers who work in assisted living facilities, nursing facilities, or other health care facilities are required to undergo a two-step tuberculosis screening, which involves an under-skin injection test, blood draw, or chest x-ray. Other direct support workers, such as childcare workers, foster care workers, and school personnel undergo a less invasive tuberculosis screening, which involves screening for symptoms only. Despite not working in a health care facility, direct support workers who provide Medicaid-sponsored in-home services to people with intellectual and developmental disabilities must undergo the more stringent two-step tuberculosis screening. This measure directs the Department of Health to classify those direct support workers in the Medicaid home and community-based waiver program as workers who only require a tuberculosis symptom screening.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2200, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2200, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2437 (Joint) Health and Human Services on S.B. No. 2647

The purpose and intent of this measure is to establish:

- (1) A Fetal Alcohol Spectrum Disorders Task Force within the Department of Health for administrative purposes and require a report to the Legislature; and
- (2) The Fetal Alcohol Spectrum Disorders Special Fund, to be administered by the Department of Human Services and which shall consist of federal funds and interest earned on those funds.

Your Committees received testimony in support of this measure from the Office of the Public Defender, Hawaii Disability Rights Center, Hawaii Fetal Alcohol Spectrum Disorders (FASD) Action Group, Hawaii Substance Abuse Coalition, and eight individuals. Your Committees received comments on this measure from the Department of Health, Department of Human Services, and Department of Budget and Finance.

Your Committees find that individuals with fetal alcohol spectrum disorders (FASD) often exhibit behaviors that parallel those who suffer from mental health or developmental disabilities. However, they cannot receive services dedicated to those with mental health or developmental disabilities due to the strict eligibility criteria. Past efforts have focused on educating the public about the dangers of alcohol consumption while pregnant. This measure establishes a task force to examine and develop guidelines, recommendations, and teaching protocols to support individuals with FASD.

Your Committees acknowledge the testimony of the Department of Human Services, which recommended deleting the proposed special fund because it is contingent on receiving federal funds that may never be provided to the State. Your Committees also

acknowledge the testimony of the Department of Health, which raised concerns that it lacks the resources and funding to convene the task force proposed by this measure.

Therefore, your Committees have amended this measure by:

- (1) Deleting the proposed special fund and replacing it with an appropriation to the Department of Health to establish and support the Fetal Alcohol Spectrum Disorders Task Force;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2647, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2647, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2438 (Joint) Health and Higher Education on S.B. No. 2657

The purpose and intent of this measure is to appropriate funds to create more residencies and training opportunities on the neighbor islands for medical students at the University of Hawaii John A. Burns School of Medicine.

Your Committees received testimony in support of this measure from the University of Hawai'i System; Kaiser Permanente Hawaii, Healthcare Association of Hawaii, The Queen's Health Systems, East Hawaii Region of Hawaii Health Systems Corporation, Hawaii Medical Association, Hawai'i Pacific Health, Hawai'i Primary Care Association, Hawaii Psychiatric Medical Association, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the State faces a shortage of health care providers. In particular, the neighbor islands are disproportionately affected by physician shortages in all area of practice. Research from the John A. Burns School of Medicine (JABSOM) suggests that approximately eighty percent of physicians who complete their medical school education and residency training in Hawaii, remain in Hawaii to practice. Similarly, medical residents who train on the neighbor islands are more likely to practice on the neighbor islands. JABSOM plans to expand primary care residency training on the neighbor islands; however, funding is needed to hire teaching faculty and for student and resident support. This measure provides funding to create more residencies and training opportunities on the neighbor islands.

Your Committees find that Senate Bill No. 2655 (Regular Session of 2022) (S.B. No. 2655) and S.B. No. 2656 (Regular Session of 2022) (S.B. No. 2656), introduced in the current legislative session, also aim to increase the physician work force in the State. S.B. No. 2655 does so by reestablishing the Hawaii Medical Education Special Fund, which is used to provide funding for medical education and training in the State. S.B. No. 2656 appropriates funds to support medical residencies and training programs in a partnership between JABSOM and the Veterans Administration. Your Committees find that because these measures work towards the same goal -- increasing the physician work force in the State by creating more residencies and training programs -- they should be combined into one measure. Finally, your Committees note the testimony of the Department of Budget and Finance to S.B. No. 2655, which raises concerns that the special fund created by this measure may not demonstrate the capacity to be financially self-sustaining as required by section 37-52.3, Hawaii Revised Statutes.

Accordingly, your Committees have amended this measure by:

- (1) Incorporating the contents of S.B. No. 2655 and S.B. No. 2656 into this measure;
- (2) Inserting a blank appropriation amount;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2657, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2657, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Kidani).

SCRep. 2439 (Joint) Health and Human Services on S.B. No. 2748

The purpose and intent of this measure is to require the Department of Health to submit a request, as authorized by federal regulation, to the United States Department of Education to allow parents of children with a disability to continue receiving early intervention services after the child turns three years of age and until the child enters kindergarten.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, Hawai'i Association for Behavior Analysis, and three individuals. Your Committees received comments on this measure from the Department of Health and Hawaii Children's Action Network Speaks!

Your Committees find that under the federal Individuals with Disability Education Act, P.L. 101-476 (IDEA), the State is required to provide services to support the development of infants and toddlers with disabilities from birth until three years old. IDEA provides states with the option to extend early intervention services to eligible children between the ages of three and five years old. This measure requires the Department of Health to exercise the option to extend early intervention services.

Your Committees acknowledge the testimony from the Department of Health and other stakeholders who raised concerns that the Department does not have sufficient resources or funding to implement the extension of early intervention services. Your Committees also find that the measure, as currently drafted, adds a provision to the Hawaii Revised Statutes; however, the measure is not intended to be a general and permanent law of the State and would be better styled as session law.

Therefore, your Committees have amended this measure by:

- (1) Making an appropriation to the Department of Health to plan, prepare and implement the extended Part C option, which may include hiring staff;
- (2) Planning the provisions in session law rather than amending the Hawaii Revised Statutes;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2748, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2748, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2440 (Joint) Health and Hawaiian Affairs on S.B. No. 2828

The purpose and intent of this measure is to include the use of traditional native Hawaiian burial practices in the treatment and disposal of human remains, including the use of water cremation or alkaline hydrolysis.

Your Committees received testimony in support of this measure from the Aloha Mortuary LLC; Fisher & Associates, LLC; and twelve individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs; Department of Health; and Hawaii Funeral & Cemetery Association, Inc.

Your Committees find that there is a renewed interest in native Hawaiian water cremation, also called alkaline hydrolysis. Water cremation is not only a culturally appropriate method of burial but is also a more eco-friendly process. Compared to flame cremation, water cremation uses one-eighth of the energy and has one-fourth the carbon footprint. This measure includes the use of water cremation in the treatment and disposal of human remains.

Your Committees acknowledge the testimony of the Hawaii Funeral & Cemetery Association, Inc., which testified that this measure should provide oversight by state regulatory agencies over alkaline hydrolysis facilities and operators.

Accordingly, your Committees have amended this measure by:

- (1) Requiring alkaline hydrolysis facilities to be licensed by the Department of Health;
- (2) Requiring alkaline hydrolysis facility operators to hold a valid license or certificate issued by the Department of Health and to undergo training pursuant to standards set by the Department of Health;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2828, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2828, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair and President on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 2441 Agriculture and Environment on S.B. No. 2537

The purpose and intent of this measure is to amend the definition of "capital investment costs" to include the planting of trees having an expected lifespan of at least fifteen years.

Your Committee received testimony in support of this measure from the Outdoor Circle, Smart Trees Pacific, 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 trees are an important source of carbon sequestration and constitute a significant investment for the future. However, even trees that have expected lifespans beyond fifteen years are not included in the current definition of "capital investment costs" in the Hawaii Revised Statutes. This measure amends the definition of "capital investment costs" in section 37-62, Hawaii Revised Statutes, to include trees with lifespans greater than fifteen years.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2537 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2442 Human Services on S.B. No. 3347

The purpose and intent of this measure is to establish within the Department of Human Services a one-year pilot program to provide a basic monthly income of \$2,000 for a period of up to one year to qualified adults who are verified victims of sex trafficking or who are female or a sexual and gender minority individual seeking to exit the sex trade.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Imua Alliance, Rainbow Family 808, Health Committee of the Democratic Party of Hawai'i, Healthy Mothers Healthy Babies Coalition of Hawaii, Hawai'i Women's Coalition, and eighteen individuals. Your Committee received testimony in opposition to this measure from COYOTE RI, Libertarian Party of Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and two individuals.

Your Committee finds that Hawaii is one of the toughest places to exit from the sex trade, due to its high cost of living, lack of privacy among members of close-knit communities, and the geographic isolation that hinders access to national sex trafficking service resources. Your Committee also finds that exiting the sex trade often requires addiction treatment, mental health services, housing and employment services, child care, and legal assistance, all of which are difficult to secure without stable income. This measure provides verified victims of sex trafficking the financial stability and time to secure the assistance necessary to exit the sex trade.

Your Committee notes testimony from the Department of Human Services raising concerns over limiting program participants to a specific category of individuals--victims of sex trafficking or female or sexual and gender minority individuals--which differs from providing assistance based on an individual's financial status and may raise the issue of equal protection and discrimination based on sex, including gender identity.

Your Committee also notes the testimony of multiple parties raising concerns over the language in the purpose section of this measure implying that individuals who are not categorized as female or sexual and gender minority do not require assistance to exit the sex trade.

Accordingly, your Committee has amended this measure by:

- (1) Amending sections 1 and 2 to reflect its amended purpose;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3347, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3347, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2443 Human Services on S.B. No. 2207

The purpose and intent of this measure is to add a representative of a LGBTQ+ focused organization to be included as a member on the Hawaii Interagency Council on Homelessness.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Health, Hawai'i Health & Harm Reduction Center, Stonewall Caucus of the Democratic Party of Hawaii, Hawaii Rainbow Chamber of Commerce, North Shore Ko'olau Diversity Collective, and nine individuals.

Your Committee finds that a designated representative from a LGBTQ+ focused organization on the Hawaii Interagency Council on Homelessness would help develop programs that would better meet the unique needs of sexual and gender minorities experiencing homelessness.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2207, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2207, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2444 Human Services on S.B. No. 3113

The purpose and intent of this measure is to improve government efficiency by incorporating the Kupuna Caregivers Program into the Kupuna Care Program.

Your Committee received testimony in support of this measure from the Executive Office on Aging, County of Hawai'i Office of Aging, Maui County Office on Aging, Zonta Club of Hilo, AARP Hawai'i, Alzheimer's Association, American Association of University Women (AAUW) of Hawaii, and one individual.

Your Committee finds that the Kupuna Care Program and Kupuna Caregivers Program were established within the Executive Office on Aging in 2001 and 2017, respectively. The Kupuna Care Program provides long-term services and supports to kupuna as care recipients, and the Kupuna Caregivers Program provides support for working caregivers. Your Committee further finds that despite the two programs providing the same services for the care recipient and caregiver, having two separate programs created silos, which hindered the delivery of a seamless system of supports for kupuna and their caregivers. This measure will streamline the administrative and programmatic burdens of having two separate programs while continuing to provide an array of seamless services and supports to meet the holistic and comprehensive needs of both kupuna and their caregivers. This measure will also allow the Area Agencies on Aging in each county that implement both programs to use their federal, state, and county funds more efficiently and provide services in a timely manner.

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

Your Committee requests that the Executive Office on Aging, in operating the combined program, take into consideration the issues that led to the creation of the Kupuna Caregiver Program in 2017, and continue to address such issues in its management of the combined program.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3113, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3113, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2445 Human Services on S.B. No. 3109

The purpose and intent of this measure is to remove outdated annual reporting requirements for the Department of Human Services.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that updating the annual reporting requirements of the Department of Human Services and its attached agencies, such as the Office of Youth Services, will reduce administrative burdens and increase governmental efficiencies.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3109 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2446 Human Services on S.B. No. 3111

The purpose and intent of this measure is to:

- (1) Establish a five-year Family Resource Centers Pilot Program within the Department of Human Services;
- (2) Establish one full-time equivalent (1.0 FTE) Family Resource Centers Coordinator position; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Education, Department of Health, Kailua-Kalaheo Complex Area, Kailua High School, Neighborhood Place of Kona, Blueprint for Change, Hawaii Children's Action Network Speaks!, The 'Ohana Support Network, Hawai'i Afterschool Alliance, 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 Budget and Finance and the State Procurement Office.

Your Committee finds that family resource centers provide a number of critical services for families and are trusted sources of information and guidance. A number of studies have established that neighborhoods with family support centers have lower rates of child abuse, neglect investigations, and children entering the foster system compared to similar neighborhoods without family resource centers. As a result of the coronavirus disease 2019 pandemic, there is a greater need than ever to provide support, knowledge of parenting and child development, and social connections. This measure promotes quality family engagement to address challenges heightened by the pandemic and formalizes a pilot-project family resource center network to facilitate strategic planning, align services and performance measures, and develop a referral and data sharing process.

Your Committee has reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine the issues and concerns raised by the testimony.

Your Committee has amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3111, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2447 Human Services on S.B. No. 3112

The purpose and intent of this measure is to:

- (1) Authorize the Department of Human Services to conduct comprehensive background checks on current and prospective employees, volunteers, and contractors, and a contractor's employees, agents, or volunteers, in positions that require them to be in close proximity to minors, young adults, or vulnerable adults who are receiving child welfare services, social services, or other benefits and services from the Department of Human Services intended to prevent abuse or neglect or assist youth aging out of foster care with obtaining and maintaining independent living skills; and
- (2) Replace the term "foster boarding home" in section 846-2.7(b)(8), Hawaii Revised Statutes, with "resource family homes" to conform to Act 133, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of Human Resources Development.

Your Committee finds that the current pre-employment background clearance process for the Department of Human Services includes a name-based state criminal history record check, which relies on prospective hires to voluntarily report any convictions that occurred outside of Hawaii. This measure will allow the Department of Human Services to obtain information directly from the Federal Bureau of Investigations and the Hawaii Criminal Justice Data Center, and conduct comprehensive national and state fingerprint-based criminal history record checks of prospective personnel and post-employment periodic rechecks of current personnel. This measure is necessary to provide proper background checks for persons placed or currently in positions that require them to be in close proximity to certain minors, young adults, and vulnerable adults.

Your Committee also finds that Act 133, Session Laws of Hawaii 2016, brought the State into compliance with the Preventing Sex Trafficking and Strengthening Families Act of 2014, P.L. 113-183, including replacing the term "foster boarding home" in sections 346-16 and 346-17, Hawaii Revised Statutes, with "resource family homes". This measure will also amend section 846-2.7(b)(8), Hawaii Revised Statutes, to conform to Act 133.

Your Committee notes the testimony of the Department of Human Services, stating that the additional background checks provided in this measure will impact the workload of the Department's staff and the Hawaii Criminal Justice Data Center, and may cause delays in the Department's hiring of new employees.

Your Committee further notes that the term "foster boarding home" in sections 321-11.2(d) and 571-32.1, Hawaii Revised Statutes, will also need to be changed to "resource family homes" to conform to Act 133.

Accordingly, your Committee has amended this measure by:

- (1) Replacing "foster boarding homes" in sections 321-11.2(d) and 571-32.1, Hawaii Revised Statutes, with "resource family homes", to conform to Act 133, Session Laws of Hawaii 2016;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3112, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3112, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2448 (Joint) Health and Commerce and Consumer Protection on S.B. No. 2278

The purpose and intent of this measure is to:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Include electronic smoking devices within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law;
- (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) Repeal certain provisions of existing law relating to electronic smoking devices; and
- (6) Provide for the disposition of fines paid for the unlawful shipment of tobacco products into the Hawaii Tobacco Prevention and Control Trust Fund.

Your Committees received testimony in support of this measure from the Department of the Attorney General; Department of Health; American Cancer Society Cancer Action Network; Hawaii COPD Coalition; Hawai'i Public Health Institute; American Academy of Pediatrics, Hawaii Chapter; American Heart Association; American Lung Association in Hawaii; Hale Opi'o Kauai, Inc.;

Hawaii Children's Action Network Speaks!; Hawai'i Primary Care Association; Hawaii State Teachers Association; Pediatric Therapies Hawai'i; The Man Cave; We Are One, Inc.; and fifty-nine individuals. Your Committees received testimony in opposition to this measure from Retail Merchants of Hawaii; Cigar Association of America, Inc.; Hawaii Smokers Alliance; JOCOR Enterprises, LLC; Tear Drip Holdings, Inc.; VOLCANO eCigs; and thirty-five individuals. Your Committees received comments on this measure from the Department of Taxation, Hawaii Food Industry Association, Tax Foundation of Hawaii, Taxpayers Protection Alliance, Hawaii Petroleum Marketers Association, and one individual.

Your Committees find that the use of e-cigarettes and vaping has seen a dramatic increase in popularity among Hawaii teenagers. In December 2020, the United States Congress passed a law prohibiting the shipment of e-cigarettes directly to consumers. However, intrastate shipments in Alaska and Hawaii are exempt from the law, allowing youth to purchase e-cigarettes online. This measure prohibits the shipment of tobacco products directly to consumers.

Your Committees acknowledge the testimony of the Department of the Attorney General and Department of Health, which offer amendments to the measure for clarity and consistency with existing law. Your Committees also acknowledge the testimony of the Department of Taxation, which recommended changing the effective date to January 1 so that the tax proposed by the measure does not go into effect mid-year.

Therefore, your Committees have amended this measure by:

- (1) Amending the proposed new section and definitions of "electronic smoking device" and "tobacco products", and adding a definition of "e-liquid" for clarity and consistency with existing tobacco regulation;
- (2) Inserting an effective date of January 1, 2023, to support the administration and enforcement of the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2278, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2278, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

SCRep. 2449 (Joint) Health and Commerce and Consumer Protection on S.B. No. 2624

The purpose and intent of this measure is to require the Department of Health to:

- (1) Implement a telehealth pilot project, which is exempt from the Hawaii Public Procurement Code for twelve months, and publish an evaluation report on the telehealth pilot project outcomes; and
- (2) Implement and administer a rural health care pilot project to provide physicians serving selected rural areas with an availability fee and reimbursements for certain expenses.

Your Committees received testimony in support of this measure from the Department of Health, University of Hawai'i System, State Council on Developmental Disabilities, Disability and Communication Access Board, Hawai'i Pacific Health, Hawai'i Primary Care Association, Hawai'i Public Health Institute, The Queen's Health Systems, and eight individuals. Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that many residents in the State, particularly those living in rural areas and on the neighbor islands, are unable to obtain timely and appropriate health care due to a shortage of health care providers. While telehealth is a viable and available solution to this problem, the use of telehealth is still limited in the State. This measure establishes a telehealth pilot project to encourage the use of telehealth to patients and providers in the State. This measure also establishes the rural health care pilot project to pay an availability fee to health care providers serving rural areas.

Your Committees acknowledge the testimony of the Department of Health, which recommends expanding the rural health care pilot project to include nurse practitioners in addition to physicians practicing in a medical specialty that is difficult for rural residents to access.

Therefore, your Committees have amended this measure by:

- (1) Adding to the pilot project, nurse practitioners practicing in a medical specialty that is difficult for rural residents to access;
- (2) Requiring, rather than authorizing, the Department of Health to contract with eligible physicians and hospitals for the rural health care pilot project; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2624, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2624, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

SCRep. 2450 Government Operations on S.B. No. 3037

The purpose and intent of this measure is to establish procedures for the custody, inventory, and care of protocol gifts received by members of either house of the legislature or other state employees.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, State Archives, Hawai'i State Ethics Commission, and Common Cause Hawaii.

Your Committee finds that, from time to time, state officials and employees accept protocol gifts on behalf of the State, or a political body of the State, from foreign officials, federal officers, or state officials from other states. These gifts may symbolize goodwill and strengthen national and international relationships. Your Committee further finds that existing law does not provide adequate guidance or procedures regarding the custody, inventory, and care of protocol gifts. Accordingly, your Committee finds that the rules and guidance provided by this measure will promote government transparency and accountability, while preserving objects of historical significance.

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

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3037, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3037, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2451 Government Operations on S.B. No. 2885

The purpose and intent of this measure is to appropriate funds for one full-time equivalent (1.0 FTE) position at the Public Access Room to provide educational outreach and engagement with Hawaii public schools.

Your Committee received testimony in support of this measure from one member of the Hawaii County Council, Common Cause Hawaii, Commission to Promote and Advance Civic Education, Hawaii Youth Services Network, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Legislative Reference Bureau.

Your Committee finds that civic engagement provides an opportunity for residents to become involved with improving their local communities and neighborhoods. Your Committee further finds that the Public Access Room, an office under the Legislative Reference Bureau, provides the public with information, equipment, facilities, and services to assist in research activities, educational outreach, and public engagement related to work with the Legislature. The Public Access Room is well-positioned to further civic engagement with the Legislature in the State's schools.

Your Committee finds, however, that the Public Access Room currently lacks resources to provide outreach services in addition to its current responsibilities. Your Committee therefore finds that this measure will promote civic engagement by funding a position within the Legislative Reference Bureau to provide educational outreach and engagement services to students.

Your Committee notes the testimony of the Commission to Promote and Advance Civic Education, suggesting the position created by this measure serve all schools, and not only public schools.

Accordingly, your Committee has amended this measure by:

- (1) Expanding this measure to pertain to all schools in the State; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2885, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2885, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 2452 Government Operations on S.B. No. 2683

The purpose and intent of this measure is to shift the nominating authority for three members of the Hawaii Community Development Authority from the Honolulu City Council to the offices of the President of the Senate and Speaker of the House of Representatives.

Your Committee received comments on this measure from the Hawaii Community Development Authority.

Your Committee finds that under existing law, the Honolulu City Council has nominating authority for three members of the Hawaii Community Development Authority, who represent the Kaakaako, Kalaehoa, and Heeia community development districts. Your Committee further finds that this nominating authority is more appropriately placed within the offices of the President of the Senate and Speaker of the House of Representatives as the Hawaii Community Development Authority is a state agency. Accordingly, this measure removes the Honolulu City Council's nomination authority for certain members of the Hawaii Community Development Authority and places it within more appropriate offices.

Your Committee has amended this measure by:

- (1) Adjusting the membership of the Hawaii Community Development Authority as follows:
 - (A) Adding the Director of Business, Economic Development, and Tourism;

- (B) Reducing the number of district representatives of the Heeiea, Kalaeloa, and Kakaako Community Development Districts by one, respectively; and
- (C) Removing the Chairperson of the Hawaiian Homes Commission;
- (2) Specifying that the President of the Senate and Speaker of the House of Representatives shall submit a list of three nominees for each district to the Governor to fill the two district representative positions of each community development district;
- (3) Clarifying the requirements of the nominees for each community development district;
- (4) Including the Director of Business, Economic Development, and Tourism and the Director of Planning and Permitting of the City and County of Honolulu as voting members considered in determining quorum for matters affecting the Heeiea, Kalaeloa, and Kakaako Community Development Districts, respectively; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2683, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2683, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2453 Government Operations on S.B. No. 3212

The purpose and intent of this measure is to require the Office of Enterprise Technology Services to establish a working group to identify state office buildings capable of providing equitable telecommunications access to allow residents of the counties of Hawaii, Kauai, and Maui, and rural areas of the City and County of Honolulu, including all residents with disabilities, to participate remotely in legislative hearings.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Office of Enterprise Technology Services, and Hawai'i Public Health Institute.

Your Committee finds that providing equitable access to the legislative process for nearly four hundred fifty thousand residents on the neighbor islands and all residents with disabilities is a priority to improving the legislative process at the Capitol.

Your Committee further finds that providing access for all residents to participate in the legislative process is a basic right of citizens and should continue to be a priority.

Accordingly, this measure will promote greater participation, accountability, and transparency in the making of laws in Hawaii by establishing a working group to identify suitable locations to provide expanded access options for the people of Hawaii to participate in the law-making process.

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

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3212, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Gabbard).

SCRep. 2454 (Joint) Government Operations and Housing on S.B. No. 3176

The purpose and intent of this measure is to allow counties to adopt rules for the construction of fourplex dwelling units on lots where single-family dwelling units are permitted in residential areas.

Your Committees received testimony in support of this measure from two individuals. Your Committees received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that the State continues to suffer from an acute shortage of affordable housing. One solution being explored by states nationwide is to increase permissible housing density. Your Committees further find that the counties should each have the discretion to adopt their own rules to govern the fourplexes authorized by this measure, since counties face unique land conditions and concerns. Accordingly, your Committees find that this measure will provide an important tool and the requisite flexibility to help grow the critically low supply of affordable housing in the State.

As affirmed by the records of votes of the members of your Committees on Government Operations and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3176 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 5. Noes, none. Excused, none.

Housing: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

SCRep. 2455 (Joint) Government Operations and Human Services on S.B. No. 3039

The purpose and intent of this measure is to amend the procurement laws relating to purchases of health and human services to promote procurement efficiency, program success, and government accountability by:

- (1) Requiring fair and reasonable costs or prices by requiring an agency purchasing health and human services to analyze a proposed cost or price and to document the agency's determination that such cost or price is fair and reasonable;
- (2) Increasing the small purchase threshold for health and human services and authorizing the Procurement Policy Board to adopt administrative rules to provide an expedited method for purchasing agencies to competitively procure health and human services small purchases;
- (3) Increasing efficiency of short-term treatment purchase of services; and
- (4) Abolishing the Community Council on Purchase of Health and Human Services.

Your Committees received testimony in support of this measure from the State Procurement Office and Department of Human Services. Your Committees received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition. Your Committees received comments on this measure from the Hawai'i Alliance of Nonprofit Organizations.

Your Committees find that existing law governing the public procurement of health and human services is inefficient and costly. The procurement of health and human services can take several months to complete, if not longer, and is subject to further delay in the event of protests. Your Committees further find that the public procurement of health and human services often involves urgent needs and specialized services.

Accordingly, your Committees find that this measure will streamline the procurement process for health and human services by reducing inefficiencies and expanding the small purchase exemption threshold. This will expedite the procurement of urgently needed health and human services and reduce the administrative costs of procuring these services, while ensuring that transparency and accountability measures remain in effect.

Your Committees have 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 and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3039, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3039, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.
 Government Operations: Ayes, 5. Noes, none. Excused, none.
 Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 2456 (Joint) Government Operations and Health on S.B. No. 2124

The purpose and intent of this measure is to:

- (1) Enhance the control of low-frequency noise emitted from establishments regulated by county liquor commissions by setting a maximum permissible noise level in dBC measurements;
- (2) Clarify that emission of noise that exceeds the maximum permissible noise level constitutes a noise violation;
- (3) Allow noise violations to be enforced by summons or citation issued by law enforcement officers;
- (4) Allow county liquor commissions to adopt rules to issue fines for noise violations; and
- (5) Allow county liquor commissions to revoke or suspend a liquor license; deny the application, renewal, or transfer of a license; or withhold issuance of a license when the licensee or applicant fails to take corrective action to address noise complaints or violations.

Your Committees received testimony in support of this measure from the Waikiki Neighborhood Board No. 9 and seven individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find excessive noise pollution is deleterious to public health and citizen's right to a peaceful environment. Your Committees further find that one source of excessive noise pollution is the establishments that are regulated by county liquor commissions, such as restaurants, bars, and night clubs. Accordingly, your Committees find that this measure will mitigate excessive noise pollution by establishing a comprehensive regulatory and enforcement scheme.

Your Committees note the testimony of the Department of the Attorney General recommending extensive amendments to further align this measure with its intent and to fit within existing noise pollution statutes more appropriately.

Your Committees have therefore amended this measure by:

- (1) Placing the new noise measurement and enforcement provisions within the purview of the Department of Health, instead of the Liquor Commission;
- (2) Adding a new section to chapter 281, Hawaii Revised Statutes, allowing the Liquor Commission to take certain remedial actions with respect to violations of noise laws; and
- (3) 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 Government Operations and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2124, as amended herein, and recommend that it

pass Second Reading in the form attached hereto as S.B. No. 2124, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

Health: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Baker, San Buenaventura).

SCRep. 2457 Labor, Culture and the Arts on S.B. No. 2138

The purpose and intent of this measure is to subject interns who work for the State to the provisions of chapter 84, Hawaii Revised Statutes, otherwise known as the State Ethics Code, by defining and including the term “intern” in the definition of “employees” under the Code.

Your Committee received testimony in support of this measure from the Hawai‘i State Ethics Commission.

Your Committee finds that the State Ethics Commission has previously determined that interns, whether a student or an individual on loan from a private company, are employees within the definition of the State Ethics Code. This measure codifies the applicability of the Code to interns working for the State, thereby ensuring that future interns are aware of the applicable standard of conduct.

Your Committee notes the testimony of the Hawai‘i State Ethics Commission raising concerns that the measure in its current form may allow an individual who works for a fixed period longer than as decided by the Legislature to evade the statutory definition of “intern”, and suggesting that the measure place a limit of one hundred eighty days as the period of time for which an intern may work for the State.

Accordingly, your Committee has amended this measure by clarifying that the provisions of the State Ethics Code shall continue to apply to any individual who extends the individual’s internship with the State after one hundred eighty days.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2138, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2458 Labor, Culture and the Arts on S.B. No. 2298

The purpose and intent of this measure is to increase the penalty for violation of wages and hours laws to a class C felony.

Your Committee received testimony in support of this measure from Hawai‘i State AFL-CIO, Pride at Work - Hawai‘i, IATSE Local 665, and Hawaii Ports Maritime Council. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that wage theft occurs when employers deny the provision of wages, employee benefits, or other forms of compensation rightfully owed to an employee. Wage theft by an employer also constitutes tax fraud, as the employer is not properly withholding wages of its employees to pay federal income and employment taxes. This measure ensures accountability of employers who commit wage theft by increasing the penalty for violation of wages and hours laws to a class C felony.

Your Committee finds that the measure in its current form has the unintended effect of making not only wage theft, but all other violations of wage and hour law and payment of wages and other compensation law, including provisions governing record keeping, a class C felony.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the increase in penalty from a misdemeanor to class C felony only applies to an employer’s deliberate failure to pay the wages of an employee in accordance with the State’s wage and hour law and payment of wages and other compensation law;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee also notes the testimony of the Department of Labor and Industrial Relations stating that under existing law, the Department’s Wage Standards Division conducts investigations into violations of the wage and hour law and payment of wages and other compensation law, and issues notices of violation with civil penalties as an administrative remedy; however, this measure would require the Department of the Attorney General to criminally charge those that violate these laws. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committees on Judiciary and Ways and Means further examine those issues and concerns raised by the testimony.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2298, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2298, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2459 Labor, Culture and the Arts on S.B. No. 2342

The purpose and intent of this measure is to include in the definition of “income”, tips or gratuities paid directly to an individual by a customer of the individual’s employer and reported or declared to the employer, for the purposes of calculating the amount of child support and from which assignments and withholdings for payments of child or spousal support are made.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that cash wages paid directly by the employer and the amount of any tip credit claimed by the employer under federal or state law are earnings for the purposes of the wage garnishment law. However, tips received in excess of the tip credit amount are not considered earnings subject to withholding for purposes of the Consumer Credit Protection Act, Title III. This measure will include all received tips and gratuities in the definition of income withheld by employers for payments of child or spousal support. This will allow employers to garnish the appropriate child or spousal support payments to help alleviate the financial stress and worry that many families experience.

Your Committee notes the testimony of the Department of the Attorney General raising concerns that the measure in its current form may conflict with the federal law. Amendments to this measure are therefore necessary to avoid potential conflict with federal law.

Accordingly, Your Committee has amended this measure by:

- (1) Clarifying that this measure is only applicable to the extent permitted under relevant federal law;
- (2) Deleting reference to section 576B-102, Hawaii Revised Statutes, the Uniform Reciprocal Enforcement of Support Act;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2342, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2460 Labor, Culture and the Arts on S.B. No. 2708

The purpose and intent of this measure is to amend the definition of “employee—beneficiary” with regard to the Hawaii Employer—Union Benefits Trust Fund to include the surviving unmarried adult child of a deceased retired member, provided that the unmarried adult child is incapable of self-support due to a mental or physical incapacity that existed prior to the child reaching the age of nineteen.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; 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.

Your Committee finds that many individuals who are incapable of self-support due to a mental or physical incapacity are enrolled in health plans offered by the Hawaii Employer-Union Health Benefits Trust Fund as a dependent-child of a retired member. Your Committee also finds that these dependents have limited income, if any, and do not have other opportunities to receive similar benefits. Your Committee further finds that existing law governing the Hawaii Employer-Union Health Benefits Trust Fund does not provide survivor benefit coverage, and therefore, these adult children lose their health benefits when the retiree and the retiree’s spouse are no longer living or eligible for benefits from the health benefits trust fund. According to the Hawaii Employer-Union Health Benefits Trust Fund, over the past five years, there was on average, four such children per year who lost coverage due to the passing of their last eligible parent. Your Committee finds that this measure will provide continued health benefit coverage to surviving children with mental or physical incapacity when the retiree and the retiree’s spouse are no longer living or eligible.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2708 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2461 (Joint) Labor, Culture and the Arts and Hawaiian Affairs on S.B. No. 3218

The purpose and intent of this measure is to designate November 28 of each year as La Ku’oko’a, Hawaiian Recognition Day, to celebrate the historical recognition of the independence of the Kingdom of Hawaii.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Hawaii State Archives, Office of Hawaiian Affairs, and three individuals. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the City and County of Honolulu Department of Human Resources.

Your Committees find that Hawaii’s special heritage and the various holidays currently celebrated distinguish Hawaii from other states. La Ku’oko’a commemorates the date of November 28, 1843, when, during the reign of Kamehameha III, Great Britain and France recognized the independence of the Hawaiian Kingdom, thereby making it known to the world that the Hawaiian Islands were one sovereign political unit under the complete and exclusive control of the Hawaiian kingdom. Your Committees further find that La Ku’oko’a was first recognized as a holiday in Hawaii in 1847, was recognized as an official holiday of the Republic of Hawaii in 1896, and continued to be celebrated as an official holiday by the Territory of Hawaii in 1902. Your Committees believe that the State’s

acknowledgment of La Ku'oko'a, or Hawaiian Recognition Day, is an appropriate and meaningful way to celebrate the recognition of Hawaii's independence and its rich and diverse culture and history.

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3218 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.
 Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Chang).
 Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2462 Labor, Culture and the Arts on S.B. No. 3290

The purpose and intent of this measure is to appropriate funds to the State Foundation on Culture and the Arts' Artist Fellowship Program for the awarding of one-time fellowships to promising artists in the amount of not less than \$25,000.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts.

Your Committee finds that section 9-3(13), Hawaii Revised Statutes, requires the State Foundation on Culture and the Arts to establish an individual Artist Fellowship Program to encourage artists to remain and work in Hawaii and to reaffirm the importance of Hawaii's artists and their cultural and economic contributions to the State. The Artist Fellowship Program provides one-time fellowships to local individuals in the areas of visual and performing arts. Your Committee acknowledges the importance of recognizing and celebrating the contributions of the artistic endeavors of individuals to Hawaii's rich cultural landscape. Your Committee finds that the Artist Fellowship Program's fellowships create such recognition while providing the necessary financial support for the artists. This measure provides resources for the Artist Fellowship Program to grant fellowships, which in turn will contribute greatly to Hawaii's rich cultural landscape.

Your Committee is aware of this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue merits further consideration and respectfully requests that the matter be further examined by your Committee on Ways and Means.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3290 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
 Ayes, 5. Noes, none. Excused, none.

SCRep. 2463 Labor, Culture and the Arts on S.B. No. 3316

The purpose and intent of this measure is to provide employees with paid family leave for up to:

- (1) Eight weeks during the first year after birth of the employee's child, adoption of a child by the employee, or placement of a child with the employee through foster care; and
- (2) Eight weeks to care for the employee's family member with a serious health condition,

paid through an employer-based private insurance program currently used to provide for temporary disability benefits.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Americans for Democratic Action Hawai'i; American Association of University Women of Hawaii; Hawaii State Teachers Association; Imua Alliance; Democratic Party of Hawai'i Education Caucus; Hawai'i Children's Action Network Speaks!; United Public Workers, AFSCME Local 646, AFL-CIO; Breastfeeding Hawaii; Hawai'i Women Lawyers; and six individuals. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations, IL Gelato Hawaii, Magics Beach Grill, Hawai'i Restaurant Association, Retail Merchants of Hawaii, Chamber of Commerce of Hawaii, Society for Human Resource Management Hawaii, Hawaii Food Industry Association, Hawaii Petroleum Marketers Association, and Maui Chamber of Commerce. Your Committee received comments on this measure from Hawaii Credit Union League and Building Industry Association Hawaii.

Your Committee finds that while the federal Family and Medical Leave Act of 1993 and current state law provide certain employees of large employers with unpaid leave to care for a new child or attend to the needs of a family member with a serious health condition, the majority of Hawaii's workforce cannot afford to take unpaid leave. Your Committee further finds that women, who are often the primary caregivers of infants, children, and elderly parents, are affected disproportionately by the absence of paid family leave. This measure will allow employees in Hawaii to take paid family leave, regardless of the size of the employer, financed through an employer-based private insurance program currently used to provide for temporary disability benefits.

Your Committee notes the testimony of the Department of Labor and Industrial Relations, stating that the merging of Hawaii's family leave law and temporary disability insurance law requires analytical study, including an actuarial component, and requesting the effective date of this measure to be delayed for the department to prepare for its implementation.

Accordingly, your Committee has amended this measure by:

- (1) Repealing the authority of the Director of Labor and Industrial Relation to use the funds within the trust fund for family leave and disability benefits for the establishment and maintenance of a family leave data collection system under section 398-9.5, Hawaii Revised Statutes;

- (2) Inserting an unidentified number of positions to be hired by the Department of Labor and Industrial Relations for the purposes of this Act;
- (3) Inserting an effective date of July 1, 2022; however, delaying the effective date for sections 1 through 28 until July 1, 2024, to allow the Department of Labor and Industrial Relations the time to prepare the necessary system to implement those sections; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3316, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3316, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Chang, Keohokalole).

SCRep. 2464 Labor, Culture and the Arts on S.B. No. 3317

The purpose and intent of this measure is to authorize the Director of Finance to issue general obligation bonds and appropriate funds for capital improvement projects relating to Iolani Palace.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Friends of Iolani Palace, Oahu Economic Development Board, and ten individuals.

Your Committee finds that Iolani Palace, constructed in 1879, is a living restoration of a proud Hawaiian national identity, a registered National Historic Landmark, and the only palace of official royal residence in the United States. The 143-year-old palace is an important cultural and historical landmark that represents the dignity and unique history of the people of Hawaii.

Your Committee recognizes that the last time portions of the palace's roof were repaired was two decades ago in 2000, and due to increasing decay and leakage during rain, the roof and various other architectural elements of the palace are deteriorating. This measure will provide funding to address the critical need for roof repair and other improvements to the palace to protect the integrity of various antiquities and elements of this treasured historical site.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3317 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2465 (Joint) Human Services and Education on S.B. No. 2701

The purpose and intent of this measure is to:

- (1) Establish a one-year Early Child Care Worker Subsidy Pilot Program and appropriate funds for the program to be expended by the Department of Human Services; and
- (2) Appropriate funds to the Hawaii Early Childhood Educator Special Fund to be expended by the Executive Office on Early Learning for the purposes of the Hawaii Early Childhood Educator Stipend Program.

Your Committees received testimony in support of this measure from the Executive Office on Early Learning, University of Hawai'i System, Hawai'i State Commission on the Status of Women, Early Learning Board, Hawai'i Children's Action Network Speaks!, Healthy Mothers Healthy Babies Coalition of Hawaii, American Association of University Women of Hawaii, Early Childhood Action Strategy, Special Education Advisory Council, and twenty-three individuals. Your Committees received comments on this measure from the Department of Human Services, Department of Budget and Finance, and State Public Charter School Commission.

Your Committees find that although a strong early child care and education workforce is crucial to support the children, working families, and communities in Hawaii, the demand for quality early child care and education far exceeds the number of qualified early child care professionals currently available in the State. Your Committees further find that disruptions to the early child care and education system caused by the ongoing coronavirus disease 2019 pandemic have created more challenges to expand access to quality, affordable early child care and education programs. The one-year pilot program established pursuant to this measure will help increase compensation for qualified early child care professionals and thereby retain the existing early learning child care and education workforce in Hawaii while its economy and the early child care and education system recovers from the effect of the pandemic.

Your Committees note the testimony of the Executive Office on Early Learning, stating that the Early Learning Special Fund may be a more appropriate fund to receive moneys pursuant to this measure. Your Committees find that Act 210, Sessions Laws of Hawaii 2021, created the Hawaii Early Childhood Educator Stipend Program to be administered by the Executive Office on Early Learning, to address the shortage of early childhood educators who have coursework in early childhood education. Your Committees further find that the Hawaii Early Childhood Educator Special Fund was established to receive stipend funds repaid by a stipend recipient who failed to complete the required certificate, degree, or license program, as applicable.

Your Committees also note the testimony of the State Public Charter School Commission, clarifying that early childhood educators are hired by each public charter school with a pre-K classroom, and not by the State Public Charter School Commission.

Your Committees further note the testimony of the Department of Human Services, requesting clarification of the purpose of the pilot program; specifically, whether the purpose of the subsidy is to increase professional development of the child care workforce, retain the existing early child care workforce, or both.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the purpose of the one-year Early Child Care Worker Subsidy Pilot Program is to retain the existing early child care workforce;
- (2) Amending section 1 to reflect its clarified purpose;
- (3) Clarifying that the pilot program participants shall not be employed by the Department of Education, Executive Office on Early Learning, or public charter schools;
- (4) Making the recipient of the appropriations for the Early Childhood Educator Stipend Program the Early Learning Special Fund, established pursuant to section 302L-5, Hawaii Revised Statutes; and
- (5) 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 Human Services and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2701, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2701, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 2466 Human Services on S.B. No. 3245

The purpose and intent of this measure is to:

- (1) Require the Department of Human Services to develop, and for certain businesses and establishments to post, a notice containing information about the National Human Trafficking Hotline;
- (2) Require the Department of the Attorney General to establish a Statewide Coordinator on Human Trafficking and a Program to support the needs of victims of human trafficking;
- (3) Require the Department of the Attorney General to submit reports to the Legislature on the State's efforts to address human trafficking and the commercial sexual exploitation of children;
- (4) Require the Children's Justice Program of the Judiciary to coordinate the investigation and case management of child trafficking cases, including cases involving the commercial sexual exploitation of children;
- (5) Specify that court-ordered restitution for a victim of labor trafficking may include the cost of necessary rehabilitation for the victim, including medical, psychiatric, and psychological care and treatment;
- (6) Require a person convicted of sex trafficking to forfeit assets from trafficking activity and require that the assets first be used to pay any restitution owed or damages awarded to the trafficking victim; and
- (7) Provide a process for victims of certain offenses involving human trafficking to petition to have their criminal record expunged.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Imua Alliance, Pacific Survivor Center, and two individuals. Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii, COYOTE RI, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General and Harm Reduction Hawaii.

Your Committee finds that the adverse impacts of human trafficking, including sex trafficking and commercial sexual exploitation are far-reaching and cause harm not just to the individuals trafficked, but also their families, the community, and society. This measure addresses the issue holistically by directing the State's resources toward various means of abolishing human trafficking, including sex trafficking and commercial sexual exploitation, and addressing the effects thereof.

Your Committee notes the testimony of the Judiciary, raising concern that section 4 of this measure, which requires the Judiciary's Children's Justice Program to coordinate the investigation and case management of child trafficking cases, including cases involving the commercial sexual exploitation of children, would create unnecessary confusion given other measures being considered during this regular session that would ensure the same outcome.

Your Committee further notes the testimony of the Department of the Attorney General, raising concern over section 6 of this measure, stating that the proposed forfeiture provisions lack specificity, which would make enforcement difficult. The Department also raised concern over section 7 of this measure, which purports to provide a process for victims of certain offenses involving human trafficking to petition to have their criminal record expunged, stating that the proposed amendments to the existing statute are open to misinterpretation in the court process.

Your Committee also notes the testimony of the Department of Human Services, stating that the Department will require additional resources to implement this measure, including funds for the development, translation into multiple languages, and printing of the notice required under this measure.

Accordingly, your Committee has amended this measure by:

- (1) Deleting sections 4, 6, and 7;
- (2) Appropriating an unspecified amount of moneys from the general fund for the development, translation, and printing of notices required pursuant to this measure to be expended by the Department of Human Services;
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion; and

- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3245, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3245, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2467 (Joint) Human Services and Health on S.B. No. 2424

The purpose and intent of this measure is to require the Department of Human Services' Child Protective Services Unit to investigate a marriage and report to the family court before the court approves a marriage, when one of the parties to the marriage is a minor and the other party is more than five years older than the minor.

Your Committees received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Stonewall Caucus of the Democratic Party of Hawaii, Zonta Club of Hilo, Zonta Club of Kauai, Hawaii Youth Services Network, and two individuals. Your Committees received testimony in opposition to this measure from Unchained at Last, Tahirih Justice Center, and one individual. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that state laws typically define "children" to mean as individuals who are under the age of eighteen years, and the term "minors" to mean individuals who are not given the rights or responsibilities of an adult. Yet existing law allows children as young as sixteen years of age to marry with the written consent of their parents, guardian, or a person who has custody of the child; and as young as fifteen years of age with the written approval of the family court. Your Committees further find that Hawaii laws that hold a person guilty of sexual assault for engaging in sexual acts with a fourteen- or fifteen-years old minor do not apply when the accused person is at least five years older than the child and legally married to the child. This measure will ensure that children are not being pressured or coerced into a marriage with an older adult by the prospective spouse or the child's parents, guardians, or any other persons who have custody of the child.

Your Committees note the testimony of the Department of Human Services requesting clarification on the subject of the investigation by its Child Protective Services Unit pursuant to this measure.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that when one of the parties to a marriage is a minor at the time of contracting the marriage and the other party is more than five years older than the minor, the Department of Human Services' Child Protective Services Unit is required to investigate all parties involved in the marriage, including the prospective spouse and any person giving written consent to minor's marriage, and report its findings to the family court before the court approves the marriage; 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 Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2424, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2424, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2468 (Joint) Human Services and Health on S.B. No. 2883

The purpose and intent of this measure is to create a task force focused on the hiring and training of culturally accepted interpreters to assist non-English speaking populations seeking care at Hawaii Health Systems Corporation facilities.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council, Hawaii Health Systems Corporation, Hawaii Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Marshallese COVID-19 Task Force, Hawai'i Public Health Institute, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Language Access and one individual.

Your Committees find that Limited-English-Proficient (LEP) persons face significant hurdles in communicating with health care professionals. The language barrier between patient and health care provider leads to poorer health outcomes among LEP persons. This has been highlighted during the coronavirus disease 2019 (COVID-19) pandemic, as Pacific Islanders and Compact of Free Association (COFA) recipients have had disproportionately higher rates of infection than that of people in the State as a whole. Your Committees further find that on December 20, 2020, the United States Congress reinstated Medicaid and Children's Health Insurance benefits to COFA recipients. With COFA recipients no longer a large portion of the State's uninsured population, state hospitals should be prepared to service these and other LEP populations. Therefore, this measure creates a task force focused on hiring and training culturally accepted interpreters to assist LEP populations seeking care at Hawaii Health Systems Corporation facilities.

Your Committees acknowledge the testimony of several stakeholders, which suggested that the task force be composed of different members than originally proposed. Your Committees also acknowledge the testimony of the Hawaii Health Systems Corporation, which raised concerns that it does not have the funds or resources to maintain a staff of certified translators with knowledge of medical terminology.

Therefore, your Committees have amended this measure by:

- (1) Adding the Director of Human Services, one representative from The Queen's Health Systems, and four COFA community leaders to the task force;

- (2) Removing two members of the language interpreters and translator community and two community health workers from the task force;
- (3) Adding an appropriation to the Hawaii Health Systems Corporation to support the work of the task force;
- (4) Changing the focus of the task force from LEP populations seeking care at the Hawaii Health Systems Corporation to any health care facility;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Changing its effective date to accommodate the appropriation; and
- (7) 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 Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2883, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2883, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2469 (Joint) Human Services and Health on S.B. No. 2634

The purpose and intent of this measure is to appropriate funds to extend Medicaid postpartum coverage from sixty days to twelve months.

Your Committees received testimony in support of this measure from the Department of Human Services; Executive Office on Early Learning; Hawai'i State Commission on the Status of Women; AlohaCare; Hawai'i Public Health Institute Obesity Prevention Task Force; Save Medicaid Hawaii; American College of Obstetricians and Gynecologists Hawai'i Section; Healthcare Association of Hawaii; American Heart Association; Hawaii Association of Health Plans; Hawaii Primary Care Association; Hawaii Women's Coalition; Hawaii Medical Service Association; Kokua Kalihi Valley Comprehensive Family Services; American Academy of Pediatrics, Hawaii Chapter; Planned Parenthood Alliance Advocates--Hawai'i; Hawai'i Children's Action Network Speaks!; Hawai'i Women Lawyers; Early Childhood Action Strategy; Hawaii Medical Association; Hawai'i Association of School Psychologists; Hawaii Family Forum; Hawai'i Public Health Association; Hawai'i Pacific Health; Mental Health America of Hawai'i; Hawai'i Maternal & Infant Health Collaborative; Kaiser Permanente Hawai'i; Association for Infant Mental Health Hawai'i; 'Ahahui o Nā Kauka--Association of Native Hawaiian Physicians; Healthy Mothers Healthy Babies Coalition of Hawaii; Hawaii Health & Harm Reduction Center; and twenty-eight individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the "pregnant women" Medicaid eligibility category is currently limited to sixty days postpartum. Despite this limited window of coverage, there are many conditions that account for significant risks far beyond sixty days including cardiovascular disease, hypertension, depression, and other pregnancy-related morbidities that require care over a longer term. The American Rescue Plan Act of 2021 provides an option to extend Medicaid postpartum coverage an additional ten months via state plans, beginning April 1, 2022, and is in effect for five years. Extending postpartum coverage to twelve months will help address the stark health disparities many native Hawaiian and Pacific Islander mothers experience and will greatly improve health access and outcomes for women and children in the State by providing continuity of care with known and trusted providers during this high-risk period.

Your Committees have reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committees find that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine the issues and concerns raised by the testimony.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; 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 Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2634, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2634, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2470 (Joint) Human Services and Health on S.B. No. 2737

The purpose and intent of this measure is to authorize the issuance of general obligation bonds to develop a long-term care facility at the Guensberg building on the Hawaii State Hospital campus.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, Partners in Care, and Hawai'i Psychological Association.

Your Committees find that the renovation of the Guensberg building, the oldest building in operation at the Hawaii State Hospital campus, seeks to address the long-term needs of patients that do not require inpatient psychiatric hospital level of care but also have

behavioral needs that make it difficult for them to be admitted to another facility, as well as patients with co-occurring substance use disorders and serious mental illnesses. According to testimony from the Department of Health, the renovation will provide a total of ninety hospital beds, with forty beds dedicated to long-term behavioral care and fifty for secure residential co-occurring mental health and substance abuse treatment.

Your Committees have amended this measure by 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 Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2737, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2737, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2471 (Joint) Human Services and Health on S.B. No. 2880

The purpose and intent of this measure is to prohibit any increase in the fees charged for providing home health care services during the pendency of an emergency proclamation or state of emergency concerning a public health pandemic on the sole basis that the patient receiving the services requires that the home health care service provider be vaccinated against the underlying disease causing the emergency.

Your Committees received comments on this measure from the Healthcare Association of Hawaii.

Your Committees find that home health caregivers should not increase their rates when they are requested to be vaccinated against SARS-CoV-2 to treat vulnerable patients. According to testimony from Healthcare Association of Hawaii, the contracts between its members and insurance companies set reimbursement rates that cannot be changed based on the vaccination status of an individual healthcare worker. Your Committees note that the federal Centers for Medicare and Medicaid Services require that the healthcare workers at Medicare- and Medicaid-certified health facilities in Hawaii be vaccinated by February 28, 2022. Your Committees further note that these Medicare and Medicaid regulations on home health agencies do not apply to independent physicians or clinicians.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2880 and recommend that it pass Second Reading and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2472 Transportation on S.B. No. 2539

The purpose and intent of this measure is to make the registered owner of a vehicle that is in violation of stop, stand, or park requirements liable for any penalty.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that illegal parking on highways can lead to accessibility and safety problems. While existing statutes provide for a person committing a violation of stopping, standing, or parking requirement to be held responsible for illegal parking, enforcement of those statutes can be challenging. This measure places responsibility for violations on the registered owner of the vehicle, which makes enforcement less challenging and deters potential violators.

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. 2539 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, 1 (Shimabukuro).

SCRep. 2473 Housing on S.B. No. 2667

The purpose and intent of this measure is to indefinitely extend the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing lease, or issue a new lease for the Front Street Apartments affordable housing project before the corporation's requirement to initiate condemnation proceedings is triggered.

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

Your Committee finds that Maui County has a significant shortage of affordable homes. To mitigate that shortage, the Hawaii Housing Finance and Development Corporation has relied on the Front Street Apartments. However, the corporation must either renegotiate its ground lease or initiate condemnation proceedings by December 31, 2022. This measure would extend the 2022 deadline indefinitely to ensure that the Hawaii Housing Finance and Development Corporation is able to continue providing affordable housing to residents of Maui County. However, there is little information on the status of Front Street Apartments. Your Committee finds that the Hawaii Housing Finance and Development Corporation should provide updates on the status of the Front Street Apartments.

Your Committee has amended this measure by replacing the indefinite extension of the Hawaii Housing Finance and Development Corporation deadline with a five-year extension.

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. 2667, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2667, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2474 Housing on S.B. No. 3107

The purpose and intent of this measure is to:

- (1) Allow a landlord, when processing an application to rent residential property, to charge an application screening fee up to a maximum of \$25 for the cost of requesting a tenant report or credit report for a potential tenant; and
- (2) Require landlords to refund any unused amount of the application screening fee and, upon request, provide a receipt of the fee and a copy of any report obtained via the screening process to the applicant.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Partners In Care, Community Alliance Partners, Hawai'i Health and Harm Reduction Center, Catholic Charities Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and UNITE HERE! Local 5. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, EAH Housing, and one individual.

Your Committee finds that there are numerous barriers to accessing affordable housing for low-income households and individuals. One barrier is the imposition of screening fees by landlords. While the fee is intended to cover the cost of tenant screening, it often exceeds the actual cost to conduct the screening. This measure establishes a maximum fee that landlords may impose for tenant screening.

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

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3107, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2475 Housing on S.B. No. 2255

The purpose and intent of this measure is to:

- (1) Make inoperative the mortgage interest deduction for second homes under Hawaii income tax law; and
- (2) Require the Department of Taxation to calculate the savings and transfer an equivalent amount of income tax revenues to the Director of Finance for deposit into the Rental Housing Revolving Fund.

Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the mortgage interest deduction as applied to second homes reduces the State's tax revenue and incentivizes the ownership of multiple homes. Not allowing the deduction would generate increased revenues for the State and disincentivize the accumulation of multiple homes, which undermines the State's efforts to expand access to affordable housing.

Your Committee has amended this measure by:

- (1) Requiring that amounts derived from the suspension of the mortgage interest deduction on second homes be deposited into the general fund; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2255, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2255, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2476 Housing on S.B. No. 2581

The purpose and intent of this measure is to seek to use lands within the State that are leased to the federal government or under federal government control that are returned to the State, including lands that have been used to house former military facilities, for affordable housing.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Partners in Care.

Your Committee finds that Hawaii has a severe shortage of affordable housing. Among the many causes of the State's lack of affordable housing is the absence of available land. Using lands that are leased or have been leased to the federal government for

affordable housing would be beneficial to the State's affordable housing efforts. This measure would prioritize efforts to find suitable lands leased to the federal government and use those lands for affordable housing.

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. 2581 and recommends that it pass Second Reading and be referred to your Committees on Ways and Means and Water and Land.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2477 (Joint) Housing and Transportation on S.B. No. 2193

The purpose and intent of this measure is to:

- (1) Require inclusion of an unspecified minimum percentage of affordable housing units in state agencies' development and redevelopment plans along the rail transit corridor; and
- (2) Allow the Office of Planning and Sustainable Development to make exceptions to the affordable housing requirement.

Your Committees received comments on this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

Your Committees find that the State has a critical need for the development and construction of affordable housing units for residents of the State. Transit-oriented development associated with the construction of a rail transit system in Honolulu has the potential to fulfill the State's need for affordable housing. This measure requires that state agencies include affordable housing in their development and redevelopment plans along the rail transit corridor.

Your Committees have amended this measure by:

- (1) Requiring state agencies to consult with the Office of Planning and Sustainable Development and the Hawaii Housing Finance and Development Corporation in the formulation of their development and redevelopment plans;
- (2) Inserting a minimum percentage of fifty percent for units that must be reserved for residents of the State who are occupants of their units and own no other real property; and
- (3) 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 Housing and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2193, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2193, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 5. Noes, none. Excused, none.
Transportation: Ayes, 5. Noes, none. Excused, none.

SCRep. 2478 Labor, Culture and the Arts on S.B. No. 2202

The purpose and intent of this measure is to designate the month of April each year as the State's volunteer month to honor volunteers in the community and encourage participation in service projects throughout the month.

Your Committee received testimony in support of this measure from Aloha United Way, Girl Scouts of Hawaii, Ali'i Pauahi Hawaiian Civic Club, and five individuals.

Your Committee finds that volunteers play a critical and irreplaceable role in the non-profit sector and its ability to effectively provide essential support to the community in various areas, including tutoring and educational assistance, emergency response, environmental clean ups, homelessness and food distribution, sports leagues, and animal shelters. Your Committee further finds that the selfless dedication of services by volunteers, including administration of vaccines; testing and contact tracing; and distribution of food, water, and other necessities to individuals who were required to stay home, has been essential to the community while the nation confronted and continues to recover from the disturbances caused by the coronavirus disease 2019 pandemic.

Your Committee also finds that in 1974, the United States, through presidential proclamation, designated the third week of April as National Volunteer Week to support, extend, and enhance the vital and valuable services offered by volunteers. In 1991, the month of April became National Volunteer Month as part of President George H. W. Bush's A Thousand Points of Light campaign, as a month dedicated to honoring the volunteers in communities and encouraging volunteerism. On April 16, 2021, the current federal administration issued a proclamation designating April 18 through April 24, 2021, as National Volunteer Week, calling upon all Americans to observe the week by volunteering in service projects across the country and pledging to make service a part of their daily lives. Your Committee believes that designating the month of April each year as the State's volunteer month will honor volunteers in the community and encourage participation in service projects throughout the month.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2202 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, 5. Noes, none. Excused, none.

SCRep. 2479 Human Services on S.B. No. 2587

The purpose and intent of this measure is to require the Youth Commission to appoint an Executive Director.

Your Committee received testimony in support of this measure from the Office of Youth Services, Hawaii Youth Services Network, and four individuals from the Hawaii State Youth Commission. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that Act 108, Session Laws of Hawaii 2018, established the Youth Commission and appropriated funds for its administration and one Children and Youth program specialist staff position. The Youth Commission's mission is to provide a strong youth voice in advising the Governor and effecting legislative policies as they relate to youth issues in the State. Most boards and commissions across the State have an Executive Director such as the Disabilities and Communications Access Board and the State Council on Developmental Disabilities. To provide the Youth Commission with administrative support and leadership on key issues impacting youth, this measure requires the Youth Commission to appoint an Executive Director.

With the creation of an Executive Director position, your Committee requests the Department of Human Services to adopt or amend existing administrative rules to define the duties and responsibilities of an Executive Director. As the Office of Youth Services currently has one long-term vacant position, your Committee finds that it is not necessary to establish a new position within the Office of Youth Services for an Executive Director.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2587 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, 5. Noes, none. Excused, none.

SCRep. 2480 Human Services on S.B. No. 3201

The purpose and intent of this measure is to clarify the general excise tax exemption for unrelated trade or business activities of nonprofit organizations.

Your Committee received testimony in support of this measure from The Queen's Health Systems, Hawai'i Alliance of Nonprofit Organizations, Hawaii Youth Services Network, Hawai'i Appleseed Center for Law & Economic Justice, Hawai'i Forest Industry Association, Hawaii Substance Abuse Coalition, K.E.L.L.I. Foundation, Hawai'i State Coalition Against Domestic Violence, H.T. Hayashi Foundation, Samaritan Counseling Center Hawaii, Aloha United Way, Big Brothers Big Sisters Hawaii, Parents and Children Together, Hawai'i Children's Action Network Speaks!, Hawai'i Public Health Institute, Molokai Arts Center, Outrigger Duke Kahanamoku Foundation, PHOCUSED, and Boys & Girls Club of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that because the State's general excise tax law referring to "the primary purpose of which is to produce income" does not align with the federal income tax code's "unrelated business income" provision, nonprofit organizations have additional burdens in accounting for income in disparate ways. While the federal law is clear with an extensive body of statutory interpretation, the nonconforming language used in the state general excise tax provision produces incongruities in how nonprofit activities are taxed. Your Committee further finds that imposing the general excise tax on a nonprofit organization's fundraising income deprives the nonprofit sector of needed financial support for the delivery of program services. This measure would simplify and improve a nonprofit organization's accounting of income and exempt fundraising income from the general excise tax.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3201 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2481 (Joint) Human Services and Government Operations on S.B. No. 2459

The purpose and intent of this measure is to:

- (1) Require the executive director of the Office of Language Access to submit an annual report to the Governor and Legislature on compliance, complaints, resolution of complaints, and recommendations to enhance and promote language access; and
- (2) Appropriate an unspecified amount of funds to establish limited English proficiency language coordinator positions in the Department of Commerce and Consumer Affairs, Department of Health, Department of Agriculture, and the Hawaii Emergency Management Agency.

Your Committees received testimony in support of this measure from the Department of Human Services, Department of Labor and Industrial Relations, Department of Transportation, Department of Agriculture, Office of Community Services, Hawai'i Coalition for Immigrant Rights, Hawaii Friends of Civil Rights, Micronesian Health Advisory Coalition, Ethnic Education Hawai'i, Marshallese Covid-19 Task Force, Common Cause Hawaii, Le Fetuao Samoan Language Center, The Legal Clinic, Hawai'i Workers Center, Hawai'i Public Health Institute, and fourteen individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, Office of Language Access, Hawai'i Emergency Management Agency, and one individual.

Your Committees find that Hawaii has one of the highest per-capita rates of limited English proficient persons in the nation. Your Committees further find that the annual reporting requirement in this measure will not only assist the Office of Language Access to ensure compliance with state and federal language access laws across all state agencies, but the establishment of permanent limited English proficiency language coordinator positions also will facilitate the implementation and delivery of each state agency's language access plans.

As affirmed by the records of votes of the members of your Committees on Human Services and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2459 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2482 Human Services on S.B. No. 2161

The purpose and intent of this measure is to require the exterior of the envelope containing the ballot package to include instructions on how to obtain language translation services in Hawaiian and certain languages other than English.

Your Committee received testimony in support of this measure from the Office of Elections, Office of Language Access, City and County of Honolulu Elections Division, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Common Cause Hawaii, Hawai'i Public Health Institute, and four individuals.

Your Committee finds that non-English speaking voters should be adequately apprised of language translation services including when voting by mail. During the 2020 elections, voters on Oahu were provided notice on the outside of the back of the mailed ballot package that language translation services were available at the city clerk's office. This notice was provided in two languages, Ilocano and Chinese. Non-English speaking voters who spoke another language or who lived in one of the other counties were not provided with this information. This measure will provide notice of language translation services to other non-English speaking voters so that they may actively participate in voting.

Your Committee has amended this measure by:

- (1) Specifying that nothing in the measure exempts or supplants the requirements of section 203 of the federal Voting Rights Act;
- (2) Clarifying that the measure shall apply beginning with the 2024 primary election; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2161, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
 Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2483 Human Services on S.B. No. 2396

The purpose and intent of this measure is to specify that any minor who resides in the same household as the victim of domestic abuse may file a petition for an order of protection or temporary restraining order.

Your Committee received testimony in support of this measure from the American Association of University Women of Hawaii, Hawai'i State Coalition Against Domestic Violence, and three individuals. Your Committee received comments on this measure from the Domestic Violence Action Center and Parents And Children Together.

Your Committee finds that in households where abuse occurs between parents, children who witness the abuse are also victims despite not being physically harmed. Often, the abusive parent will use the child or children as a bargaining chip—agreeing to the victim's protective order in exchange for having their children removed from the order. While this exchange expedites the protective order, it also keeps the children in a potentially abusive, intimidating, and terrorizing situation. This measure specifies that a minor who resides in the same household as a victim of domestic abuse may file a petition for an order for protection or temporary restraining order.

Your Committee acknowledges the testimony of the Domestic Violence Action Center, which testified that it is more important that children who are not physically abused, yet live in a household with abuse between parents, remain on orders of protection when their parent files a petition, rather than being permitted to file their own petition.

Accordingly, your Committee has amended this measure by:

- (1) Removing language authorizing children to have standing to file a petition for an order of protection or temporary restraining order;
- (2) Clarifying that a child who resides in the same household as a victim of domestic abuse, need not demonstrate that they were physically abused in order to be included in the victim's petition for an order of protection or temporary restraining order;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2396, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2396, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
 Ayes, 5. Noes, none. Excused, none.

SCRep. 2484 Human Services on S.B. No. 2700

The purpose and intent of this measure is to:

- (1) Require the staff of licensed and registered early childhood programs to annually provide specific information to the Department of Human Services' Early Childhood Workforce Registry (Registry);
- (2) Require the Department of Human Services to submit a report to the Legislature regarding updates to the Registry; and
- (3) Appropriate funds to improve the Registry.

Your Committee received testimony in support of this measure from the Early Learning Board, Samuel N. and Mary Castle Foundation, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, People Attentive to Children, American Association of University Women of Hawaii, AF3IRM Hawai'i, and six individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Executive Office on Early Learning.

Your Committee finds that the demand for quality early childcare and education greatly exceeds the supply of qualified childcare workers and educators in the State. However, to enact effective legislation or programs to increase the number of childcare workers and educators available, more data is required to understand the needs of the workforce. While the Department of Human Services, through its partnership with People Attentive to Children, maintains the Registry, not all childcare and educator staff are required to register. This measure requires the staff of all licensed and registered early childhood programs to provide certain information to the Department of Human Services' Registry.

Your Committee acknowledges the testimony of the Department of Health, which requested an effective date of no earlier than December 31, 2022, in order to make administrative preparations. Your Committee also requests that the Department of Health collaborate with the Department of the Attorney General to develop a policy that will ensure the privacy of the submitted data.

Therefore, your Committee has amended this measure by:

- (1) Clarifying that the Department of Human Services shall not collect first or last names of staff as part of the data collected for the Registry;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2700, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2700, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2485 (Joint) Human Services and Government Operations on S.B. No. 2144

The purpose and intent of this measure is to require:

- (1) That all electronic information technology developed, purchased, used, or provided by a state entity be made accessible to persons with disabilities;
- (2) The Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprising stakeholders, to develop and publish electronic information technology accessibility standards to be implemented by all state entities; and
- (3) A review and revision of the standards every three years after the date of publication, or as needed, to reflect advances or changes in information technology.

Your Committees received testimony in support of this measure from Hawai'i Civil Rights Commission, Executive Office on Aging, State Council on Developmental Disabilities, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, Disability and Communication Access Board, and nine individuals. Your Committees received comments on this measure from the Office of Enterprise Technology Services and one individual.

Your Committees find that standards are necessary to ensure disability access to electronic information technology, which is key for independence and equality to people with disabilities in the State. According to testimony from the Disability and Communication Access Board, because the term "electronic information technology" is so broad, it would take longer than six months after the effective date of this measure to develop and publish electronic information technology accessibility standards to be implemented by all state entities.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the six-month time frame for the Office of Enterprise Technology Services to develop and publish accessibility standards;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) 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 Human Services and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2144, as amended herein, and

recommend that it pass Second Reading in the form attached hereto as S.B. No. 2144, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2486 (Joint) Human Services and Government Operations on S.B. No. 2381

The purpose and intent of this measure is to:

- (1) Require electronic information technology developed, purchased, or provided by the State to be accessible to and usable by individuals with disabilities; and
- (2) Require the Disability and Communication Access Board to, no later than December 31, 2022, develop and publish accessibility standards to be implemented by state entities.

Your Committees received testimony in support of this measure from the Office of Enterprise Technology Services, Hawai'i State Council on Developmental Disabilities, National Federation of the Blind of Hawaii, and eight individuals. Your Committees received comments on this measure from the Disability and Communication Access Board and one individual.

Your Committees find that digital technology is rapidly replacing conventional printed communications, which can pose an accessibility challenge for individuals with certain disabilities. It is critical that the State provide all of its residents equal and convenient access to communications relating to its programs. This measure will reduce barriers to ensure that individuals with disabilities are considered when new technologies are deployed and to promote greater accessibility and engagement in the State.

Your Committees have amended this measure by:

- (1) Inserting an effective date of December 31, 2050, to encourage further discussion; 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 Human Services and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2381, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2381, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2487 (Majority) Health on S.B. No. 2282

The purpose and intent of this measure is to:

- (1) Clarify that access to abortion care is inclusive of all pregnant people in the State;
- (2) Repeal a criminal penalty for violations of certain abortion provisions; and
- (3) Clarify that advanced practice registered nurses may provide abortion care.

Your Committee received testimony in support of this measure from AlohaCare; Planned Parenthood Alliance Advocates--Hawai'i; American Association of University Women of Hawaii; American College of Obstetricians and Gynecologists, Hawai'i, Guam & American Samoa Section; Hawai'i Women Lawyers; Save Medicaid Hawaii; Hawai'i--American Nurses Association; Stonewall Caucus of the Democratic Party of Hawaii; and thirty-five individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Board of Nursing and Hawaii Medical Board.

Your Committee finds that the State's abortion laws need to be updated to reflect modern views and practice. All pregnant persons in the State have the right to abortion care, including transgender and gender nonbinary people. Existing law still contains archaic criminal punishment for some health providers who engage in safe and basic care. This measure will update existing abortion laws to use gender neutral language, remove certain criminal penalties and clarify that advanced practice registered nurses may provide abortion care.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2282, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2488 Health on S.B. No. 2482

The purpose and intent of this measure is to:

- (1) Establish a temporary Office of Wellness and Resilience within the Office of the Governor;

- (2) Authorize the Office to address issues and implement solutions to improve wellness and resilience, including issues and solutions identified by the Trauma-Informed Care Task Force; and
- (3) Appropriate moneys for the establishment of the Office of Wellness and Resilience.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, Department of Public Safety, Department of Human Services, Hawaii Correctional System Oversight Commission, Early Learning Board, Hawaii Family Support Institute, Hawai'i Community Foundation, HawaiiKidsCAN, Hawaii Youth Services Network, Early Childhood Action Strategy, Family Hui Hawai'i, Association for Infant Mental Health Hawai'i, Hawaii Children's Action Network Speaks!, Kamehameha Schools, Mental Health America of Hawai'i, Parent and Children Together, People Attentive to Children, 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 Budget and Finance.

Your Committee finds that complex and prolonged trauma can have detrimental effects on a person's physical, mental, and behavioral health throughout their life. Studies have shown that traumatic experiences in childhood and adolescence can diminish concentration, memory, and the organizational language abilities students need to succeed in school, thereby negatively impacting a student's academic performance, classroom behavior, and the ability to form relationships. This measure establishes a temporary Office of Wellness and Resilience as a semi-autonomous authority within the Office of the Governor to support and implement the statewide framework developed by the trauma-informed care task force established pursuant to Act 209, Session Laws of Hawaii 2021.

As affirmed by the record of votes of 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. 2482 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2489 Health on S.B. No. 2592

The purpose and intent of this measure is to:

- (1) Define "clinical laboratory director" to include certain physicians, licensed clinical laboratory scientists, and pharmacists-in-charge of pharmacies; and
- (2) Amend the definition of "practice of pharmacy" to include the ordering and performing of certain Clinical Laboratory Improvement Amendments-waived tests.

Your Committee received testimony in support of this measure from Hawai'i Pharmacists Association, Walgreens, Times Pharmacy, Hawai'i--American Nurses Association, and four individuals. Your Committee received comments on this measure from the Department of Health, Board of Pharmacy, and Hawai'i State Center for Nursing.

Your Committee finds that the Clinical Laboratory Improvement Amendments of 1988, P.L. 100-578 (CLIA), regulates all facilities that perform laboratory testing on human specimens for health assessment. The CLIA provides waivers for certain tests, such as simple tests that are non-technical and have a low risk for erroneous results. Some examples of CLIA-waived tests include blood glucose monitoring tests, cholesterol monitoring tests, and, recently, coronavirus disease 2019 tests. Under current Department of Health regulations, pharmacies that perform CLIA-waived tests are required to partner with a clinical laboratory director to sign off on the application to perform CLIA-waived tests. This measure defines "clinical laboratory director" to include pharmacists-in-charge of pharmacies and specifies that ordering and performing certain CLIA-waived tests is included in the "practice of pharmacy."

Your Committee heard from various stakeholders, which recommended that pharmacists, rather than pharmacists-in-charge of pharmacies, be included as clinical laboratory directors authorized to sign applications to perform CLIA-waived tests. Furthermore, the measure as currently drafted lists specific CLIA-waived tests that are included within the "practice of pharmacy." Your Committee finds that this enumeration is unnecessary, as tests may be included or removed from the list of CLIA-waived tests in the future.

Therefore, your Committee has amended this measure by:

- (1) Replacing pharmacists-in-charge with pharmacists in the definition of "clinical laboratory directors";
- (2) Removing the enumerated list of CLIA-waived tests included in the definition of "practice of pharmacy";
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2592, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2592, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2490 Health on S.B. No. 2595

The purpose and intent of this measure is to:

- (1) Extend the deadline by which the transfer of the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health must be completed;
- (2) Set the procedure for the Oahu Regional Health Care System to request operational funding during the transition period;

- (3) Exempt the working group from chapter 92, Hawaii Revised Statutes; and
- (4) Appropriate moneys to facilitate the transition.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaii Health Systems Corporation Oahu Region; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, Office of Information Practices, and Hawaii Health Systems Corporation.

Your Committee finds that Act 212, Session Laws of Hawaii 2021 (Act 212), requires the transfer of the Oahu Regional Health Care System facilities of the Hawaii Health Systems Corporation, comprising Leahi hospital and Maluhia, to the Department of Health. Act 212 set a date of December 1, 2023, for the transfer to be completed; however, because of the complexity of the transfer and the Department of Health's focus on the ongoing coronavirus disease 2019 pandemic and water contamination crisis resulting from the Red Hill Underground Bulk Fuel Storage Facility petroleum leak, the transfer will not be completed by the date contemplated by the Act. Therefore, this measure extends the deadline by which the requirements of Act 212 must be completed.

Your Committee notes the testimony of the Hawaii Health Systems Corporation and Department of Health, which proposed a potentially faster and cost saving alternative option to the Act 212 transition. This proposal statutorily creates a new attached quasi-agency such that the Oahu Region would be separate from the Hawaii Health Systems Corporation, maintain its current rights and benefits, including its own board of directors, while being attached to the Department of Health for budgetary purposes only.

Your Committee has amended this measure by:

- (1) Deleting the deadline dates by which the transition of the Oahu Regional Health Care System facilities must be completed;
- (2) Amending section 1 to reflect the unspecified date for the transition to occur;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2595, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2595, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2491 Health on S.B. No. 2635

The purpose and intent of this measure is to require insurers and mutual benefit societies to cover mandated services for mammography at least as favorably as coverage for other radiological examinations, beginning January 1, 2023.

Your Committee received testimony in support of this measure from the Hawaii Medical Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Health.

Your Committee finds that among the detrimental effects of the coronavirus disease 2019 pandemic are delays in receiving routine health screenings and checkups, and in particular, mammography screening for women in the State. According to the Center for Disease Control, breast cancer screening declined by eighty-seven percent during April 2020 as compared with previous years. This is particularly problematic for women in the State, as women of Asian ancestry represent a sizable percentage of the population, and the ethnic group is the most likely to develop breast cancer before age fifty. To increase access to important health benefits for all women in the State, this measure requires existing mammography benefits under certain health insurance plans to be at least as favorable as coverage for other radiological exams.

Your Committee acknowledges the testimony from the Department of Commerce and Consumer Affairs, which proposed amendments for consistency with existing law. Therefore, your Committee has amended this measure by:

- (1) Making conforming amendments; and
- (2) Inserting an effective date of January 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. 2635, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2635, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2492 Health on S.B. No. 2645

The purpose and intent of this measure is to allow standard telephone contacts for the purpose of providing telehealth services related to behavior health.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaiian Island Association for Marriage and Family Therapy; National Association of Social Workers, Hawai'i Chapter; Hawai'i Family Caregiver Coalition; Hawaii Medical Association; Hawai'i Primary Care Association; Hawaii Psychiatric Medical Association; Hawai'i Public Health Association; Kauai Integrative Therapies, LLC; Mental Health of America of Hawai'i; Waianae Coast Comprehensive Health Center; Hawai'i Association of Professional Nurses; Self Help Hawaii, LLC; and twelve individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Service Association. Your Committee received comments on this measure from

the Department of Commerce and Consumer Affairs, Department of Human Services, The Queen's Health Systems, Hawai'i Pacific Health, Healthcare Association of Hawaii, and Kaiser Permanente Hawaii.

Your Committee finds that during the coronavirus disease 2019 pandemic, the Governor's emergency order allowed the use of standard telephone contacts between health care providers and patients to minimize in-person meetings while ensuring continued access to care. Allowing insurance reimbursement for telehealth through standard telephone contacts greatly increased access to care for vulnerable populations, including the elderly, low-income, medically- and socially-complex patients, and those in rural areas who do not have the broadband capabilities, electronic equipment, financial means, transportation options, or technological proficiency to operate sophisticated digital video conferencing software. This measure aims to make provisions of the emergency order permanent as it applies to behavioral health services by including standard telephone contacts for behavioral health services in the definition of "telehealth".

Your Committee has amended this measure by inserting an effective date of January 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. 2645, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2645, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2493 Health on S.B. No. 2718

The purpose and intent of this measure is to exempt any person who has reached the age of sixty-five from the requirement of having a debilitating medical condition to be eligible for the use of medical cannabis.

Your Committee received testimony in support of this measure from the Hawaii Cannabis Industry Association. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that medical cannabis has been shown to have positive effects treating debilitating conditions in addition to chronic conditions, such as insomnia, anxiety, stress, and other issues. These issues have been exacerbated by the coronavirus disease 2019 pandemic, particularly in senior citizens, due to stress, anxiety, and forced isolation. The geriatric population can benefit from cannabis treatment for a variety of symptoms not already included in the list of qualified medical conditions, such as sleep difficulties, tremor, spasticity, agitation, nausea, vomiting, and reduced appetite. This measure increases access to medical cannabis for persons sixty-five and older.

Your Committee acknowledges the testimony of the Department of the Attorney General, which offered amendments to cure technical flaws in the measure and to clarify that qualified patients aged sixty-five or older are also limited to possessing an "adequate supply" of medical cannabis, as defined by statute. Additionally, your Committee acknowledges the Department of the Attorney General's recommendation to clarify the preamble to avoid unintended age discrimination issues.

Therefore, your Committee has amended this measure by:

- (1) Clarifying section 1 to reflect that the geriatric population can benefit from medical cannabis to treat maladies that come with advanced age;
- (2) Clarifying that qualifying patients aged sixty-five or older are limited to possessing an "adequate supply" of medical cannabis;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2718, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2718, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2494 Health on S.B. No. 2749

The purpose and intent of this measure is to prohibit commercial vehicles from making pickups from, or deliveries to, business establishments during certain times of the day and within a certain proximity of single-family residences in the performance of the vehicles' pickup or delivery.

Your Committee received testimony in support of this measure from Kailua Neighborhood Board No. 31. Your Committee received testimony in opposition to this measure from Hawaii Transportation Association and Retail Merchants of Hawaii. Your Committee received comments on this measure from the City and County of Honolulu Department of Design and Construction.

Your Committee finds that vehicular noise pollution caused by excessive noise from commercial vehicles is not only a nuisance, but can also adversely impact a community's quality of life. This measure prohibits commercial vehicles from operating during certain times of the day when in a certain proximity of single-family residences.

Your Committee acknowledges the testimony of the City and County of Honolulu Department of Design and Construction, which recommended an exemption for commercial vehicles operating in response to an emergency.

Therefore, your Committee has amended this measure by:

- (1) Exempting from this measure, commercial vehicles operating in response to an emergency; and
- (2) Inserting an effective date of January 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. 2749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2749, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2495 Health on S.B. No. 2913

The purpose and intent of this measure is to:

- (1) Require a retail establishment with an employee toilet facility to allow a customer suffering from an eligible medical condition to use that restroom during normal business hours, under certain conditions; and
- (2) Exempt a retail establishment and employees from civil liability in allowing an eligible customer to use an employee toilet facility.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Big Island Ostomy Group, and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that individuals with certain medical conditions, including Crohn's disease and inflammatory bowel disease, may experience urgent restroom needs. This is especially problematic while the individual is in a retail location where there are no public restrooms. A model law entitled Ally's law, requires retail establishments to allow patrons access to employees only bathrooms if the patron has a legitimate medical condition and urgent need. This measure adopts Ally's law in Hawaii.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2913, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2913, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2496 Health on S.B. No. 3136

The purpose and intent of this measure is to require a dispenser of a controlled substance to either:

- (1) Report the filling of a controlled substance prescription to the State's Electronic Prescription Accountability System in real time; or
- (2) Report "zero" not less than once every seven days if no controlled substances prescriptions are filled.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that the Electronic Prescription Accountability System (EPAS) is the State's database for controlled substance prescriptions dispensed to patients. Under existing law, dispensers of controlled substances, like pharmacists, are required to report the dispensing of a controlled substance to the EPAS once every seven days. However, the national trend is to require real-time reporting of dispensed controlled substances. Up-to-date information better supports the prescribing and dispensing decisions of physicians, advanced practice registered nurses with prescriptive authority, and pharmacists. Additionally, requiring a dispenser to report "zero" if no controlled substances prescriptions are filled will allow the State to determine who is and is not dispensing controlled substances, and who is not complying with the State's reporting requirements.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3136, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2497 Health on S.B. No. 3160

The purpose and intent of this measure is to establish the therapeutic psilocybin working group to examine the medicinal and therapeutic effects of psilocybin and develop a long-term strategic plan to ensure the availability of therapeutic psilocybin or psilocybin-based products that are safe, accessible, and affordable for adults twenty-one years of age or older.

Your Committee received testimony in support of this measure from the Oahu Economic Development Board; Banan, LLC; Kauhale Healing LLC; and twenty individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association, Hawaii Psychiatric Medical Association, and Hawaii Substance Abuse Coalition. Your Committee received comments on this measure from the Department of Health, Beyond Mental Health, and American Psychiatric Association.

Your Committee finds that mental health conditions are treated in various ways, depending on the condition, and can include medication, therapy, and psychosocial services. Psilocybin is a naturally occurring chemical compound found in certain species of mushrooms that can activate serotonin receptors in the brain. Recently, the Food and Drug Administration designated a treatment that uses psilocybin in a therapeutic manner for treatment—resistant depression as a “breakthrough therapy”. This measure establishes the therapeutic psilocybin working group to examine the medicinal and therapeutic effects of psilocybin and develop a long-term strategic plan to determine its availability in the State.

Your Committee has amended this measure by:

- (1) Clarifying that a member’s participation in the working group alone does not subject them to the requirements of chapter 84, Hawaii Revised Statutes; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3160, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2498 Health on S.B. No. 3356

The purpose and intent of this measure is to authorize the Department of Health to approve in-vehicle receipt of medical cannabis and medical cannabis products on or near the premises of dispensaries under certain conditions.

Your Committee received testimony in support of this measure from the Department of Health, Hawai’i Cannabis Industry Association, Marijuana Policy Project, Maui Grown Therapies, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that existing medical cannabis laws require that dispensing of medical cannabis occur inside the dispensary’s retail store. The coronavirus disease 2019 pandemic presented complications regarding this requirement, because medical cannabis patients can be immunocompromised or have diagnosed anxiety. This measure allows the Department of Health to approve in-vehicle receipt of medical cannabis on the dispensaries’ premises.

Your Committee acknowledges the testimony of the Department of Health, which requests that the authorization to approve in-vehicle receipt of medical cannabis to be accomplished by administrative rules rather than statute so that the Department may have administrative flexibility.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the statutory authorization and conditions authorizing in-vehicle receipt of medical cannabis and instead authorizing the Department of Health to promulgate rules governing in-vehicle receipt of medical cannabis; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3356, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3356, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2499 Health on S.B. No. 3382

The purpose and intent of this measure is to allow the utilization of post office boxes for prescriptions by amending the definition of “address” under chapter 329, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii.

Your Committee finds that currently, if a controlled substance prescription has a post office box address, the pharmacist cannot dispense the medication until the pharmacist has verified the patient’s identification, noted the ID number on the prescription, and changed the address. Your Committee finds that allowing pharmacists to utilize post office boxes for controlled substance prescriptions can increase workflow efficiency while not compromising patient safety. Your Committee also notes that the term “post office box” for the purposes of this measure is also intended to include rural route numbers.

Your Committee has amended this measure by inserting an effective date of January 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. 3382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3382, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2500 Health on S.B. No. 2954

The purpose and intent of this measure is to provide an exemption from the General Excise Tax (GET) for the sale of feminine hygiene products in the State, beginning July 1, 2022.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; Hawaii Food Industry Association; Retail Merchants of Hawaii; Common Cause Hawaii; Hawai'i Public Health Institute; Ma'i Movement Hawai'i, Inc.; Save Medicaid Hawaii; and four individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that feminine hygiene products are a basic need, not a luxury, for persons who menstruate. The imposition of the general excise tax (GET) on these products, therefore, operates as a regressive tax burden on those in lower income households. This measure exempts from the GET, the sale of feminine hygiene products, beginning July 1, 2022.

Your Committee acknowledges the testimony of the Department of Tax, which recommended that the exemption to the GET should be made effective January 1, 2023, to allow the Department to make necessary form and computer system modifications. Therefore, your Committee has amended this measure by inserting an effective date of January 1, 2023, to facilitate the administration of this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2954, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2954, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2501 (Joint) Health and Human Services on S.B. No. 2432

The purpose and intent of this measure is to:

- (1) Clearly define the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repeal the exclusion for landlords from licensing requirements under certain conditions; and
- (3) Require the Department of Health to prioritize complaint allegations based on severity for inspections of state-licensed or state-certified care facilities.

Your Committees received testimony in support of this measure from the Department of Health, Executive Office of Aging, and one individual. Your Committees received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that there are a number of complaints about unlicensed care homes and facilities in the State that pose significant health risks to their elderly and vulnerable residents. The Department of Health has seen a growing number of unlicensed care homes masquerading as rental homes with several unrelated tenants all requiring care services. These unlicensed care homes usually meet the definition of residential care home, but the owners cite the landlord exclusion clause allowed by statute. This measure closes that loophole by repealing the landlord exclusion and expands the group of professionals who are prohibited from knowingly referring or transferring patients to unlicensed care facilities.

Your Committees acknowledge the testimony of the Department of Health, which requested amendments to make this measure consistent with existing law. Your Committees also note that this measure as written could encompass those persons who are acting in their individual capacities.

Therefore, your Committees have amended this measure by:

- (1) Replacing the word "fine" with "administrative penalty" for consistency with existing law;
- (2) Clarifying that persons acting in their individual capacities are not subject to this measure;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2432, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2432, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).
Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2502 (Joint) Health and Commerce and Consumer Protection on S.B. No. 2274

The purpose and intent of this measure is to:

- (1) Require all nursing license applicants to respond to the center for nursing workforce supply survey in conjunction with license renewal, provided that the license renewal shall not be contingent upon responding to the workforce supply survey and failure to respond to the workforce supply survey shall not result in encumbrance of the nurse's license; and

- (2) Increase the center for nursing fee from \$40 to \$60 per license biennium.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Hawai'i State Center for Nursing, Hawai'i--American Nurses Association, Kaiser Permanente Hawaii, The Queen's Health Systems, and three individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Board of Nursing.

Your Committees find that Act 198, Session Laws of Hawaii 2003 (Act 198), established the Hawaii State Center for Nursing (Center), whose goals include collecting and analyzing data related to current and future trends in nursing, and recruiting and retaining nursing. Since 2003, the Center has made significant progress in creating statewide initiatives and programs to address the nursing shortage and increasing access to health care throughout the State. Your Committees further find that the center for nursing fees, which help to fund the Center's activities, has not increased since 2003, and the State again faces a nursing shortage.

This measure requires all nursing license applicants to respond to the Center's survey when renewing their nursing licenses and increases the nursing fee by \$20.

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

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2274, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2274, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

SCRep. 2503 (Joint) Health and Commerce and Consumer Protection on S.B. No. 2678

The purpose and intent of this measure is to appropriate funds for the expansion of the Hawaii State Health Insurance Assistance Program by contracting with third party service providers and staffing consultants and recruiting more volunteers.

Your Committees received testimony in support of this measure from the Executive Office on Aging, Policy Advisory Board on Elder Affairs, AARP Hawai'i, Catholic Charities Hawai'i, and thirteen individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the Hawaii State Health Insurance Assistance Program (SHIP) helps individuals who qualify for Medicare to make informed decisions about health insurance decisions. SHIP has only two full time employees and is staffed by eighty-four trained volunteers. However, SHIP needs to expand to meet the growing demand, particularly as more baby boomers become eligible for Medicare. Therefore, this measure appropriates funds to the Executive Office of Aging to expand SHIP.

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

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2678, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2678, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

SCRep. 2504 Human Services on S.B. No. 2887

The purpose and intent of this measure is to:

- (1) Appropriate funds for the operating budget of the Department of Human Services for fiscal year 2022-2023; and
- (2) Require the Department of Human Services to make any and all efforts available each year to fully fund all programs relating to homelessness.

Your Committee received testimony in support of this measure from County of Hawai'i Office of Housing and Community Development; St. Michael the Archangel Church; Hope Services Hawaii, Inc.; and Community Alliance Partners. Your Committee received comments on this measure from the Department of Human Services, Governor's Coordinator on Homelessness, and Department of Budget and Finance.

Your Committee finds that there is a need to sustain homeless programs and services with predictable and stable funding. Before the coronavirus disease 2019 (COVID-19) pandemic, there was a steady decrease in homelessness resulting in part from the implementation of a broad and diverse array of homeless programs and services. However, the demand for homeless services significantly increased and required changes due to the health and economic impacts of COVID-19. This measure will fund and preserve existing homeless services which were proven to be successful.

Your Committee has amended this measure by inserting blank appropriation amounts.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2887, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2887, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2505 Transportation on S.B. No. 2475

The purpose and intent of this measure is to clarify that amounts received or accrued for stevedoring services and related services, wharfage, and demurrage are exempt under the general excise tax law.

Your Committee received testimony in support of this measure from Matson Navigation Company, Inc. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, and the Tax Foundation of Hawaii.

Your Committee finds that interisland cargo transportation is a lifeline for residents and businesses across the State. However, Hawaii consumers pay a higher cost for goods than consumers in the continental United States, as shipping costs are reflected in the costs of imported goods.

Your Committee further finds that tax exemptions relating to the transportation of cargo by ship are warranted because the imposition of tax on the amounts received or accrued for interstate shipping and related services would ultimately be borne by consumers and negatively impact Hawaii's economy. Therefore, the purpose of this measure is to clarify that amounts received or accrued for stevedoring services, wharfage, and demurrage are exempt under the general excise tax law.

Your Committee has amended this measure by:

- (1) Deleting the undefined term "related services" to narrow the exemption;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has heard the testimony of the Department of Taxation expressing concerns that this measure should exempt specific income, not payments. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committee on Ways and Means examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2475, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2475, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2506 Hawaiian Affairs on S.B. No. 899

The purpose and intent of this measure is to require that at least three members of the State Council on Mental Health have demonstrated knowledge of or work experience involving Native Hawaiian concepts of well-being, culturally-grounded mental health methodologies, or traditional healing or health practices.

Your Committee received testimony in support of this measure from the State Council on Mental Health, Department of Health, Health Committee of the Democratic Party of Hawai'i, 'Ahahui o na Kauka - Association of Native Hawaiian Physicians, Hawai'i Psychological Association, Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers-Hawai'i Chapter, and two individuals.

Your Committee finds that Native Hawaiians experience distinct overall health disparities compared to other demographics. Youth suicide attempts and death rates in Hawaii are highest among Native Hawaiians and Native Hawaiian youth and emerging adults are 2.3 times more likely to die by suicide compared to their Caucasian contemporaries in Hawaii.

Your Committee further finds that while these mental health disparities begin early in life and have profoundly negative impacts on the community, Native Hawaiians tend to underutilize existing mental health services or only do so once the condition becomes severe. Your Committee finds that eliminating health disparities and achieving health equity across demographics is a matter of high priority. To achieve this goal, this measure requires at least three members of the State Council on Mental Health to be individuals having demonstrated knowledge of or work experience involving Native Hawaiian concepts of well-being, culturally-grounded mental health methodologies, or traditional healing or health practices.

Your Committee has amended this measure by:

- (1) Deleting language that would have required at least three members of the State Council on Mental Health to have demonstrated knowledge of or work experience involving Native Hawaiian concepts of well-being, culturally-grounded mental health methodologies, or traditional healing or health practices;
- (2) Inserting language to require all members of the State Council on Mental Health to receive annual training that includes topics such as cultural awareness and loss of ethnic identity, as well as other topics that address Native Hawaiian healing and health practices; and
- (3) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 899, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 899, S.D. 1, and be referred to your Committee on Judiciary.

Signed by President on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2507 Hawaiian Affairs on S.B. No. 2566

The purpose and intent of this measure is to require that the Governor make nominations to fill vacancies on the Hawaiian Homes Commission in accordance with recommendations by representatives from the Hawaiian homestead and beneficiary associations within sixty days and that these candidates have a working knowledge of the Hawaiian Homes Commission Act of 1920.

Your Committee received testimony in support of this measure from the Pi'ihonua Hawaiian Homestead Community Association and eight individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Hawaiian Home Lands.

Your Committee finds that the current process for selecting candidates to fill vacancies on the Hawaiian Homes Commission undermines the effectiveness of the Commission. Vacancies on the Commission can persist for months or years, and when they are filled, those Commissioners may lack sufficient knowledge of the Hawaiian Homes Commission Act of 1920. Therefore, the purpose of this measure is to expedite the nomination process to fill vacancies on the Hawaiian Homes Commission and expand beneficiary input in the selection process to ensure a higher standard of nominees.

Your Committee has amended this measure by:

- (1) Changing the district councils from the bodies that provide a list of candidates which the Governor may select a commissioner from, to advisory bodies providing recommendations to the Governor regarding the decision on filling vacancies on the Hawaiian Homes Commission;
- (2) Requiring names for possible candidates for the Hawaiian Homes Commission to be submitted to the Governor within thirty days and for the Governor to appoint an individual within ninety days; and
- (3) Removing restrictive language to allow the councils more decision-making flexibility.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2566, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2566, S.D. 1, and be referred to your Committee on Judiciary.

Signed by President on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2508 Hawaiian Affairs on S.B. No. 1281

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to release to beneficiaries of the Hawaiian Homes Commission Act, 1920, quarterly reports that contain certain information regarding leases and fiscal matters.

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 finds that transparency and accountability is of the utmost importance. Therefore, the purpose of this measure is to require the Department of Hawaiian Home Lands to provide quarterly accountability reports to beneficiaries within fifteen days following the end of each quarter.

Your Committee notes that the Department of Hawaiian Home Lands would like to send quarterly updates by mail to beneficiaries especially as a service to those beneficiaries without access to a computer, but each round of mailings costs upwards of \$10,000, which are funds more appropriately allocated to solving the wait list housing issues.

Your Committee has amended this measure by:

- (1) Adding the planned contents of these quarterly reports to the already existing monthly online reports; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1281, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1281, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by President on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 2509 (Joint/Majority) Hawaiian Affairs and Water and Land on S.B. No. 3103

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to assume historic preservation review of any proposed project on lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, Hawaii State Aha Moku, and one individual. Your Committees received testimony in opposition to this measure from the Historic Hawai'i Foundation, Society for Hawaiian Archaeology, and one individual.

Your Committees find that protection of the State's historic sites is a high priority. This measure allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3103 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by President and the Chair on behalf of the Committees.
 Hawaiian Affairs: Ayes, 4; Ayes with Reservations (Acasio). Noes, 1 (Fevella). Excused, none.
 Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 2510 (Joint) Human Services and Judiciary on S.B. No. 2638

The purpose and intent of this measure is to:

- (1) Require the Department of the Attorney General to provide annual reports to the Legislature on specified data pertaining to the commercial sexual exploitation of children; and
- (2) Appropriate moneys.

Your Committees received testimony in support of this measure from Hawaii Youth Services Network, Hawai'i Pacific Health, Imua Alliance, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General, Department of Human Services, and the Department of Budget and Finance.

Your Committees find that, during the coronavirus disease 2019 pandemic, demand for services for survivors of sex trafficking in the State increased exponentially. Obtaining quality data about children and youth who are survivors of commercial sexual exploitation is a critical tool for understanding their needs and increasing professional and community awareness. Reports to the Legislature containing pertinent data will be helpful in assessing and improving the State's response to the trafficking of minors.

Your Committees have heard the concerns raised in testimony that this measure, as presently drafted, requires the Department of the Attorney General to collect data for which there is no existing statewide database and that the data available to the Department is limited to what other entities are willing to provide. Certain existing rules may limit data sharing due to ongoing investigations, criminal prosecutions, and treatment services for victims, which could consequently limit the Department of the Attorney General's ability to satisfy the specific data requirements of this measure. Therefore, amendments to this measure are necessary to address these concerns.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of the Attorney General shall submit an annual report to the Legislature containing available data from entities that collect and are willing to provide data pertaining to the commercial sexual exploitation of children in the State to the Department, which will cover the immediately preceding fiscal year;
- (2) Requiring the Department of the Attorney General to post a copy of the annual report on its website;
- (3) Clarifying every public official and every state and county department or agency, as applicable, may share information with and provide assistance and cooperation to the Department of the Attorney General to carry out its reporting duties; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2638, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2638, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2511 (Joint) Human Services and Judiciary on S.B. No. 2458

The purpose and intent of this measure is to appropriate funds to the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants.

Your Committees received testimony in support of this measure from the Department of Human Services, Department of Labor and Industrial Relations Office of Community Services, Office of the Public Defender, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, The Legal Clinic, InterAgency Council for Immigrants and Refugees, Americans for Democratic Action Hawai'i, Pacific Gateway Center, and seven individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that immigration law is complex and not easily navigable without legal expertise. Additionally, Hawaii is experiencing a critical shortage of low-income legal service providers, which compounds many immigrants' barriers to obtaining assistance with immigration matters and their civil legal needs. A number of recent working groups have recommended increasing funding for civil legal services for Hawaii's low-income residents. Despite the significant contributions made by immigrants to the State's gross domestic product, immigration legal services remain prohibitively expensive for low- to moderate-income immigrants, which can further impact their abilities to gain employment, permanent and safe housing, and a number of other services that may include immigration matters. Statistics further indicate having legal counsel in immigration proceedings often makes a difference between whether an individual is allowed to remain safely in the United States or be deported to harmful circumstances or permanently separated from their family. Accordingly, this measure will help fill a critical gap in services for the low-income immigrant members of communities in the State.

Your Committees have amended this measure by:

- (1) Inserting a \$250,000 appropriation amount;
- (2) Inserting a definition of "low income" to mean a person whose family income does not exceed the federal poverty level for a family of applicable size, for purposes of qualifying for assistance;

- (3) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2458, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2458, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2512 Higher Education on S.B. No. 91

The purpose and intent of this measure is to remove the Special Funds of the University of Hawaii and the Hawaii Cancer Research Special Fund from the list of special funds that are exempt from the requirement to reimburse the Department of Budget and Finance for expenses incurred from administering the funds.

Your Committee received testimony in opposition to this measure from the University of Hawai'i System, American Cancer Society Cancer Action Network, and one individual.

Your Committee finds that the Special Funds of the University of Hawaii and the Hawaii Cancer Research Special Fund provide crucial, valuable services to University of Hawaii students and broader communities across the State. For example, the University of Hawaii Cancer Center provides critical research and clinical trials to cancer patients who rely on programs administered by the Cancer Center to receive experimental life-saving treatments. As the only designated cancer research organization in the Hawaii-Pacific region, the work provided by the Cancer Center provides many benefits to cancer patients and their families.

However, your Committee had heard the concerns from the University of Hawaii System and community members regarding the elimination of exemptions from administrative expense reimbursement for the Special Funds of the University of Hawaii and the Hawaii Cancer Research Special Fund. Both special funds provide valuable services to students within the University of Hawaii System and community members. Eliminating exemptions for both special funds will increase costs associated with general operations and existing services. To address the potential impacts of eliminating the exemptions for the special funds, while also addressing accountability, your Committee has amended this measure by:

- (1) Retaining statutory exemptions from administrative expense reimbursements for the Special Funds of the University of Hawaii and the Hawaii Cancer Research Special Fund;
- (2) Requiring the Special Funds of the University of Hawaii and Hawaii Cancer Research Special Fund to submit annual detailed reports to the Legislature on the following:
 - (A) Salaries;
 - (B) Maintenance of buildings and grounds;
 - (C) Utilities;
 - (D) General office expenses;
 - (E) Implementation of information technology policies; and
 - (F) Transfers into and out of the special funds; and
- (3) Requiring the annual reports to be submitted to the Legislature no later than twenty days prior to the convening of each regular session.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 91, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 91, S.D. 2, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
 Ayes, 10. Noes, none. Excused, none.

SCRep. 2513 (Joint) Water and Land and Transportation on S.B. No. 2895

The purpose and intent of this measure is to:

- (1) Create a temporary intergovernmental task force to assist in the establishment and certification of a Metropolitan Planning Organization for the County of Hawaii;
- (2) Require the Department of Transportation to provide a list of certain highway projects to the task force; and
- (3) Require a report to the Legislature.

Your Committees received testimony in support of this measure from the Hawaii County Council and one individual. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Federal-Aid Highway Act of 1962 required a Metropolitan Planning Organization (MPO) to be established for any urbanized area with a population of over 50,000 as a condition to eligibility for federal transportation financial assistance. Congress intended MPOs to serve as a forum for promoting collaboration among local communities and government

agencies and to direct federal funds toward projects that increase access to opportunity and prosperity through improved multimodal pedestrian, bicycle, and transit options.

Currently, there are two established MPOs operating in the State of Hawaii: one located in the County of Maui and the other in the City and County of Honolulu. According to the 2020 United States Census, which provides critical data that lawmakers, business owners, and many others use to provide daily services, products, and support for communities throughout the nation, the population of the County of Hawaii has grown to over two hundred thousand. The population growth has prompted local officials to reexamine the feasibility of a MPO to address the many transportation infrastructure and connectivity challenges exasperated by its growing population and topography. To address some of the challenges from the 2020 United States Census results, this measure creates a temporary intergovernmental task force to assist in the establishment and certification of a MPO.

Your Committees have 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 and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2895, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2895, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2514 (Joint) Water and Land and Hawaiian Affairs on S.B. No. 3013

The purpose and intent of this measure is to:

- (1) Appropriate funds for the Kahoolawe Island Reserve Commission; and
- (2) Fund two full-time equivalent permanent positions for the Kahoolawe Island Reserve Commission.

Your Committees received testimony in support of this measure from the Kaho'olawe Island Reserve Commission, Hawaii State Aha Moku, one member of the Maui County Council, Conservation Council for Hawai'i, Pacific American Foundation, Maui High Cloud Bridge Club, and twenty-three individuals. Your Committees received testimony in opposition to this measure from one member from the Waimanalo Neighborhood Board and the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that Act 340, Session Laws of Hawaii 1993, identified the island of Kahoolawe's significant cultural and historic importance to the native people of Hawaii, establishing the Kahoolawe Island Reserve Commission (KIRC) to "meet the challenges of restoring and presenting the island" following "extensive erosion and other ecological problems, presence of unexploded ordnance, archaeological sites, and native and endangered flora and fauna". Following the United States Navy's unexploded ordnance cleanup efforts in 2004, the KIRC initiated numerous restoration projects that have made significant changes to desolate hardpan into vibrant living landscapes, with many projects initially financed from a federally funded trust fund, various grant opportunities, and more recently, with State funds.

To complete restoration projects, the KIRC relies on a volunteer workforce brought to Kahoolawe to assist with native out plantings, erosion control construction, and invasive weed eradication. Despite a strong volunteer workforce, the KIRC lacks key support services such as Kahoolawe base camp facilities, utilities generation, and maintenance of vital infrastructure, equipment, and vehicles. In recent years, unpredictable weather patterns have caused severe weather and ocean conditions, a likely impact from climate change and global warming. Expansion of efforts to create more native dryland forest habitats, beach restoration and shoreline protection, food sustainability, and on-island water generation are further impacted due to unsafe and unpredictable weather, creating a difficult situation to transport volunteers. While the KIRC focuses its efforts on restoration projects and revitalization of Kahoolawe, this measure appropriates funds to the Kahoolawe Island Reserve Commission to continue its important and necessary work on Kahoolawe.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3013, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3013, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2515 (Joint) Water and Land and Health on S.B. No. 3376

The purpose and intent of this measure is to appropriate funds for the establishment of one full-time equivalent planner position related to mosquito control in the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Center for Biological Diversity, The Nature Conservancy, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that non-native mosquitoes pose significant multi-sector threats to the State, including negative impacts on human health, conservation, tourism, and economics. Residents and visitors in the State face health threats resulting from the transmission of mosquito-borne diseases, which have also led to devastating impacts on Hawaii's native bird populations, including being the leading driver in the ongoing extinction risk of most of Hawaii's remaining endemic honeycreepers.

Your Committees also heard the concerns of the Department of Land and Natural Resources and Department of Health, which have jointly collaborated on landscape mosquito control relating to public health in the past. Landscape mosquito control has been ongoing and remains urgently needed across the State to counter threats to both native species and humans, necessitating action for a program to combat *Aedes* mosquitoes.

Your Committees have amended this measure by:

- (1) Replacing the full-time equivalent planner position with a program specialist position within the Department of Land and Natural Resources;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3376, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3376, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2516 (Joint) Human Services and Transportation on S.B. No. 3121

The purpose and intent of this measure is to:

- (1) Establish an Accessible Parking Special Account within the Disability and Communication Access Board Special Fund;
- (2) Increase the state annual vehicle registration fee by \$1 and require the \$1 to be deposited into the Accessible Parking Special Account; and
- (3) Require all costs associated with the statewide Parking for Persons with Disabilities Program to be appropriated from the Accessible Parking Special Account beginning July 1, 2022.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that the Parking for Persons with Disability Program is a federally required program administered by the Disability and Communication Access Board that issues first-time, temporary, and replacement placards to persons with a disability. Your Committees further find that the Parking for Persons with Disability Program is currently funded entirely by general funds. Therefore, its funding was severely impacted by the significant decline in the State's general revenues due to the disruptions caused by the coronavirus disease 2019 pandemic. This measure will allow the Parking for Persons with Disability Program to become self-sufficient and ensure that it is unaffected by future economic conditions.

Your Committees note the testimony of the Disability and Communication Access Board requesting that the date on which all costs associated with the Parking for Persons with Disabilities Program shall begin to be appropriated from the Accessible Parking Special Account to be changed from July 1, 2022, to July 1, 2023.

Accordingly, your Committees have amended this measure by:

- (1) Changing the date on which all costs associated with the Parking for Persons with Disabilities Program shall begin to be appropriated from the Accessible Parking Special Account from July 1, 2022, to July 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees also note the testimony of the Tax Foundation of Hawaii, stating that repeal of special funds enhances transparency and accountability in the budgeting process, and raising concerns that creating a special account within a special fund adds to the complexity of accounting for state funds. Your Committees find that this issue raises concerns that merits further consideration and respectfully request that your Committee on Ways and Means further examine the matter.

As affirmed by the records of votes of the members of your Committees on Human Services and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3121, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3121, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2517 Transportation on S.B. No. 2627

The purpose and intent of this measure is to make an emergency appropriation to the Department of Transportation for construction of a new perimeter fence at Kahului Airport as a safety response to the overpopulation of axis deer in Maui county.

Your Committee received testimony in support of this measure from the Department of Transportation, Maui Chamber of Commerce, and one individual.

Your Committee finds that deer overpopulation in the County of Maui has led to a state of emergency. Around fifty thousand axis deer exist in Maui County and as many as five hundred living near and threatening the safety of Kahului Airport. Deer entering onto the airport runway is a major safety hazard. Therefore, the purpose of this measure is to make an emergency appropriation of funds to replace the perimeter fence around the airport.

Your Committee has amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

Your Committee notes that the construction of a new perimeter fence at Kahului Airport may be funded in multiple ways and requests that your Committee on Ways and Means examine various funding mechanisms.

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. 2627, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2627, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2518 (Joint) Transportation and Government Operations on S.B. No. 2400

The purpose and intent of this measure is to:

- (1) Allow any county or state agency responsible for maintenance of a highway to recover from the owner or driver of a vehicle the actual cost of removal of materials dropped or spilled on the highway; and
- (2) Make an appropriation to the Department of Transportation for signage to inform the public about laws relating to littering.

Your Committees received testimony in support of this measure from the Department of Transportation. Your Committees received testimony in opposition to this measure from the Libertarian Party of Hawaii.

Your Committees find that those who litter, spill, or leak materials onto the road can cause high costs to the State in unanticipated maintenance expenses. The purpose of this measure is to allow the agency responsible for the maintenance of any highway to recover the actual cost of removal of the materials from the driver or owner of the vehicle that littered, spilled, or leaked the material. This measure also appropriates money for signage to inform the public about highway littering laws.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2400 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Government Operations: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Gabbard).

SCRep. 2519 (Joint) Transportation and Government Operations on S.B. No. 3183

The purpose and intent of this measure is to require the Director of Transportation to establish and implement a digital identification pilot program.

Your Committees received testimony in support of this measure from the Department of Transportation, Office of Enterprise Technology Services of the City and County of Honolulu, Department of Customer Services, and NEC Corporation of America. Your Committees received testimony in opposition to this measure from the Libertarian Party of Hawaii and one individual. Your Committees received comments on this measure from Common Cause Hawaii and one individual.

Your Committees find that implementation of digital identification could increase both the accuracy and efficiency of many processes and agencies in the future. This measure establishes a pilot program for digitize driver's licenses and government-issued identification cards.

Your Committees have amended this measure by:

- (1) Removing language relating to federal REAL ID;
- (2) Requiring digital license renewals to provide for automatic voter registration;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3183, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3183, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.
 Transportation: Ayes, 5. Noes, none. Excused, none.
 Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2520 (Joint) Labor, Culture and the Arts and Government Operations on S.B. No. 2560

The purpose and intent of this measure is to require state departments and agencies to:

- (1) Establish hiring and promotion goals for position-qualified transgender and non-binary persons by January 1, 2023;
- (2) Develop transgender employment policies addressing specified areas by January 1, 2023, to promote inclusive, safe workplaces that respect gender identity; and
- (3) Submit annual reports to the Legislature.

Your Committees received testimony in support of this measure from the Hawai'i Civil Rights Commission, Hawai'i State Commission on the Status of Women, Hawai'i Health & Harm Reduction Center, Hawaii Women's Coalition, and fifteen individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that state law governing employment practices prohibits discrimination based on sex, including gender identity, gender expression, and sexual orientation. Your Committees find, however, that there is an undeniable gap between the law and reality--the sexual and gender minority population has historically been and continues to be subject to unequal treatment in employment. Your Committees also acknowledge that the coronavirus disease 2019 pandemic has had a disparate impact on lesbian, gay, bisexual, transgender, and queer individuals. Your Committees find that this measure takes a proactive approach to correct the decade-long effects of unequal treatment by ensuring that sexual and gender minority individuals have access to equal employment opportunities.

Your Committees note the testimony of the Hawaii Civil Rights Commission raising concerns over arguments that remedial affirmative action policies are violative of the equal protection clause of the Fourteenth Amendment. Your Committees also note the testimony of the Department of Human Services stating that the Department and Department of Transportation have adopted affirmative action policies in consideration of such issues. To develop a Transgender Employment Policy that is uniformly applicable and narrowly tailored to effectuate the intent of this measure, your Committees believe that the task should be assigned to the Department of Human Resources Development rather than have each state department and agency individually develop their own policies.

Accordingly, your Committees have amended this measure by:

- (1) Requiring the Department of Human Resources Development to:
 - (A) Establish its hiring and promotion goals for position-qualified transgender and non-binary persons by January 1, 2024;
 - (B) Develop the State's Transgender Employment Policy addressing specified areas by January 1, 2024, to promote inclusive, safe workplaces that respect gender identity; and
 - (C) Submit annual reports to the Legislature on the progress towards meeting its hiring goal before the convening of the Regular Sessions of 2025 and 2026;
- (2) Inserting an unspecified appropriation amount;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees request that the Department of Human Resources Development review the affirmative action policies adopted by the Department of Human Services and Department of Transportation in developing transgender employment policies for the State.

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2560, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2560, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.
 Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2521 Judiciary on S.B. No. 3226

The purpose and intent of this measure is to:

- (1) Require the Office of Elections to prepare a digital voter registration guide to be posted on its website;
- (2) Require the Office of Election to mail a notice with each ballot notifying voters that a voter information guide may be found on its website; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from Common Cause Hawaii, National Federation of the Blind of Hawaii, League of Women Voters of Hawaii, Community Alliance on Prisons, and Americans for Democratic Action Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Office of Elections, and Disability and Communication Access Board.

Your Committee finds that all states make an effort to inform the electorate about upcoming elections, where and when the elections will be held, and how to cast a vote. Your Committee further finds that some states provide information to registered voters that contain valuable information such as candidate information or background information on constitutional amendments or ballot measures. This measure will provide for a digital voter information guide to registered voters of the State, which will create a more informed voting public and increase voter participation in elections.

Your Committee has amended this measure by:

- (1) Specifying that the digital voter information guide be posted in a screen reader accessible format for voters with special needs unable to read standard print due to disability;
- (2) Specifying that the Office of Elections is required to provide a translation of the digital voter information guide in 'Ōlelo Hawai'i on its website;
- (3) Clarifying that Office of Elections shall print and mail a physical copy of the digital voter information guide to voters upon request;
- (4) Clarifying that the candidate running for office shall prepare the candidate statement; provided that the Office of Elections may uniformly limit the number of words for the candidate statement based on the race the candidate is in;
- (5) Specifying that the County Corporate Counsel shall prepare a clear and concise explanation for each proposed county charter amendment, or proposed initiative or referendum issue;
- (6) Specifying that the notice of the digital voter information guide be sent by email to all voters with special needs who have registered to receive alternate format ballots;
- (7) Inserting an effective date of January 1, 2023, for section 1;
- (8) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3226, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2522 Judiciary on S.B. No. 2923

The purpose and intent of this measure is to increase the maximum fine that may be assessed per fireworks-related violation from \$2,000 to \$5,000; provided that the fireworks violation does not otherwise have a specific penalty enumerated in statute.

Your Committee received testimony in support of this measure from the Department of Public Safety and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the use of aerial fireworks, including during celebrations, continues to cause significant disruption and concern and that a stronger deterrent is needed to curtail the use of illegal fireworks. According to the Report of the Illegal Fireworks Task Force to the Legislature for the Regular Session of 2011, increasing fines associated with illegal fireworks may act as a stronger deterrent. Your Committee believes that this measure will reduce the use of aerial fireworks, including during celebrations, by increasing the maximum fine that may be assessed per fireworks-related violation from \$2,000 to \$5,000; provided that the fireworks violation does not otherwise have a specific penalty enumerated in statute.

As affirmed by the record of votes of 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. 2923 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gabbard, Keohokalole).

SCRep. 2523 Judiciary on S.B. No. 2089

The purpose and intent of this measure is to propose an amendment to article I, section 25, of the Hawaii State Constitution to provide that the Legislature may define:

- (1) What behavior constitutes a continuing course of conduct in continuous sexual assault crimes against minors younger than sixteen years of age;
- (2) What behavior constitutes a continuing course of conduct in continuous abuse of a minor younger than sixteen years of age; and
- (3) What constitutes the jury unanimity that is required for a conviction under these two charges.

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, Honolulu Police Department, Rainbow Family 808, and one individual.

Your Committee finds that in 1997, to address the difficulty in prosecuting those who repeatedly sexually assault a child, the Legislature passed a law to prohibit continuous sexual assault of a minor under the age of fourteen years. This law was invalidated by the Hawaii Supreme Court, which held that a constitutional amendment was necessary to prohibit continuous sexual assault of children

in a manner intended by the Legislature. A constitutional amendment similar to the proposed amendment was proposed to voters in 2004 but was invalidated by the Hawaii Supreme Court. The present version of article I, section 25, of the Hawaii State Constitution was passed by voters in 2006. Your Committee believes that the health, safety, and wellbeing of Hawaii's keiki continue to be a priority for the State. This measure will allow the State to address the difficulty in prosecuting those persons who repeatedly abuse a child, given the difficulty that children have in remembering the individual dates on which they were abused, by allowing the Legislature to expand the offense of continuous sexual assault of a minor from the existing statutory age of fourteen years to sixteen years.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed the Legislature to define what behavior constitutes a continuing course of conduct in continuous abuse of a minor younger than sixteen years of age;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2089, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2089, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2524 Judiciary on S.B. No. 2113

The purpose and intent of this measure is to appropriate supplemental funds for the Judiciary for the fiscal biennium beginning July 1, 2021, and ending June 30, 2023.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Hawaii County Bar Association, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Hawaii State Bar Association Appellate Section, West Hawaii Bar Association, and Hawaii Access to Justice Commission.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has had a major financial impact on the Judiciary. To help address the severe budget shortfall that the State faced at the onset of the pandemic, the Judiciary's budget was reduced by \$9,000,000 in fiscal year 2019-2020 and \$14,700,000 in fiscal year 2020-2021, for a total reduction of \$23,700,000. During the same period, one hundred ninety-two vacant positions were defunded, including twelve permanent positions and eight per diem judge positions. Your Committee notes that the Judiciary adjusted to these budget reductions by cutting its expenditures for service contracts, regular pay, utilities, jury costs, guardian ad litem and attorney fees, travel expenses, repair and maintenance, and overtime pay.

Your Committee further finds that in addition to the capital improvement projects listed in this measure as received by your Committee, the Judiciary has identified seventeen smaller capital improvement projects, the costs of which total \$3,120,000, that are necessary to ensure that the court system continues to function effectively and efficiently:

- (1) For the first circuit:
 - (A) Kaahumanu Hale – \$150,000 to waterproof judges' elevator 8, create an apron to divert water from the base of the building, make associated interior repairs, and re-landscape;
 - (B) Kauikeaouli Hale – \$500,000 to add fencing and gates to secure entry courtyard against after-hours occupancy by unauthorized persons; and
 - (C) Abner Paki Hale – \$250,000 to excavate and waterproof foundation exterior;
- (2) For the second circuit: Hoapili Hale - \$250,000 to replace broken cast iron storm water piping with plastic piping where not already done;
- (3) For the third circuit: Hale Kaulike - \$50,000 to fund a power purchase agreement request for proposals to add solar power above parking;
- (4) For the fifth circuit:
 - (A) Puuhonua Kaulike - \$125,000 to perform crack repair, reseal and restripe, and reapply miscellaneous markings in parking areas to renew the parking lot;
 - (B) Puuhonua Kaulike - \$300,000 to upgrade security cameras and related cabling to improve courthouse and grounds security;
 - (C) Puuhonua Kaulike - \$500,000 to remove failing duct insulation and install new insulation in multiple open-air locations, including the judges' garage, sally port, and sheriff's holding area;
 - (D) Puuhonua Kaulike - \$500,000 to replace select air handling units;
 - (E) Puuhonua Kaulike - \$100,000 to retrofit lighting in building interior to LEDs; and
 - (F) Puuhonua Kaulike - \$70,000 to retrofit emergency lighting and ballasts to LEDs; and
- (5) For administration and courts of appeal:

- (A) Aliiolani Hale and Kapuwiwa - \$25,000 for sprinkler system reconfiguration, repair, and upgrade;
- (B) Aliiolani Hale - \$50,000 for temporary mitigation of the worst roof leaks and damages while a long-term solution is explored and implemented;
- (C) Aliiolani Hale - \$25,000 to regrade and mitigate ponding and disperse condensate disposed from roof level air conditioning equipment along Queen Street;
- (D) Aliiolani Hale - \$75,000 for skylight repairs;
- (E) Kapuwiwa - \$50,000 for temporary mitigation of the worst roof leaks and damages while a long-term solution is explored and implemented; and
- (F) Kapuwiwa - \$100,000 to repair a drain and add an enclosure at the electric service entry stairs.

Your Committee has amended this measure by:

- (1) Appropriating an additional \$200,000 in general funds to Administration (JUD601) for fiscal year 2022-2023 to be allocated as follows:
 - (A) \$100,000 for court-appointed guardians ad litem; and
 - (B) \$100,000 for court-appointed attorneys;
- (2) Making a corresponding reduction of \$203,406 in the amount of general funds appropriated for the First Circuit (JUD310). These funds are currently allocated to fund the following five vacant positions:
 - (A) Janitor II (position no. 500722) - \$22,146;
 - (B) Court bailiff I (position no. 15958) - \$39,540;
 - (C) Estate & guardianship specialist (position no. 4735) - \$50,016;
 - (D) Judicial clerk II (position no. 25250) - \$48,084; and
 - (E) Juvenile counselor I (position no. 500649) - \$43,620;
- (3) Authorizing the Judiciary to expend moneys appropriated by this Act to provide compensation to court-appointed guardians ad litem and attorneys at rates greater than those specified in section 571-87, Hawaii Revised Statutes; and
- (4) Authorizing an additional \$3,120,000 in general obligation bonds to fund the additional, smaller capital improvement projects identified by the Judiciary.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2113, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2113, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 2525 Labor, Culture and the Arts on S.B. No. 2707

The purpose and intent of this measure is to:

- (1) Require the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of the employer's receipt of a written request to negotiate from the exclusive representative; and
- (2) Establish that the employer's failure to initiate the negotiation for repricing within the thirty-day time frame and the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitute an impasse to which the impasse procedures in section 89-11, Hawaii Revised Statutes, shall apply.

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. Your Committee received comments on this measure from the Department of Budget and Finance, City and County of Honolulu Department of Human Resources, and County of Hawai'i Department of Human Resources.

Your Committee finds that it is extremely difficult for employees to seek the repricing of their classifications under the existing process. Employers may deny the employees' repricing requests by merely announcing its determination that all current position pricing is appropriate without providing a basis, and there are no venues for the employees to appeal or adjudicate the employer's determination. This measure gives the parties a reasonable time frame to negotiate the repricing of classes within a bargaining unit and a process the parties may follow in the event the employer fails to negotiate or the parties fail to reach an agreement within a certain time frame. Your Committee finds that this measure will ensure that public employees are being paid competitive and fair wages, which will allow the employers to recruit and retain qualified workers.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2707 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, 5; Ayes with Reservations (Ihara). Noes, none. Excused, none.

SCRep. 2526 Labor, Culture and the Arts on S.B. No. 2713

The purpose and intent of this measure is to allow the Director of Finance to issue general obligation bonds in the sum of \$1,000,000 to provide funding for the development of a Master Plan to address the current and future facilities needs of the State Archives.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and one individual.

Your Committee finds that the State Archives, an entity responsible for collecting, arranging, describing, and making accessible the public archives of the State, is an irreplaceable part of Hawaii's legacy, history, culture, and identity. According to the Department of Accounting and General Services, the State Archives facility, which was designed seventy years ago, is severely outdated in both form and function to address the digital age that the State now operates in. The facility is currently at ninety-eight percent of its approximately 14,000 cubic feet of storage-capacity and is projected to reach full capacity in the next biennium. The facility's space constraints are severely impinging upon the State Archive's ability to accommodate patrons conducting archival research; display the historical artifacts it holds in the public trust; conduct proper archival processing and conservation of the materials; collect the archives of the many diverse subgroups within the various communities of Hawaii that have added to our shared history and culture; and engage more volunteers to assist staff, thereby reducing the number of possible records that could be made available to the public.

Your Committee further finds that the coronavirus disease 2019 pandemic, which greatly disrupted the public's ability to travel and access the State Archive records in person, highlighted the need to post more of the records online to be accessible to people around the world, twenty-four hours a day, seven days a week. However, the State Archive's current facility is incapable of providing the digitization infrastructure necessary for such large-scale access.

This measure appropriates funds for the development of a State Archives Master Plan, including the expansion and creation of new collections processing and storage, administrative, public research, exhibition, and community engagement spaces, that will enable the people of Hawaii to further connect with their documentary heritage.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2713 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2527 (Joint) Labor, Culture and the Arts and Judiciary on S.B. No. 3072

The purpose and intent of this measure is to exempt the Hawaii Employer-Union Health Benefits Trust Fund ("Trust Fund") from disclosing certain documents relating to its alternative investments under the Uniform Information Practices Act (Modified), codified at chapter 92F, Hawaii Revised Statutes ("UIPA").

Your Committees received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund. Your Committee received comments on this measure from the Office of Information Practices.

Your Committees find that the Trust Fund engages in diversified investment, including high-yield private alternative investment funds, to address its unfunded liability for the State and counties, totaling \$10,500,000,000 and \$8,100,000,000, respectively, rather than increase the amount of member contributions. Your Committees further find that due diligence into such investments requires the Trust Fund to invest time and money in acquiring and analyzing detailed proprietary and confidential information regarding the projected performance of each alternative investment fund. Your Committees find it concerning that the potential risk of the Trust Fund being required to disclose the proprietary and confidential information pertaining to its portfolio under the UIPA may deter some high-performing funds from allowing the Trust Fund to invest with them. Your Committees acknowledge that information pertaining to the Trust Fund's portfolio may be protected from disclosure under the UIPA's frustration exception; however, your Committees believe that the statutory exemption provided by this measure will provide confidence to alternative investment funds that the Trust Fund will not be required to release their proprietary and confidential information to the public, thereby allowing the Trust Fund to continue investing in funds that generate high investment returns.

Your Committees note that the language in section 2 of this measure creating a new section in chapter 87A, Hawaii Revised Statutes, governing the Trust Fund's disclosure of alternative investments information, mirrors that of section 88-103.5(c) through (e), Hawaii Revised Statutes, that governs the disclosure of alternative investment information for the Employees' Retirement System.

Accordingly, your Committees have amended this measure by:

- (1) Replacing the contents of section 2 with language amending section 87A-31, Hawaii Revised Statutes, to specify that the exemptions from disclosure of information pursuant to the UIPA set forth in sections 88-103.5(c) through (e), Hawaii Revised Statutes, shall apply to the disclosure of information relating to the Trust Fund's alternative investments; 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 Labor, Culture and the Arts and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3072, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3072, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Ihara).
Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2528 Labor, Culture and the Arts on S.B. No. 3127

The purpose and intent of this measure is to:

- (1) Rename the Workforce Development Council, which served as the State Workforce Development Board for purposes of the federal Workforce Innovation and Opportunity Act of 2014, as the Hawaii Workforce Development Board and transfer appropriations, positions, rights and obligations of former to the latter; and
- (2) Require the Hawaii Workforce Development Board and local workforce development boards to develop written conflict of interest policies consistent with the federal Workforce Innovation and Opportunity Act of 2014 and chapter 84, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaii State Ethics Commission.

Your Committee finds that Act 88, Sessions Laws of Hawaii 2021, also known as the General Appropriations Act of 2021, eliminated the program identification number for the Workforce Development Council (LBR135) and transferred its appropriations and positions to the Department of Labor and Industrial Relations' Workforce Development Division. This measure amends chapter 202, Hawaii Revised Statutes, which governs the Workforce Development Council, in conformance to the new appropriation structure set forth in the General Appropriations Act of 2021.

Your Committee notes that this measure transfers the authority to appoint the Executive Director of the Board from the Board to the Governor without allowing input from Board. Your Committee also notes that the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. sections 3111(f) and 3122(h)), prohibits members of the state workforce development board and local workforce development boards from engaging in activities determined by the Governor to constitute a conflict of interest.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Governor to appoint an Executive Director of the Hawaii Workforce Development Board from a list of three nominees submitted by the Board;
- (2) Clarifying that members of the Hawaii Workforce Development Board and local workforce development boards are prohibited from engaging in any activity determined by the Governor to constitute a conflict of interest as provided in the federal Workforce Innovation and Opportunity Act of 2014 or chapter 84, Hawaii Revised Statutes, rather than requiring the boards to develop written conflict of interest policies; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3127, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2529 Labor, Culture and the Arts on S.B. No. 3223

The purpose and intent of this measure is to impose penalty on both the person and firm upon a finding of repeat violations of chapter 104, Hawaii Revised Statutes, which governs the wages and hours of employees on public works.

Your Committee received testimony in support of this measure from the Hawai'i State AFL-CIO, Hawaii Regional Council of Carpenters, Operating Engineers Local Union No. 3, Pride at Work - Hawai'i; IATSE Local 665, Hawai'i Nurses' Association - OPEIU Local 50, Hawaii Ports Maritime Council, and Western Conference of Operating Engineers. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that the state law governing wages and hours of employees on public works has a "three strikes" policy, by which contractors are given two opportunities to alter their practices in violation of the law and become compliant. Upon citation of the third violation, the contractor is suspended from doing work on any public work for a three-year period. Your Committee finds that this suspension has been an effective deterrent for many years; however, in recent years, there have been contractors who have been suspended after being cited for their third violation that transfer their key personnel to a separate company and continue business under a new name. Your Committee finds that such practice defeats the purpose of the existing law. This measure closes the loophole by holding both the firm and key employees accountable.

Your Committee has amended this measure by:

- (1) Clarifying that "firm" includes a contractor, corporation, limited liability company, partnership, and limited partnership;
- (2) Clarifying that "person" includes the officers and directors of a corporation, managers and members of a limited liability company, partners, and limited partners; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3223, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 2530 Labor, Culture and the Arts on S.B. No. 3338

The purpose and intent of this measure is to appropriate funds for the design, plans, and construction of the Kalaupapa Memorial, to be expended by the Department of Labor and Industrial Relations' Office of Community Services.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Ka Ohana O Kalaupapa, 'Ahahui o nā Kauka, IDEA Center for the Voices of Humanity, and thirty-four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Labor and Industrial Relations' Office of Community Services.

Your Committee finds that the purpose of the Kalaupapa Memorial is to commemorate nearly eight thousand individuals who were isolated on the peninsula of Kalaupapa, Molokai, due to government policies on Hansen's disease starting in 1866. Your Committee further finds that many of these individuals are left out of the history of Kalaupapa because only about one thousand of their graves can now be identified. The Kalaupapa Memorial will return these names to the history of Kalaupapa that they helped to create, to their family histories, and to the history of Hawaii.

Your Committee notes the testimony of the Department of Labor and Industrial Relations' Office of Community Services stating that it does not have the institutional background in Hawaiian cultural issues, nor has it been a participant in the planning process, unlike the National Park Service and the Department of Land and Natural Resources.

Your Committee further notes that the property where the Memorial will be constructed is owned by the Department of Hawaiian Home Lands and leased to the National Park Service. According to the Office of Community Services, the Kalaupapa area is currently being administered, in one way or another, by the Department of Hawaiian Home Lands, Department of Health, and the National Park Service.

Accordingly, your Committee has amended this measure by changing the expending agency of the appropriated funds to the Department of Health.

Your Committee finds, however, that the issue of the department under which the construction and management of the Kalaupapa Memorial falls merits further consideration and requests that your Committee on Ways and Means examine the matter.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3338, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3338, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2531 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.B. No. 3229

The purpose and intent of this measure is to:

- (1) Increase the percentage of royalties received by the State from geothermal resources that are to be paid to the county in which the geothermal resources are located;
- (2) Require the royalties paid to a county to be used for further geothermal resources discovery and development; and
- (3) Require the county to submit an annual report to the Legislature on how the royalties distributed to them were used.

Your Committees received testimony in support of this measure from three individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committees received comments on this measure from the Hawaii State Energy Office.

Your Committees find that geothermal energy is a firm source of cost-effective, renewable energy in Hawaii that will reduce the State's reliance on fossil fuels, contribute to Hawaii's energy diversification, and help the State reach its renewable energy standard goals. According to testimony received by your Committees, none of the geothermal royalties distributed have been used for assessing and exploring geothermal resources in the State.

Your Committees recognize that geothermal royalties help support the annual operating budget of Department of Land and Natural Resources' Mineral Resources Program, which regulates well drilling operations and manages the mining and leasing of geothermal resources in the State. According to testimony from the Department, geothermal royalties also support the annual operating budget of their Land Division, Office of Conservation and Coastal Lands, and Dam Safety Program.

Accordingly, your Committees have amended this measure by:

- (1) Reverting the percentage of royalties from geothermal resources that are paid to a county to thirty percent and capping the amount at \$600,000;
- (2) Establishing the University of Hawaii Geothermal Exploration Special Fund for the Hawaii Groundwater and Geothermal Resources Center at the university to further the discovery and development of geothermal resources;
- (3) Requiring the Department of Land and Natural Resources and the University of Hawaii to submit annual reports to the Legislature on how they utilized the royalties distributed to them;
- (4) Establishing a cap of \$1,000,000 on the amount of royalties distributed by the Board of Land and Natural Resources to the State; and

- (5) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3229, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3229, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

Government Operations: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Chang, Gabbard).

SCRep. 2532 Government Operations on S.B. No. 2940

The purpose and intent of this measure is to amend the law relating to government.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and replacing it with content to require each state department, board, commission, and agency to develop policies under which eligible employees may be authorized to telework.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2940, as amended herein, and recommends that it be recommitted to your Committee on Government Operations, in the form attached hereto as S.B. No. 2940, S.D. 1, for further consideration.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2533 Government Operations on S.B. No. 3038

The purpose and intent of this measure is to amend section 487N-5(a), Hawaii Revised Statutes, to allow for each member of the Information Privacy and Security Council to designate a designee to act on the member's behalf in order to ensure quorum.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services.

Your Committee finds that the Information Privacy and Security Council is tasked with developing guidelines and best practices related to cybersecurity and information privacy. Your Committee further finds that it is in the public interest to allow members of the Information Privacy and Security Council to appoint designees to act on their behalf. This will ensure quorum and the efficient operation of the Council in situations where a member is absent or otherwise unable to attend to the member's duties. Accordingly, your Committee finds that this measure will improve government functioning by providing a method in which the work of the Information Privacy and Security Council may proceed in the event a member is unable to attend to council duties.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3038 and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2534 Government Operations on S.B. No. 2301

The purpose and intent of this measure is to:

- (1) Require the Governor to appoint an individual to fill a vacancy within all boards and commissions within one hundred eighty days of the vacancy;
- (2) Limit the term of holdover appointments to the end of the legislative session following the expiration of the member's term;
- (3) Require department heads to inform the Governor of any vacancy in any board or commission; and
- (4) Conform requirements regarding holdover members of the Hawaii Tourism Authority to the requirements regarding holdover members of state boards and commissions.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the sound operation of state boards and commissions requires the timely appointment of members. Your Committee further finds that there are concerns regarding extended board and commission vacancies, as well as inconsistent interpretations of statutory authority regarding the Governor's interim appointment power. Accordingly, your Committee finds that this measure promotes the sound operation of state boards and commissions by facilitating timely nominations and appointments of board and commission members and clarifying procedures regarding holdover members.

Your Committee has amended this measure by:

- (1) Inserting language providing an alternate method of appointment for certain board and commission members under certain circumstances;
- (2) Inserting language to expire the terms of certain holdover members of boards and commissions upon approval of this measure;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting a severability clause; and

- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2535 (Joint) Housing and Human Services on S.B. No. 3368

The purpose and intent of this measure is to:

- (1) Authorize the issuance of general obligation bonds for the development and construction of permanent supportive housing; and
- (2) Require the Hawaii Housing Finance and Development Corporation to prioritize the construction of permanent supportive housing for any available federal low-income housing tax credits.

Your Committees received testimony in support of this measure from the Department of Human Services, Department of Land and Natural Resources, Hawaii Public housing Authority, Partners In Care, Catholic Charities Hawai'i, and two individuals. Your Committees received testimony in opposition to this measure from EAH Housing; Stanford Carr Development, LLC; Hawaii Laborers-Employers Cooperation and Education Trust; Sugar Creek Capital; and Schatz Collaborative LLC. Your Committees received comments on this measure from the State Procurement Office, Hawaii Housing Finance and Development Corporation, and Governor's Coordinator on Homelessness.

Your Committees find that homelessness is one of the most pressing problems in Hawaii. Despite efforts to reduce homelessness, it persists throughout the State. Additional action to reduce homelessness is necessary. This measure authorizes the issuance of general obligations bonds and appropriates bond proceeds to the Hawaii Public Housing Authority to develop more housing in Hawaii. Your Committees also note the substantial costs to support case management and supportive services for individuals with acute physical and behavioral health needs that may require separate action and funding by the Legislature. According to testimony submitted by the Governor's Coordinator on Homelessness, ongoing costs for supportive services may equal or exceed \$800 per household per month.

Your Committees have amended this measure by:

- (1) Expanding its scope to include certain individuals who do not meet the Department of Housing and Urban Development definition of homeless;
- (2) Requiring the Hawaii Housing Finance and Development Corporation to consider, rather than prioritize applications for low-income housing tax credits;
- (3) Removing the exemption to chapter 103D, Hawaii Revised Statutes;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) 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 Housing and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3368, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3368, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).
Human Services: Ayes, 3. Noes, none. Excused, 2 (Misalucha, Fevella).

SCRep. 2536 (Joint) Housing and Water and Land on S.B. No. 2583

The purpose and intent of this measure is to exempt lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation from classification as public lands subject to Department of Land and Natural Resources management, provided that the lands are not ceded lands.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that the State's complex system of land management can impede efforts to efficiently develop affordable housing. Ensuring that agencies engaged in the development of affordable housing have ready access to lands and are able to build on those lands with minimal restriction from other agencies is essential to the State's efforts to end its housing crisis. However, it is also crucial that state agencies engaged in the development of affordable housing recognize the claims of native Hawaiians over lands in the State. This measure exempts certain lands from management by the Department of Land and Natural Resources to ensure the expedited development of affordable housing, provided that the lands are not ceded lands.

Your Committees have amended this measure by:

- (1) Providing that lands no longer needed for housing finance and development purposes shall be returned to the agency from which they were obtained; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2583, as amended herein, and recommend that it pass

Second Reading in the form attached hereto as S.B. No. 2583, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2537 (Joint) Housing and Government Operations on S.B. No. 3261

The purpose and intent of this measure is to:

- (1) Establish the ALOHA homes program to develop low-cost homes on state-owned and county-owned land in urban redevelopment sites to be sold in leasehold by the Hawaii Housing Finance and Development Corporation;
- (2) Exempt certain lands from the definition of public lands;
- (3) Provide for the disposition of lands acquired by the Hawaii Housing Finance and Development Corporation but no longer needed for the ALOHA homes program; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Building Industry Association of Hawaii; Institute for Human Services, Inc.; Church of the Crossroads; and two individuals. Your Committees received testimony in opposition to this measure from the Schatz Collaborative. Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation, Department of Budget and Finance, Department of the Attorney General, Grassroot Institute of Hawaii, Hawai'i Appleseed Center for Law and Economic Justice, and Michaels Development--Hawai'i Region.

Your Committees find that Hawaii faces a persistent housing shortage. The lack of affordable homes is driven by a lack of high density housing, which could provide homes for many of the State's residents. Although this measure addresses critical housing needs for many living in the State, it is unlikely to solve Hawaii's housing crisis. Moreover, further clarification and study of the provisions of this measure is required.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying the purpose of the measure;
- (2) Removing a definition for "small and medium vendor";
- (3) Clarifying that the ALOHA homes program is sustainable, rather than revenue neutral, especially for the purposes of infrastructure development;
- (4) Requiring that development be conducted in consultation with private developers;
- (5) Allowing the ALOHA homes program to include income preferences and additional subsidies for low-income households;
- (6) Requiring that ALOHA homes waitlists be established in coordination with county affordable housing programs;
- (7) Allowing the Hawaii Housing Finance and Development Corporation to repurchase ALOHA homes using dwelling unit and affordable homeownership revolving funds;
- (8) Requiring the Hawaii Housing Finance and Development Corporation to establish price limits for the resale of ALOHA homes;
- (9) Removing exemptions for the ALOHA homes revolving fund;
- (10) Directing the Hawaii Housing Finance and Development Corporation to conduct a study on leasehold housing markets in the State and form a working group on the implementation of the ALOHA homes program;
- (11) Including additional positions for which funds are appropriated and appropriating funds for software and hardware needed for the ALOHA homes program; and
- (12) 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3261, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3261, S.D. 1, and be referred to your Committees on Ways and Means and Water and Land.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 5. Noes, none. Excused, none.

SCRep. 2538 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3165

The purpose and intent of this measure is to:

- (1) Lengthen the driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant who do not install an ignition interlock device; and
- (2) Allows early termination of driver's license revocation after nine months upon showing three consecutive months of ignition interlock use without any violations.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hawai'i Police Department, Hawaii Bicycling League, Mothers Against Drunk Driving Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Office of the Public Defender. Your Committees received comments on this measure from Smart Start LLC.

Your Committees find that an ignition interlock device serves to both keep Hawaii's streets safer and evidence responsibility in those who have been convicted of the dangerous act of driving under the influence of an intoxicant. This measure increases the initial time of license revocation for first time offenders but also allows early termination of the revocation of licenses for those who show consistent use of an ignition interlock device.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

Your Committees have heard the testimony of the Office of the Public Defender expressing concerns that the early termination of the driver's license revocation as allowed by this measure may create inequities among defendants. Your Committees find that this issue raises concerns that merit further consideration and request that your Committee on Judiciary examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3165, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3165, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2539 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2534

The purpose and intent of this measure is to establish the Hawaii Harbor Ocean Safety Committee to enhance ocean safety within all harbors in the State.

Your Committees received testimony in support of this measure from the Hawaii Ocean Safety Team, Inc.; American Marine Corporation; The Maritime Group, LLC; Hawaii Pilots Association; Inland Boatmen's Union of the Pacific – Hawaii Region; Sause Bros; and two individuals. Your Committees received testimony in opposition to this measure from the Department of Transportation. Your Committees received comments on this measure from the Ocean Tourism Coalition.

Your Committees find that because of its isolated island geography, Hawaii's seaports play a critical role in serving and supporting every facet of the local economy, including tourism, construction, national defense, agriculture, and all other industries. According to testimony from The Maritime Group, Hawaii is the only major seaport system in the nation that does not have a formally structured harbor safety committee.

Your Committees further find that the Hawaii Harbor Ocean Safety Committee established by this measure would be required to prepare a Harbor Safety Plan, annually update the Plan, and submit annual reports to the Legislature. According to testimony submitted to your Committees, harbor safety plans have been created in many other major port cities in the United States, including Long Beach, Los Angeles, Puget Sound, San Diego, and San Francisco.

However, your Committees recognize the concerns of the Department of Transportation regarding jurisdictional overreach and potential governmental inefficiencies that may result from the enactment of this measure.

Accordingly, your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2534, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2534, S.D. 1, and be referred to your Committees on Water and Land and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2540 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 355

The purpose and intent of this measure is to reduce the annual vehicle registration fee by fifty per cent for disabled veterans who have fifty per cent or more but less than one hundred percent service-connected disability rating.

Your Committees received testimony in support of this measure from the Hawaii Office of Veterans Services, Rainbow Family 808, and six individuals. Your Committees received comments on this measure from the Department of Transportation and Tax Foundation of Hawaii.

Your Committees find that existing law exempts certain qualified veterans from paying annual vehicle registration fees so long as that veteran is determined to be one hundred percent disabled. However, there is no reduced annual vehicle registration fee for any veteran who is determined to be less than one hundred percent disabled. Your Committees find that it is appropriate for the State to reduce the burden of the registration fee by fifty percent for certain qualifying veterans who have been determined to be at least fifty percent disabled.

Your Committees note that the Hawaii Office of Veterans Services is currently reaching out to the United States Department of Veteran Affairs to determine the number of veterans in the State with a service-related disability rating of fifty percent or more but less

than one hundred percent so that the Department of Transportation can determine the potential reduction in revenues that will result from this measure.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 355, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 355, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2541 (Joint) Human Services and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3294

The purpose and intent of this measure is to appropriate moneys to fund reentry planning circles for at least fifty incarcerated women.

Your Committees received testimony in support of this measure from the Hawaii Corrections System Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, and three individuals. Your Committees received comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committees find that huikahi restorative circles are a part of a reentry planning process shown to decrease recidivism by creating a process for incarcerated people to take responsibility for their behavior and make amends to loved ones and the community.

Your Committees have amended this measure by:

- (1) Specifying that the moneys appropriated pursuant to this measure is to fund reentry planning circles for at least fifty incarcerated women; and
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3294, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3294, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 2542 (Joint) Human Services and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2561

The purpose and intent of this measure is to authorize the Department of Human Services to establish or contract with a victim service provider to operate an emergency shelter for minors who are victims of sex trafficking and sexual exploitation.

Your Committees received testimony in support of this measure from the Department of Human Services; State of Hawaii Organization of Police Officers; Office of the Public Defender; Department of the Prosecuting Attorney of the City and County of Honolulu; one member of the Hawai'i County Council; Hawaii Youth Services Network; Imua Alliance; Rainbow Family 808; American Academy of Pediatrics, Hawaii Chapter; Opportunity Youth Action Hui; Hale Kipa; and three individuals. Your Committees received comments on this measure from the Department of Taxation, Office of Youth Services, Department of Budget and Finance, and one individual.

Your Committees find that despite the creation and development of a shelter for young victims of sex trafficking at the Kawaiiloa Youth and Family Wellness Center and the residential treatment program for victims of sex trafficking opened by Ho'ōla Nā Pua, there is still a gap in service that can be met by an emergency shelter for minor victims of sex trafficking. This measure will improve the State's effectiveness in responding to sexual exploitation of minors in Hawaii by allowing government agencies and victim service providers to establish a coordinated continuum of care and protect victims in a centralized location.

Your Committees note the testimony of the Office of Youth Services requesting that this measure reference section 352D-4(3), Hawaii Revised Statutes, relating to the Office's authority to provide continuum of services for community-based shelter and residential facilities, to allow the Office to expand services within its current infrastructure and avoid duplication of services with the Department of Human Services.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the Department of Human Services is authorized to establish or contract with a victim service provider to operate an emergency shelter for sex trafficking victims, as a community-based shelter and residential facility offered by the Department's Office of Youth Services pursuant to section 352D-4(3), Hawaii Revised Statutes;
- (2) Inserting an unspecified appropriation amount; and
- (3) 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 Human Services and Public Safety, Intergovernmental, and Military Affairs 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, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 2543 (Joint) Human Services and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3293

The purpose and intent of this measure is to establish a four-year pilot program within the Department of Human Services to provide housing and child care vouchers for a period of up to two years to persons leaving incarceration, provided that certain eligibility requirements are met.

Your Committees received testimony in support of this measure from the Department of Public Safety, Hawaii Substance Abuse Coalition, and two individuals. Your Committees received comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committees find that the number of incarcerated women has skyrocketed and that the rate at which women are incarcerated now exceeds that of incarcerated men. Your Committees also find that the circumstances of entry into correctional facilities, offense patterns, and levels of risk for female inmates differ from those of male inmates. Therefore, your Committees believe that targeted approaches, including gender-responsible practices, are required to improve outcomes of female inmates by providing some form of support during the process of reentering society to ensure a successful transition and long-term success. The pilot program established by this measure provides support to female inmates as they prepare for reentry, while addressing their unique characteristics, needs, and barriers to success, by providing temporary assistance in the form of housing and child care vouchers; provided that the assistance will be provided to all applicants who meet the eligibility criteria regardless of their sex or gender identity.

Your Committees note that S.B. No. 2775 (Regular Session of 2022), which was deferred by your Committees, sought to establish a recidivism prevention pilot program that included an income tax credit for employers that hire qualifying individuals who completed their terms at correctional facilities. Your Committees find that this measure should also include the income tax credit.

Accordingly, your Committees have amended this measure by:

- (1) Including in the four-year pilot program, an income tax credit for taxpayers who employ qualified program participants; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees request that the Department of Public Safety and Department of Human Services collaborate to ensure that there is a "warm handoff" of individuals who complete their terms in correctional facilities from the Department of Public Safety to other agencies, including the Department of Human Services, that can help them integrate back into the community.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3293, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3293, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 2544 Education on S.B. No. 3296

The purpose and intent of this measure is to:

- (1) Designate school sports as a co-curricular activity; and
- (2) Require the Department of Education to submit a report on the cost of implementing sports as co-curricular activities.

Your Committee received testimony in support of this measure from eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii High School Athletic Association and eight individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that students who participate in interscholastic athletic activities experience a variety of benefits including increased academic success, improved physical health, improved leadership and teamwork abilities, a greater sense of accountability and responsibility, improved concentration, higher self-esteem and self-confidence, reduced likelihood of using drugs, lower likelihood of dropping out of school, and a reduced suicide rate. Student-athletes often spend more time with their coaches than their teachers, and coaches can instill important life skills on youth, especially youth that do not readily thrive in an academic setting. Your Committee therefore finds that this measure will provide a broad spectrum of benefits to students by elevating school sports to co-curricular status.

Your Committee has concerns, however, regarding the impact of this measure on course credit requirements for students and recommends further discussion on this matter.

Accordingly, 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 and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3296, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2545 Transportation on S.B. No. 2275

The purpose and intent of this measure is to make permanent the motor vehicle insurance requirements for transportation network companies and transportation network company drivers in Act 236, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, Uber Technologies, and Lyft.

Your Committee finds that the motor vehicle insurance requirements for transportation network companies and transportation network company drivers established in Act 236, Session Laws of Hawaii 2016, were set to be repealed on September 1, 2021. The purpose of this measure is to make those requirements permanent.

Your Committee notes that S.B. No. 2542 (Regular Session of 2022), which was heard by your Committee, is a substantially similar measure that additionally establishes statewide regulation of transportation network companies to provide operational consistency across the State and to establish a permitting process within the Department of Transportation. Your Committee concludes that this measure is the best vehicle to move forward and that the language in part I of S.B. No. 2542 should be incorporated into this measure.

Accordingly, your Committee has amended this measure by:

- (1) Inserting the contents of part I of S.B. No. 2542, to establish a statewide regulation of transportation network companies;
- (2) Clarifying the definition of "transportation network company" to have the same meaning as defined in section 431:10C-701, Hawaii Revised Statutes, for consistency;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2275, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2275, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2546 (Majority) Water and Land on S.B. No. 2502

The purpose and intent of this measure is to increase the terms for public auction, sales, or leases under the Hawaii Community Development Authority from sixty-five to ninety-nine years.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i, Kūpuna for the Mo'opuna, Mauna Kea Moku Nui 'Aelike/Consensus Building 'Ohana, Council for Native Hawaiian Advancement, Native Hawaiian Legal Corporation, and five individuals.

Your Committee finds that the State is facing an acute housing shortage. According to the 2019 Hawaii Housing Planning Study, Hawaii will need to add over 50,000 new housing units to the market between 2020 and 2025, which includes pent-up demand due to multi-generational living, supply shortages, and continued outmigration of Hawaii residents. Authorization of ninety-nine-year leases allows many government agencies and community organizations to explore the feasibility and marketability of developing affordable condominium units to address the shortage of affordable housing.

However, your Committee has heard the concerns of many community organizations, including the Sierra Club of Hawaii, regarding this measure's reach into ceded lands. This measure, as drafted, would authorize the permanent disposal of lands held by the State, potentially denying future generations with the ability to determine and enjoy lands in perpetuity and in contravention of the public trust. This measure also raises some concerns with the Native Hawaiian community regarding land claims, which may foreclose important opportunities for the State and the people of Hawaii to seek justice and reconciliation with the Native Hawaiian community.

To address the concerns of the Sierra Club of Hawaii, your Committee respectfully requests that your Committees on Ways and Means and Judiciary consider further amendments needed for this measure.

Your Committee has amended this measure by:

- (1) Authorizing the Hawaii Community Development Authority to enter into leases for a term not exceeding ninety-nine years, except that leases for ceded lands shall have a term that does not exceed sixty-five years; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2502, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Riviere). Noes, 1 (Fevella). Excused, none.

SCRep. 2547 Energy, Economic Development, and Tourism on S.B. No. 3054

The purpose and intent of this measure is to expand funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and two individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Act 228, Session Laws of Hawaii 2019 (Act 228), renamed the Hawaii Television and Film Development Special Fund as the Hawaii Film and Creative Industries Development Special Fund to align it with the State's focus on knowledge-based industries development, workforce programs expansion, and support for marketing efforts for creative and film projects in their intellectual property distribution and export activities. In 2021, the Legislature approved a ceiling and ability for the Department of Business, Economic Development, and Tourism to expend up to \$750,000 per year to effectuate the purposes of Act 228. This addressed a need within the community to support seed funding for Hawaii's emerging filmmakers and creatives who require access to capital to advance their projects, establish entrepreneurial ventures in creative sectors, and accelerate intellectual property creation and licensing opportunities. This measure will allow the State to further support the State's growing local intellectual property export industry by expanding funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3054 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2548 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 3302

The purpose and intent of this measure is to:

- (1) Require the Hawaii Green Infrastructure Authority to:
 - (A) Establish an at- or below-market interest loan program to provide financial assistance to certain parties for certain green infrastructure improvements; and
 - (B) Authorize property assessed financing through various mechanisms, including but not limited to non-ad valorem special tax assessments and property assessed financing assessment contracts;
- (2) Creates the Environmental and Economic Development Revolving Loan Fund; and
- (3) Appropriate funds to provide loans or other financial assistance to eligible property owners and for other allowable purposes of the Environmental and Economic Development Revolving Loan Fund, including implementation costs.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Health; Department of Hawaiian Home Lands; Hawaii Green Infrastructure Authority; CleanFund Commercial PACE Capital, Inc.; Hawaii Solar Energy Association; WAI: Wastewater Alternatives & Innovations; Hawai'i Reef and Ocean Coalition; Surfrider Foundation; and Petros PACE Finance. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, and the Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committees find that this measure seeks to attract private capital investments to help reduce the number of cesspools, increase the resiliency of residential homes and commercial property, and support the conversion to clean energy across the State.

Accordingly, your Committees have amended this measure by:

- (1) Inserting amendments recommended by HGIA, which include:
 - (A) Clarifying:
 - (i) The counties' right to establish a similar property assessed financing program and their role in collecting non-ad valorem special tax assessments;
 - (ii) Provisions on the recordation and notice of the property assessed financing assessment contracts and lien parity; and
 - (iii) Various definitions;
 - (B) Specifying:
 - (i) The determinations that property assessed financing lenders must make before entering into assessed financing assessment contracts for commercial properties; and
 - (ii) The duties of lienholders prior to entering into assessed financing assessment contracts;
 - (C) Elaborating on the provisions that apply to commercial and residential properties; and
 - (D) Defining "property assessed financing program";
- (2) Amending language to ensure that ratepayer funds are not used to fund or guarantee the Environmental and Economic Development Loan Program or Environmental and Economic Development Revolving Loan Fund;

- (3) Replacing all references to upgraded or converted cesspools with Director of Health-approved wastewater systems;
- (4) Inserting an effective date of July 1, 2024; and
- (5) 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 Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3302, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3302, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 2549 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on S.B. No. 3163

The purpose and intent of this measure is to direct the Hawaii State Energy Office to develop and submit a plan to the Legislature no later than forty days prior to the convening of the Regular Session of 2023 for the construction of at least one atmospheric carbon capture plant in the State by 2030.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office and one individual.

Your Committees find that to combat climate change, the State must, in addition to increasing the use of renewable energy, employ other carbon offsetting strategies and technologies. According to the testimony from the Hawaii State Energy Office, developing a space for at least one atmospheric carbon capture plant in the State would require a long-range strategy and additional time. Your Committees note that the Hawaii Natural Energy Institute has the expertise and resources to spearhead the development of a strategy to construct at least one atmospheric carbon capture plant in the State by 2030.

Accordingly, your Committees have amended this measure by:

- (1) Changing all references to a plan for the construction of an atmospheric carbon capture plant to a strategy for the same;
- (2) Designating, instead, the Hawaii Natural Energy Institute, in conjunction with the Hawaii State Energy Office, to develop and submit the strategy for the construction of at least one atmospheric carbon capture plant in the State by 2030;
- (3) Extending the deadline for the Hawaii Natural Energy Institute to submit its strategy for the construction of at least one atmospheric carbon capture plant to the Legislature no later than forty days prior to the convening of the Regular Session of 2024;
- (4) Inserting language that requires an interim report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and
- (5) 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 Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3163, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3163, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 2550 (Joint) Education and Agriculture and Environment on S.B. No. 2543

The purpose and intent of this measure is to require the Department of Education to establish zero-emission vehicle goals as part of the sustainable school's initiative and report to the Legislature regarding the same.

Your Committees received testimony in support of this measure from Hawaii State Energy Office, Hawaiian Electric Company, Ulupono Initiative, 350 Hawaii.org, Climate Protectors Hawaii, and two individuals. Your Committees received comments on this measure from the Department of Education.

Your Committees find that traditional internal combustion school bus engines emit exhaust, which children breathe in while riding buses and sitting in traffic, and can potentially increase asthma and other health problems. Your Committees further find that electric school buses, in contrast, provide potential benefits to the quality of student health, the environment, utility infrastructure, and cost savings.

Your Committees note, however, that based on the testimony of the Department of Education, the transition to zero-emission transportation cannot be accomplished overnight. Any such transition must limit or avoid disruptions to critical transportation services provided by or through the Department of Education to students.

Accordingly, your Committees have amended this measure to remove the mandate to transition to zero-emission vehicles by a date certain and instead require the Department of Education to conduct a feasibility study regarding the transition to zero-emission transportation in Hawaii's public schools by 2030.

Your Committees have therefore amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;

- (2) Amending section 2 to remove the transition mandate and instead require a feasibility study; and
- (3) 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 Education and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2543, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2543, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2551 Labor, Culture and the Arts on S.B. No. 2709

The purpose and intent of this measure is to clarify that a licensed specialty contractor may perform incidental and supplement work in crafts or trades other than in which the specialty contractor is licensed; provided that the incidental and supplemental work:

- (1) Involves other trades that are directly related to and necessary for the completion of the project undertaken by the licensed specialty contractor pursuant to the scope of the specialty contractor's license; and
- (2) Does not exceed five percent of the licensed specialty contractor's total work on the project.

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 City and County of Honolulu Department of Planning and Permitting, Subcontractors Association of Hawaii, and General Contractors Association of Hawaii. Your Committee received comments on this measure from the Contractors License Board.

Your Committee finds that under existing law, a specialty contractor may take or execute a contract involving the use of two or more crafts or trades, for work other than that in which the contractor is licensed, if the performance of the work in the crafts or trades is incidental and supplemental to the performance of work in the craft for which the specialty contractor is licensed. In practice, the Contractors License Board allows a specialty contractor to perform work for which the contractor is not licensed as long as the unlicensed portion of the work is less than fifty percent of the contracted total work on the project. Your Committee believes that for safety reasons, the amount of incidental and supplement work performed by a contractor who is not licensed to perform that work should be significantly less than fifty percent. This measure seeks to address those concerns.

Your Committee notes the testimonies raising concerns that the five percent limitation, when applied to small-scale projects such as home renovation or re-roofing contracts, may result in unwanted costs and possible delays at a time when budgets are tight and homeowners are trying to save where they can.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the amount of unlicensed work by a specialty contractor shall be:
 - (A) Measured by the cost and extent of work involved in executing the specialty contract's work; and
 - (B) Substantially less than and only incidental and supplemental to the performance of work in the craft for which the specialty contractor is licensed; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2709, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2709, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Chang, Keohokalole).

SCRep. 2552 (Joint) Labor, Culture and the Arts and Human Services on S.B. No. 3106

The purpose and intent of this measure is to permanently exempt from provisions of civil service the following positions in the Department of Human Services: Information Technology Implementation Manager; Assistant Information Technology Implementation Manager; Resource Manager; Community/Project Development Director; Policy Director; Special Assistant to the Director; Limited English Proficiency Project Manager/Coordinator; and Business Technology Analyst.

Your Committees received testimony in support of this measure from the Department of Human Services. Your Committees received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committees find that the Department of Human Services has one of the largest operating budgets of any state department and an equally large staff. Your Committees also find that the complexity and magnitude of benefits and services that the Department of Human Services is responsible for delivering to state residents requires the ability to attract and retain qualified, experienced, and innovative individuals with the requisite subject matter expertise to transform the Department into an efficient and performance based entity. The positions exempted by this measure are required to lead and manage the Department's programs effectively. The positions are instrumental to improving access to and the quality of services, improving working conditions at the Department to recruit and retain the workforce, improving and standardizing procurement and other administrative processes, responding to legislative changes, establishing and maintaining clear communication, and facilitating collaborative relationships with recipients, policymakers, other departments and branches of government, and community partners and members.

Your Committees note the concerns raised by the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, that these positions should not be exempt from civil service as they do not meet the criteria of state law governing exemptions from civil service.

Your Committees also note that section 76-16, Hawaii Revised Statutes, which sets forth numerous positions that are exempt from civil service, is becoming extremely lengthy. Your Committees believe that there should be a different way to exempt positions from civil service without adding new positions to the statute year after year. Your Committees further note that a full review of positions exempted under existing law should be conducted in the near future.

Accordingly, your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3106, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3106, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Misalucha).

SCRep. 2553 Labor, Culture and the Arts on S.B. No. 3128

The purpose and intent of this measure is to amend the definition of "Adequate Reserve Fund" for calendar years 2023 through 2030 to exclude the Benefit Cost Rate from June 2020 through August 2021.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that an employer's unemployment insurance tax rate is computed once a year using two factors: the employer's claim history, meaning the unemployment insurance benefits paid out to the employer's former employees over the years; and the applicable unemployment insurance tax rate for the year, categorized from Schedule A to Schedule H, with A being the lowest and H being the highest rate.

The unemployment insurance tax rate schedule for the year is calculated by dividing the balance of the Unemployment Compensation Trust Fund by the Adequate Reserve Fund. Thus, a higher Adequate Reserve Fund will result in a higher tax rate schedule for employers. The Adequate Reserve Fund is determined by multiplying the highest Benefit Cost Rate during the ten-year period by the total amount of wages paid by all employers during the last four calendar quarters. Thus, a higher Benefit Cost Rate will result in a higher Adequate Reserve Fund, which in turn will result in a higher tax rate schedule. The Benefit Cost Rate is calculated by dividing the total amount of unemployment insurance benefits paid to unemployed individuals during a twelve consecutive month period by the total amount of wages paid by all employers. Therefore, if there is a period during which a significant amount of unemployment benefits was paid out, the Adequate Reserve Fund, and in turn, the tax rate schedule for employers will be inflated for the subsequent ten years.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic caused an unprecedented increase in Hawaii's unemployment rate, which resulted in the State paying out a significant amount of unemployment insurance benefits, leading to the depletion of the Unemployment Compensation Trust Fund in June 2020. As such, the tax rate for 2021 and 2022 were slated to increase to Schedule H, the highest tax rate; however, the Legislature prevented this spike by passing Act 1, Session Laws of Hawaii 2021, which set the tax rates for 2021 and 2022 at Schedule D. This measure excludes the Benefit Cost Rate from June 2020 through August 2021 from the calculation of the Adequate Reserve Funds for calendar years 2023 through 2030, which will stabilize the tax rate schedules for those years while Hawaii's economy recovers from the disruptions caused by the pandemic.

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3128, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3128, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2554 Labor, Culture and the Arts on S.B. No. 3129

The purpose and intent of this measure is to appropriate an unspecified amount of funds for the Unemployment Compensation Trust Fund and allow the Department of Labor and Industrial Relations to expend the moneys to infuse cash into the fund.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic created an unprecedented period of unemployment in Hawaii, which resulted in the rapid depletion of funds from the Unemployment Compensation Trust Fund. Your Committee finds that this measure is necessary to support the integrity of the fund while Hawaii's economy recovers from the disruptions caused by the COVID-19 pandemic.

Your Committee notes that although the amount of the appropriation is left blank, the Department of Labor and Industrial Relations' testimony states that every \$100,000,000 added to the fund will likely drop the statutory schedule of the unemployment insurance tax rate for employers by one level. The Department of Labor and Industrial Relations also states that an appropriation of \$500,000,000 or more will be necessary for the funds to reduce the tax rate schedule beyond one year.

Your Committee also notes the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimony on this measure.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3129 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2555 Labor, Culture and the Arts on S.B. No. 3221

The purpose and intent of this measure is to appropriate funds to support international sister-state relations.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Japan-American Society of Hawaii.

Your Committee finds that Hawaii established its first sister-state relationship thirty years ago with Fukuoka Prefecture, Japan, and since then, has continued to expand its relations with various foreign provinces and prefectures. As of today, Hawaii has a total of nineteen sister-states around the globe, including prefectures and provinces in Japan, Portugal, China, The Philippines, Korea, Morocco, Indonesia, and India.

According to the Department of Business, Economic Development, and Tourism, sister-state relationships are partnerships between governments that serve as a catalyst for trade and investment opportunities in Hawaii. For Hawaii, sister-state relationships serve to raise the State's profile internationally and attract dynamic cooperative programs such as mutual exchanges in business, culture, tourism, and education that positively impact Hawaii's economic growth. Your Committee finds that this measure will provide needed support to leverage existing relationships and activities that will continue to increase Hawaii's international role.

Your Committee has amended this measure by inserting an appropriation amount of \$200,000.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3221, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3221, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2556 Labor, Culture and the Arts on S.B. No. 3222

The purpose and intent of this measure is to establish and appropriate funds for the Creative Arts Workforce Grant Program within the State Foundation on Culture and the Arts to award grants to individuals and organizations that promote employment opportunities for creative workers throughout the State.

Your Committee received testimony in support of this measure from the Donkey Mill Art Center. Your Committee received testimony in opposition to this measure from the State Foundation on Culture and the Arts; Department of Business, Economic Development, and Tourism and its Creative Industries Division; and Department of Budget and Finance.

Your Committee finds that section 9-3(7)(B), Hawaii Revised Statutes, requires the State Foundation on Culture and the Arts to disburse and allocate funds appropriated by the legislature for the promotion and furtherance of culture and the arts and history and the humanities through its grant programs such as the Biennium Grant Program, governed by part II of chapter 9, Hawaii Revised Statutes.

Your Committee notes the testimony of the State Foundation on Culture and the Arts, raising concerns over creation of a complex new grant structure in this measure and stating that an appropriation to its Biennium Grant Program for the purpose of awarding grants to individuals and organizations that promote employment opportunities for creative workers throughout the State would serve the same purpose.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language that appropriates from state general funds \$200,000 for fiscal year 2022-2023 to fund the State Foundation on Culture and the Arts Biennium Grants Program for the awarding of grants to individuals and organizations that promote employment opportunities for creative workers throughout the State.

Your Committee has reviewed the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimony.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3222, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2557 Labor, Culture and the Arts on S.B. No. 3289

The purpose and intent of this measure is to establish the Hawaii Retirement Savings Program, a state-facilitated payroll-deduction retirement savings plan for private sector employees in Hawaii who do not have access to employer-sponsored retirement plans.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Department of Health Executive Office on Aging; Policy Advisory Board for Elder Affairs; AARP Hawai'i; National Conference on Public Employee Retirement Systems; Common Cause Hawaii; Hawai'i Primary Care Association; Retail Merchants of Hawaii; Hawai'i Public Health Institute; Aloha United Way; Loco Moco Drive Inn – Ewa Beach; Wiki Wiki Drive In; Gaylords I, II, III, and IV; Burgers on Bishop; Gochi Grill; and twenty-three individuals. Your Committee received testimony in opposition to this measure from the National Association of Insurance and Financial Advisors and American Council of Life Insurers. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that there is an imminent retirement security crisis in Hawaii, with many individuals not having access to an employer-sponsored retirement savings plan, and therefore, are at significant risk of not having sufficient retirement income to cover their basic expenses during retirement. Your Committee further finds that in 2017, Oregon was the first state in the nation to implement a state retirement savings program that covers private sector employees who lack access to an employer-sponsored retirement savings plan, and that other states, including California and Illinois, have adopted similar programs. Your Committee believes that individuals need a lifelong savings system that provides them with the opportunity to build their assets and attain future financial stability. This measure will allow private sector employees in Hawaii to participate in a state-facilitated payroll-deduction retirement savings plan that will promote retirement savings needed for a secure retirement, improve the employee's financial security, and reduce wealth disparity in Hawaii.

Your Committee notes the testimony of AARP Hawai'i, recommending that this measure include language that authorizes the Hawaii Retirement Savings Board to enter into interstate agreements to allow the Hawaii Retirement Savings Program to partner with the retirement savings programs of other states.

Your Committee also notes the testimony of the Department of Budget and Finance, requesting that this measure include language providing for hiring of additional staff, as the Department currently lacks sufficient staffing to implement this measure.

Your Committee has amended this measure by:

- (1) Allowing the Hawaii Retirement Savings Board to enter into interstate agreements to collaborate with other governmental entities, including other states, that maintain or are establishing retirement savings programs compatible with the Hawaii Retirement Savings Program, to the extent necessary or desirable for the effective and efficient design, administration, and implementation of Hawaii's program;
- (2) Clarifying that the funds appropriated out of the general revenues of the State of Hawaii pursuant to this measure for the implementation and operation of the Hawaii Retirement Savings Program include funds for the hiring of necessary staff; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has reviewed the testimony of the National Association of Insurance and Financial Advisors expressing concerns that the penalty for covered employers who fail to enroll a covered employee into the Hawaii Retirement Savings Program in accordance with this measure is severe compared to other states. Your Committee also acknowledges testimonies of others stating that penalties in Hawaii in general may be harsher than other states. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine this issue and concerns raised by the testimony.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3289, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Chang, Keohokalole).

SCRep. 2558 (Joint) Health and Government Operations on S.B. No. 2159

The purpose and intent of this measure is to:

- (1) Clarify that the residential zone restriction on the use of leaf blowers during certain hours includes residential districts, apartment districts, and business mixed-use districts; and
- (2) Remove the exemption on leaf blower restrictions for government agencies.

Your Committees received testimony in support of this measure from two individuals. Your Committees received testimony in opposition to this measure from the Department of Transportation, Department of Facility Maintenance of the City and County of Honolulu, and Department of Parks and Recreation of the City and County of Honolulu.

Your Committees find that gasoline powered leaf blowers are not only a noise nuisance but also create environmental hazards. State and county governments across the United States have banned the use of gasoline-powered leaf blowers because of their adverse

effects on communities. This measure clarifies the residential zone boundaries in which leaf blowers may not be operated during certain hours and removes the exemption for government agencies.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Health and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2159, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2159, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Baker, San Buenaventura).

Government Operations: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Gabbard).

SCRep. 2559 (Joint) Health and Agriculture and Environment on S.B. No. 2407

The purpose and intent of this measure is to:

- (1) Require underground storage tank permit applicants to submit contingency plans for worst case scenarios;
- (2) Require a public hearing to be held prior to permit approval; and
- (3) Require an applicant to be in good standing before receiving a permit approval.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawai'i Alliance for Progressive Action, and two individuals. Your Committees received comments on this measure from the Department of Health and Department of Transportation.

Your Committees find that article XI, section 7, of the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Aging underground storage tanks threaten to leak hazardous substances into the ground and contaminate the State's precious supply of drinking water. In November 2021, the State experienced such an occurrence when the United States Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility, contaminating a portion of Oahu's water supply. This measure requires an applicant for an underground storage tank to submit contingency plans for worst case scenarios, attend a public hearing, and be in good standing prior to receiving permit.

Your Committees acknowledge the testimony of the Department of Health, which raised concerns that this measure as drafted would impose a significant burden on the Department of Health due to the number of underground storage tanks in the State. Your Committees agree that this measure should be applicable only to underground storage tanks with a capacity of over one hundred thousand gallons. Your Committees further acknowledge the testimony of the City and County of Honolulu Board of Water Supply, which recommended amendments for clarity.

Therefore, your Committees have amended this measure by:

- (1) Limiting this measure to underground storage tanks with a capacity of over one hundred thousand gallons;
- (2) Clarifying that in order to be in "good standing" for the purposes of this measure, an applicant must be in compliance with all financial obligations, including obligations pursuant to section 342L-36, Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2407, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2407, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2560 (Joint) Health and Agriculture and Environment on S.B. No. 2598

The purpose and intent of this measure is to implement a schedule and standards for the inspection and repair of underground storage tanks.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawai'i Alliance for Progressive Action, 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 Transportation.

Your Committees find that article XI, section 7, of the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Aging underground storage tanks threaten to leak hazardous substances into the ground and contaminate the State's precious supply of drinking water. In November 2021, the State experienced such an occurrence when the United States Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility, contaminating a portion of Honolulu's water supply. This measure establishes a schedule and standards for the inspection and repair of underground storage tanks.

Your Committees acknowledge the testimony of the City and County of Honolulu Board of Water Supply, which raised concerns that the measure as drafted only requires inspection of release detection equipment and related process, which is a reactionary means to monitor substances that have already been released from a tank. Your Committees agree that this measure should be preventative and that the inspections should cover the entire underground storage tank system.

Therefore, your Committees have amended this measure by:

- (1) Making the application of the new requirements prospective, beginning July 1, 2022;
- (2) Requiring inspections of underground storage tanks and related systems to determine compliance with section 342L-32, Hawaii Revised Statutes, which requires that tanks and tank systems be designed, constructed, installed, upgraded, maintained, repaired, and operated to prevent releases of the stored regulated substances for the operational life of the tank or tank system;
- (3) Requires annual inspections;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2598, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2598, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2561 (Joint) Health and Agriculture and Environment on S.B. No. 2600

The purpose and intent of this measure is to:

- (1) Require that any permittee remain in compliance with all state and federal laws and has not been cited for any violation of the federal Water Pollution Control Act or chapter 342D, Hawaii Revised Statutes; and
- (2) Require the Director of Health to modify, suspend, or revoke any permit if the permittee does not meet certain conditions.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawaii's Thousand Friends, Hawai'i Nurses' Association, Livable Hawaii Kai Hui, Hawai'i Alliance for Progressive Action, and six individuals. Your Committees received comments on this measure from the Department of Health and Department of Transportation.

Your Committees find that article XI, section 7, of the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Aging underground storage tanks threaten to leak hazardous substances into the ground and contaminate the State's precious supply of drinking water. In November 2021, the State experienced such an occurrence when the United States Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility, contaminating a portion of Honolulu's water supply. This measure requires that any underground storage tank permit holder be in compliance with state and federal laws and requires the Director of Health to act on the holder's permit if the permit holder does not meet certain conditions.

Your Committees further find that this measure and Senate Bill No. 2172, Senate Draft 1, Regular Session of 2022 (S.B. No. 2712, S.D. 1), have the consistent goal of protecting Hawaii's drinking water from the danger of leaking underground storage tanks. However, S.B. No. 2172, S.D. 1, has a narrow bill title and requires a definition of "underground fuel storage tank" that is not applicable to the rest of chapter 342L, Hawaii Revised Statutes, which regulates all underground storage tanks, not just those containing fuel. Your Committees find that the goal of S.B. No. 2172, S.D. 1, would be better served if its contents were part of a bill with a broader title, such as this measure.

Therefore, your Committees have amended this measure by:

- (1) Replacing the contents of this measure with the contents of S.B. No. 2172, S.D. 1;
- (2) Deleting the definition of "underground fuel storage tank" and references to underground fuel storage tanks;
- (3) Correcting a citation to reference chapter 340E, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2600, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2600, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2562 (Joint) Health and Agriculture and Environment on S.B. No. 2601

The purpose and intent of this measure is to:

- (1) Require applications for underground storage tank permits to be accompanied by plans, specifications, and other necessary information;
- (2) Remove the provision allowing for the automatic grant of permits for underground storage tanks;

- (3) Require the Director of Health to modify, suspend, or revoke a permit if there is a violation of the permit, the permit was obtained by misrepresentation, or if there was a release of regulated substances.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawai'i Nurses' Association, Livable Hawaii Kai Hui, Hawai'i Alliance for Progressive Action, and eight individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Article XI, section 7, Hawaii State Constitution. Aging underground storage tanks pose a significant threat of leaking hazardous substances into the ground, contaminating the State's drinking water. Such a leak and contamination occurred in November of 2021, when the Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility into Oahu's drinking water. This measure requires all applications for underground storage tank permits to be accompanied by specified information, removes automatic grants of permits, and requires the Director of Health to take certain action on any permit violation.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; 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 Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2601, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2601, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2563 (Joint) Health and Water and Land on S.B. No. 2653

The purpose and intent of this measure is to:

- (1) Establish a task force to investigate the environmental, infrastructure, public health, and economic consequences of the Red Hill Underground Bulk Fuel Storage Facility (Red Hill Facility) water crisis and include a recommendation plan that also considers water rationing; and
- (2) Appropriate funds to support the work of the task force.

Your Committees received testimony in support of this measure from the Department of Health, City and County of Honolulu Board of Water Supply, and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that in November of 2021, petroleum was detected in the drinking water supply on Oahu resulting from a petroleum leak from the U.S. Navy's Red Hill Facility. Since the contaminated drinking water was discovered, the City and County of Honolulu Board of Water Supply (BWS) and the Department of Health have worked to address the consequences of the contamination, including water testing, remediation, and studying sites for future wells. This response has included closing the Halawa Shaft and both Halawa and Aiea wells, which has limited BWS' ability to provide sufficient fresh water to its customers. The closure of these wells could lead to a scarcity of water, which would require Oahu to ration water during the summer months. This measure establishes a task force to investigate the consequences of the Red Hill Facility fuel leak and create a recommendation plan that considers water rationing.

Your Committees acknowledge the testimony of the Department of Health, which requested to co-chair the task force, given its duty to regulate the State's water quality, and to require the task force to conduct a wastewater reuse study in anticipation of future water scarcity caused by the Red Hill Facility fuel leak and contamination.

Therefore, your Committees have amended this measure by:

- (1) Replacing the representative from the BWS as co-chair of the task force with a member from the Department of Health while retaining the representative of the BWS as a member;
- (2) Requiring the task force to conduct a study regarding wastewater reuse;
- (3) Clarifying that members invited to participate in the task force are not subject to chapter 84, Hawaii Revised Statutes, solely by virtue of their membership of the task force;
- (4) Inserting a task force dissolution date of June 30, 2024; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2653, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2653, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2564 (Joint) Health and Water and Land on S.B. No. 2889

The purpose and intent of this measure is to require the Department of Health to:

- (1) Regulate water catchment systems and provide testing to businesses who utilize water catchment systems; and
- (2) Provide technical assistance on water catchment systems and filtration to business owners who utilize captured water for business activities.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, Hawaii Tropical Fruit Growers, International Association of Plumbing and Mechanical Officials, Hawaii Master Food Preservers, and six individuals. Your Committees received testimony in opposition to this measure from the Department of Health. Your Committees received comments on this measure from the Plumbers and Fitters United Association, Local 675.

Your Committees find that water catchment systems can supplement potable water systems, thus conserving natural water resources. In certain rural districts, water catchments is the primary or only source of water supply. Currently, water catchments are only allowed for residential use — manufacturers are not allowed to use water collected through catchments. This measure requires the Department of Health to regulate water catchment systems for businesses and to provide them with testing and technical assistance.

Your Committees acknowledge the testimony of the Plumbers and Fitters United Association, Local 675, which recommended that water catchment rules be compliant with the State's plumbing code as it applies to water catchments.

Therefore, your Committees have amended this measure by:

- (1) Requiring that rules promulgated by the Department of Health regarding water catchments used by business owners comply with the State's plumbing code and chapter 448E, Hawaii Revised Statutes;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2889, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2889, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2565 (Joint) Health and Government Operations on S.B. No. 2914

The purpose and intent of this measure is to:

- (1) Establish the One Shared Health Vision plan with a pilot program to begin in Hawaii county; and
- (2) Require the Office of Primary Care and Rural Health to facilitate discussions with key community health and social service organizations within Hawaii County to address the health and wellness needs of the most vulnerable by aligning the goals and objectives of key organizations into a 2030 one shared health vision plan.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council; Hawai'i Primary Care Association; Bay Clinic, Inc.; and Hawai'i Public Health Institute. Your Committees received comments on this measure from the Department of Health and Hawai'i State Rural Health Association.

Your Committees find that improving public health is a complex issue that requires an examination of the social determinants that may impact whether a community has continuous access to health care resources. Coordinated efforts at all levels is needed to support this important examination. Establishing a strong health network based in Hawaii County would allow the county to serve as a model of collaboration for other areas. This measure establishes the One Shared Health Vision plan that will coordinate discussions with health and social service organizations and community service providers in the County of Hawaii.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; 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 Health and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2914, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2914, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, San Buenaventura).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2566 (Joint) Health and Agriculture and Environment on S.B. No. 3124

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health for response activities and enforcement relating to the petroleum leaks at the Red Hill Bulk Fuel Storage Facility.

Your Committees received testimony in support of this measure from the Department of Health, City and County of Honolulu Board of Water Supply, Hawai'i Alliance for Progressive Action, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that in November of 2021, petroleum was detected in the drinking water supply on Oahu resulting from a petroleum leak from the U.S. Navy's Red Hill Bulk Fuel Storage Facility. Since the contaminated drinking water was discovered, the Department of Health has expended a significant amount of funds in remediation efforts. These efforts are ongoing and the Department of Health requires more funds in order to pay for, among other things, additional staff, laboratory testing, and equipment. This measure makes an emergency appropriation to the Department of Health for response activities.

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

Your Committees note that the Department of Health estimates the cost of its emergency response during the period of November 25, 2021, through June 1, 2022, to be approximately \$4.5 million.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3124, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3124, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2567 Human Services on S.B. No. 2395

The purpose and intent of this measure is to:

- (1) Amend section 586-1, Hawaii Revised Statutes, which governs domestic abuse protective orders by:
 - (A) Adding a definition of the term "litigation abuse"; and
 - (B) Amending the term "coercive control" to include litigation abuse as one of the behaviors that constitute the term; and
- (2) Add coercive control, as defined in section 586-1, Hawaii Revised Statutes, to the list of factors to be considered by the court in determining what constitutes the best interest of the child under section 571-46, Hawaii Revised Statutes, which governs the awarding of custody and visitation rights to individuals in actions for divorce, separation, annulment, separate maintenance, or any other proceeding where there is at issue, a dispute as to the custody of a minor child.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, Parents and Children Together, Women's Caucus of the Democratic Party of Hawai'i, American Association of University Women of Hawai'i, Hawai'i State Coalition Against Domestic Violence, and three individuals. Your Committee received comments on this measure from the Judiciary, Department of the Attorney General, and City and County of Honolulu Department of the Prosecuting Attorney.

Your Committee finds that individuals who abuse their intimate partners have been known to misuse court proceedings to control, harass, intimidate, coerce, or impoverish the abused partner. Your Committee believes that courts should be aware that coercive control and litigation abuse are tactics that have been used by perpetrators to continue abusive patterns, especially when custody of a child custody is at issue. Accordingly, this measure requires the court to consider histories of coercive control and litigation abuse when awarding custody and visitation rights to individuals in proceedings where the custody of a minor child is at dispute.

Your Committee notes the testimony of the City and County of Honolulu Department of the Prosecuting Attorney, raising concerns over including litigation abuse as one of the behaviors that constitute coercive control under section 586-1, Hawaii Revised Statutes, which constitutes a petty misdemeanor under section 709-906(6), Hawaii Revised Statutes. Section 709-906(6) was created by Act 19, Session Laws of Hawaii 2020, as part of a five-year pilot project aimed at strengthening state and county responses to domestic violence. Your Committee acknowledges the Department's concern that section 586-1, Hawaii Revised Statutes, should not be amended while data is being collected on the effect of this five-year pilot program.

Accordingly, your Committee has amended this measure by:

- (1) Deleting section 2 that amends section 586-1, Hawaii Revised Statutes;
- (2) Amending section 3 by adding to section 571-46, Hawaii Revised Statutes:
 - (A) The history of litigation abuse as a stand-alone factor to be considered by the court in determining what constitutes the best interest of the child; and
 - (B) A definition of "litigation abuse"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2395, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2568 Human Services on S.B. No. 2422

The purpose and intent of this measure is to:

- (1) Require certain persons to immediately submit a written report to the court if the person has reasons to believe that a child in foster custody has suffered an injury that may arise to a tort claim; and
- (2) Establish procedures for Family Court to follow when appointing a master to investigate a potential tort claim and when authorizing the filing of a tort claim on behalf of an injured child, including the opportunity for an injured child to obtain outside legal representation.

Your Committee received testimony in support of this measure from Potts & Potts, Hawai'i Trial Attorneys; and four individuals. Your Committee received testimony in opposition to this measure from the Judiciary. Your Committee received comments on this measure from the Department of Human Services and Department of the Attorney General.

Your Committee finds that when a child in foster custody suffers an injury caused by others, the medical costs are covered by the State; however, the child is unable to obtain legal representation to file a civil tort claim for personal injuries, including seeking damages for pain and suffering. This measure requires certain persons to report directly to Family Court injuries suffered by a child that may arise to a tort claim and provides disenfranchised children who suffer harm while in foster custody the opportunity to be compensated for their injuries.

Your Committee notes the testimony of the Department of the Attorney General raising concerns of a possible conflict of interest for the master, since this measure does not include a source of payment for the master to conduct a thorough, unbiased investigation other than filing a lawsuit against the alleged perpetrator to recover the master's costs.

Your Committee has amended this measure by:

- (1) Deleting the provisions that require the court-appointed master to investigate and determine the merits of the potential tort claim;
- (2) Deleting the provisions relating to the court's issuance of an order authorizing the filing of a tort claim on behalf of the injured child, including provisions relating to appointment of outside counsel to represent the injured child;
- (3) Appropriating an unspecified amount of funds for the Judiciary to compensate a court-appointed master pursuant to this measure; and
- (4) Changing the effective date to conform with the added appropriation provision.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2422, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2422, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2569 Human Services on S.B. No. 2676

The purpose and intent of this measure is to:

- (1) Establish and fund five permanent Long-Term Care Ombudsman Program Specialist positions within the Office of the Long-Term Care Ombudsman assigned to each county as follows: one for the City and County of Honolulu, one for the County of Maui, two for the County of Hawaii, and one for the County of Kauai; and
- (2) Require the Long-Term Care Ombudsman Program Specialist to work under the supervision of the State Long-Term Care Ombudsman to achieve the goals of the State's Long-Term Care Ombudsman Program, as mandated by the federal Older Americans Act.

Your Committee received testimony in support of this measure from the Hawaii Long-Term Care Ombudsman, County of Hawai'i Office of Aging, Maui County Office on Aging, AARP Hawai'i, Kokua Council, Policy Advisory Board for Elder Affairs, and twenty individuals. Your Committee received comments on this measure from the Executive Office on Aging and Department of Budget and Finance.

Your Committee finds that long-term care ombudsmen serve as advocates for residents of long-term care facilities to ensure that they receive the quality of care and quality of life they deserve and are entitled to by law. Your Committee further finds that according to a recommendation made by the National Academy of Medicine, Hawaii should have at least six full-time long-term care ombudsmen; however, during the reorganization of the Executive Office on Aging in June 2015, staffing for the Office of the Long-Term Care Ombudsman was reduced from six to one. This measure will replenish the staffing of Hawaii's Long-Term Care Ombudsman Program to meet national standards and enable the program to protect the health, safety, welfare, and rights of residents of long-term care facilities in accordance with state and federal law.

Your Committee notes the testimony of the Executive Office on Aging stating that the administration's budget includes two full-time equivalent (2.0 FTE) permanent ombudsmen positions for the State's Long-Term Care Ombudsman Program and if this measure were to pass, there will a total of seven full-time equivalent permanent ombudsmen positions.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Long-Term Care Ombudsman Program Specialists shall work under the supervision of the State Long-Term Care Ombudsman to assist in the performance of the Office of the Long-Term Care Ombudsman's duties and responsibilities,

including achieving the goals of the State's Long-Term Care Ombudsman Program established pursuant to the Older Americans Act, P.L. 89-73;

- (2) Clarifying that the five full-time equivalent (5.0 FTE) Long-Term Care Ombudsman Program Specialist positions established in and the appropriations made pursuant to this measure supplant what is in the Executive Office on Aging's base budget; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2676, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2570 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 2662

The purpose and intent of this measure is to establish clear and cost-effective guidelines to encourage and facilitate the recycling of construction and demolition debris.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Re-use Hawai'i, Hawaii Gas, Simonpietri Enterprises, and two individuals. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii, General Contractors Association of Hawaii, and two individuals. Your Committee received comments on this measure from United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that diversion and recycling of construction and demolition debris are best practices that can offer substantial benefits to the State. Through increased recycling and diversion of debris, the State can reduce or eliminate nearly two thousand tons of construction and demolition waste that are currently deposited in landfills each day. Landfills throughout the State that accept construction and demolition debris have less than one decade of life remaining. Moreover, as much as forty percent of this waste is wood, paper, and other biogenic material, which can be recycled into fuel to reduce imported fuel costs. However, there are few incentives for public and private sector entities to invest in recycling debris and equipment for construction and demolition debris. This measure will allow the State to become more sustainable, self-reliant, and resilient by establishing clear and cost-effective guidelines to encourage and facilitate the recycling of construction and demolition debris.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2662, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2662, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2571 (Joint) Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment on S.B. No. 3088

The purpose and intent of this measure is to:

- (1) Update certain sections of chapter 127A, Hawaii Revised Statutes, to be consistent with the current practices, policies, and procedures of the State Emergency Management Program and with the prevailing emergency management best practices; and
- (2) Clarify and highlight the intent of the State, Governor, and emergency management agencies to address environmental and climate impacts on emergency management.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Agency, Department of Defense, Sierra Club of Hawai'i, and Coordinating Group on Alien Pest Species. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that recent natural and human-caused incidents, including the coronavirus disease 2019 pandemic, have proven that certain elements in chapter 127A, Hawaii Revised Statutes, need to be revised to conform to current emergency management practices, policies, and procedures of the State Emergency Management Program and with the prevailing emergency management best practices across the nation. This measure will allow the State emergency management practices to remain current and protect the safety and security of Hawaii by adding language that highlights the State's, Governor's, and the Hawaii Emergency Management Agency's focus on climate and environmental impacts on Hawaii, as well as addressing the roles of the counties in coordinating sheltering in the event of a disaster.

Your Committees have amended this measure by 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, Intergovernmental, and Military Affairs and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3088, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3088, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Riviere).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2572 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3139

The purpose and intent of this measure is to:

- (1) Establish a new Department of Law Enforcement to consolidate and administer the criminal law enforcement and investigations functions of the Department of Transportation, certain investigations functions of the Department of the Attorney General, functions of the Office of Homeland Security, and current law enforcement and investigations functions of the Department of Public Safety; and
- (2) Rename the Department of Public Safety as the Department of Corrections and Rehabilitation, which will administer the corrections, rehabilitation, reentry, and related functions currently assigned to the Department of Public Safety.

Your Committee received testimony in support of this measure from the Bureau of Alcohol, Tobacco, Firearms and Explosives; Hawaii Paroling Authority; Department of the Attorney General; Department of Public Safety; Hawaii Office of Homeland Security; Department of Defense; Department of Transportation; Department of the Prosecuting Attorney of the City and County of Honolulu; State of Hawaii Organization of Police Officers; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one hundred sixteen individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Office of Information Practices; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that currently, corrections and certain law enforcement functions and activities are placed within the Department of Public Safety. Additionally, the goals and functions of corrections and law enforcement are different and distinct and separating the functions of corrections and law enforcement from the Department of Public Safety into two departments would best accomplish the distinct goals and objectives of both functions. Your Committee further finds that state law enforcement personnel and functions are currently spread across various departments. The Department of Public Safety, Department of Transportation, and Department of the Attorney General all have independent law enforcement officers with different law enforcement duties. Training and operational standards differ between each department because each department administers its own law enforcement duties, goals, and functions. Your Committee believes that the reorganization of certain state law enforcement functions into a single entity would provide the highest level of law enforcement service for the public, state employees, and state properties. This measure will increase public safety, improve decision-making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, and promote uniform training and standards of law enforcement services by establishing a new Department of Law Enforcement to consolidate and administer certain functions of the Department of Transportation, Department of the Attorney General, Office of Homeland Security, and Department of Public Safety and renaming the Department of Public Safety as the Department of Corrections and Rehabilitation.

Your Committee has amended this measure by:

- (1) Clarifying that county police departments are able to maintain their current level of authority and jurisdiction;
- (2) Deleting language that would have required the Director of Corrections and Rehabilitation to include the name of the decedent in the Director of Corrections and Rehabilitation's report of community correctional center deaths to the Governor;
- (3) Adding language to allow the Director of Corrections and Rehabilitation to disclose the name of a decedent in the Director of Corrections and Rehabilitation's report of community correctional deaths to the Governor; provided that the Director of Corrections and Rehabilitations shall not disclose information protected from disclosure by law;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of July 31, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has heard testimony expressing concerns that this measure may affect the State Law Enforcement Coalition and the Investigations Division, which may affect the ability of state law enforcement to conduct complex white collar crime investigations, particularly government corruption and financial fraud. Additionally, your Committee notes that this measure does not require the Department of Law Enforcement to be certified by the Commission on Accreditation for Law Enforcement Agencies, Inc. Your Committee finds that these issues raise concerns that merit further consideration and requests that your Committees on Ways and Means and Judiciary further examine those issues and concerns.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3139, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2573 Transportation on S.B. No. 3170

The purpose and intent of this measure is to:

- (1) Allow federal pandemic relief funds received by the State to be used to supplement payment into the county highway funds; and
- (2) Permit the County of Hawaii to appropriate the county's share of fuel tax revenue for the maintenance of substandard private subdivision roads that are used by the public.

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 Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that to offset costs of the county fuel tax, this measure allows fair and reasonable allocation of funds from federal pandemic relief sources as determined by the Director of Finance.

Your Committee has amended this measure by inserting an effective date of January 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. 3170, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3170, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2574 Transportation on S.B. No. 3311

The purpose and intent of this measure is to:

- (1) Establish the ground transportation and interisland transportation working groups; and
- (2) Require the Department of Transportation to prepare for and incentivize the increased adoption of electric vehicles in the State.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Climate Change Mitigation and Adaptation Commission, Ulupono Initiative, Hawaii Automobile Dealers' Association, and Simonpietri Enterprises. Your Committee received comments on this measure from the Department of Transportation; Alliance for Automotive Innovation; and Matson Navigation Company, Inc.

Your Committee finds that transportation accounts for the majority of Hawaii's greenhouse gas emissions. However, due to Hawaii's relatively small size, good year-round weather, and population density, it is a prime target for the full electrification of ground, sea, and air transportation. The purpose of this measure is to establish long-term goals for zero emissions transportation in Hawaii and to establish working groups of government agencies and expert stakeholders to develop plans and recommendations to achieve these goals.

Your Committee has amended this measure by:

- (1) Clarifying that the Chief Energy Officer of the Hawaii State Energy Office shall be a member of both working groups;
- (2) Removing the 2045 target date;
- (3) Specifying that the working groups shall coordinate with other groups, agencies, and programs; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3311, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3311, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2575 (Joint) Housing and Water and Land on S.B. No. 2232

The purpose and intent of this measure is to:

- (1) Establish that all state-owned lands located within one mile of any rail mass transit station shall be designated as important housing lands to promote the development of homes priced below market rates for Hawaii residents who are owner-occupants and own no other real property; and
- (2) Require state and county housing polices, land use plans, ordinances, and rules to promote the long-term viability of important housing lands consistent with certain policies.

Your Committees received testimony in support of this measure from two individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committees received comments on this measure from the Department of Hawaiian Home Lands and Office of Planning and Sustainable Development.

Your Committees find that a significant barrier to the development of additional housing in the State is a lack of available land. Designating certain lands as important housing lands would ensure that state, county, and private developers have sufficient access to land on which to construct additional housing. This measure establishes important housing lands within one mile of any rail mass transit station and requires that state and county housing policies, land use plans, ordinances, and rules align with the State's goals to increase access to housing for its residents.

Your Committees have amended this measure by:

- (1) Excluding lands under the jurisdiction of the Department of Hawaiian Home Lands from important housing lands;
- (2) Removing the requirement that policies discourage the fragmentation and conversion of important housing lands for non-housing uses;
- (3) Replacing "eligible buyer" with "eligible resident";

- (4) Clarifying the definition of "eligible resident" to include occupants of rental units; and
- (5) 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 Housing and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2232, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2232, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Riviere, Fevella). Noes, none. Excused, none.

SCRep. 2576 (Joint) Housing and Water and Land on S.B. No. 2898

The purpose and intent of this measure is to:

- (1) Establish the transit-oriented development infrastructure improvement district under the Hawaii Community Development Authority;
- (2) Establish districts to comprise and include the parcels of land within county-designated transit-oriented development zones, or within a one-half mile radius of a proposed or existing transit station if the county has not designated transit-oriented development zones;
- (3) Require the transit-oriented development infrastructure improvement district board to develop a transit-oriented development infrastructure improvement program to identify necessary infrastructure improvements within the district; and
- (4) Establish the transit-oriented development infrastructure improvement special fund.

Your Committees received testimony in support of this measure from the Hawaii Community Development Authority, Office of Planning and Sustainable Development, and Building Industry Association of Hawaii. 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 mass transit hubs provide valuable opportunities to implement transit-oriented development in the State. Transit-oriented development, which includes the development of housing and mixed-use projects near transit hubs, promotes environmental sustainability through a reduction in car usage and greater quality of life for residents. This measure promotes transit-oriented development by requiring the implementation of transit-transit oriented development districts in the State. Your Committees further find, however, that only revenues generated by the program within each district should be deposited into the special fund. Additionally, the terminology for the transit-oriented development infrastructure improvement districts program, board, and special fund is inconsistent.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying the definitions of "fund" and "program";
- (2) Including all parcels of land of which any portion of said parcels are located within the county-designated transit-oriented development zones or within a one-half mile radius around a proposed or existing transit station;
- (3) Requiring the board of the transit-oriented development district to consider the strategic plan prepared for the Hawaii Interagency Council for Transit-Oriented Development;
- (4) Providing that only revenues generated by the transit-oriented development infrastructure improvement district in each district shall be deposited into the corresponding special fund; and
- (5) 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 Housing and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2898, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2898, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2577 Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3344

The purpose and intent of this measure is to:

- (1) Prohibit indefinite solitary confinement;
- (2) Prohibit prolonged solitary confinement;
- (3) Prohibit placement of an inmate in a dark or constantly lit cell;
- (4) Restrict the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions;
- (5) Prohibit inmates incarcerated or detained in state-operated or state-contracted correctional facilities from being placed in solitary confinement, unless there is reasonable cause to believe that an inmate or other persons would be at substantial risk of immediate serious harm as evidenced by recent threats or conduct, and that a less restrictive intervention would be insufficient to reduce this risk; and

- (6) Prohibit the use of solitary confinement for a member of a vulnerable population.

Your Committee received testimony in support of this measure from the American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawai'i Health & Harm Reduction Center, Hawai'i Friends for Restorative Justice, and six individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from the Hawaii Disability Rights Center and one individual.

Your Committee finds that solitary confinement is a severe form of punishment that is closely associated with long-lasting psychological harm and poor post-release outcomes. Experts have long documented the detrimental effects of solitary confinement on individuals. Spending time in solitary confinement has been found to increase the risk of premature death, even after release from incarceration. Your Committee further finds that in 2019, twenty-eight states introduced legislation to ban or restrict the use of solitary confinement and twelve states have passed reform legislation. Additionally, the United Nations Standard Minimum Rules for the Treatment of Prisoners restrict the use of solitary confinement as a measure of last resort, to be used only in exceptional circumstances, and prohibit the use of solitary confinement for a time period exceeding fifteen consecutive days. This measure will allow the State to facilitate more humane and effective practices in prisons and jails by restricting the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions, and requiring the Department of Public Safety to use appropriate alternatives to solitary confinement for inmates who are members of a vulnerable population.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3344 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, 5. Noes, none. Excused, none.

SCRep. 2578 (Joint) Public Safety, Intergovernmental, and Military Affairs and Transportation on S.B. No. 2008

The purpose and intent of this measure is to:

- (1) Remove the three-year limit on the exemption of the State and counties from the requirement to maintain or improve any condemned roads; and
- (2) Abolish joint and several liability of the State and counties for any condemned roads.

Your Committees received testimony in support of this measure from the Department of Transportation and one member of the Maui County Council. Your Committees received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committees find that there are numerous roads throughout the State that are privately owned. Although these roads are not often used by the public, the public may not realize that the road is not owned by a governmental agency. This creates difficulties when individuals seek to have a private road repaired. The Legislature sought to address the situation by passing Act 194, Session Laws of Hawaii of 2016, which, among other things, expanded the State and counties' authority to condemn private roads and exempted the State and counties from requirements to maintain or improve condemned roads for a three-year period. Your Committees believe that further legislation is now needed to reduce legal impediments to state and county condemnation of private lanes so that the predicament of repairing and maintaining private lanes does not endure.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2008 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2579 (Joint) Public Safety, Intergovernmental, and Military Affairs and Water and Land on S.B. No. 3298

The purpose and intent of this measure is to:

- (1) Establish a working group consisting of the Chairperson of the Board of Land and Natural Resources, the Director of Public Safety, and hunters and recreational shooters to determine potential locations and requirements for a shooting facility in the County of Hawaii; and
- (2) Appropriate funds to establish a shooting facility in the County of Hawaii; provided that the County of Hawaii provides matching funds on a dollar-to-dollar basis.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Public Safety, Game Management Advisory Commission, Hawaii Firearms Coalition, Hawaii Sportsmen's Alliance, DC Project Hawaii, and twenty-seven individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the establishment of a multi-use public shooting range in the County of Hawaii is needed to provide a safe and organized facility to practice firearms safety and hunting and recreational shooting skills. Law enforcement agencies will also benefit from the establishment of a shooting range in the County of Hawaii as it will provide a space to train and maintain their firearms skills at the highest level. Presently, there are hundreds of law enforcement and correctional officers in the County of Hawaii who are required to qualify for firearms and less lethal weapons on a regular basis. This measure will allow the State to provide a safe training area for the residents of the County of Hawaii by establishing a working group consisting of the Chairperson of the Board of Land and Natural Resources, the Director of Public Safety, and hunters and recreational shooters to determine potential locations and

requirements for a shooting facility in the County of Hawaii and appropriating funds to establish a shooting facility in the County of Hawaii; provided that the County of Hawaii provides matching funds on a dollar-to-dollar basis.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3298 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Misalucha). Noes, none. Excused, none.

SCRep. 2580 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2996

The purpose and intent of this measure is to appropriate \$600,000 to the Department of Land and Natural Resources for research, extension, and control of the little fire ant and other harmful ants.

Your Committees received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; Coordinating Group on Alien Pest Species; Hawaii Pest Control Association; Hawai'i Farm Bureau; Hawai'i Association of REALTORS; Makaha Mangoes Hawaii Tropical Fruit Growers; Susan's Nuts, LLC; Stop LFA Kohala; Growing Together Edible Landscaping; Hawaii Ant Lab; Neudorff North America; Hawaii Island School Garden Network; Kuaiwi Farm; and fifteen individuals. Your Committees received testimony in opposition to this measure from Malamaki Farm School. Your Committees received comments on this measure from the Department of Budget and Finance and one member of the Waimanalo Neighborhood Board.

Your Committees find that invasive species, such as the little fire ant, pose a threat to human health, wildlife, agriculture, and tourism in the State. If left unaddressed, growing populations of little fire ants threaten Hawaii's residents and tourists. This measure appropriates funds to mitigate and control the threat posed by the little fire ant.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2996 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2581 Agriculture and Environment on S.B. No. 2998

The purpose and intent of this measure is to require the Department of Health to implement the auditor's recommendations for the deposit beverage container program, including developing a risk-based selection process 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 and American Beverage Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Office of the Auditor conducts an audit of the Department of Health's deposit beverage container program each year. The audits repeatedly demonstrate the deposit beverage container program's failure to develop and execute procedures to verify the accuracy and completeness of data produced by the program. This measure requires the Department of Health to develop a risk-based process recommended by the Office of the Auditor to help mitigate flaws in the program.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2998 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2582 Agriculture and Environment on S.B. No. 3001

The purpose and intent of this measure is to prohibit the sale, offer for sale, and distribution of sunscreen products containing specified active ingredients beginning January 1, 2023.

Your Committee received testimony in support of this measure from the 'Ahihi-Kina'u Natural Area Reserve, Mālama Pūpūkea-Waimea, Wild Kids, Surfrider Foundation, Friends of Hanauma Bay, Hawai'i Reef and Ocean Coalition, Kohala Center, one member of the Maui County Council, and thirty-two individuals. Your Committee received testimony in opposition to this measure from Sato Dermatology, Hawaii Dermatology & Plastic Surgery Centers, Personal Care Products Council, Consumer Healthcare Products Association, Hawaii Dermatological Society, American Academy of Dermatology Public Access to Sunscreens Coalition, Retail Merchants of Hawaii, Hawaii Skin Cancer Coalition, Hawaii Food Industry Association, and four individuals. Your Committee received comments on this measure from the Department of Health, Department of Land and Natural Resources, and one individual.

Your Committee finds that many sunscreen products contain active ingredients that may be harmful to human health and the environment. Recently, the Food and Drug Administration posted a proposed order to recategorize many active sunscreen ingredients as no longer Generally Recognized As Safe and Effective (GRASE). The proposed order limited the number of ingredients categorized as GRASE to just two. To account for the unknown and potentially damaging effects of ingredients not categorized as GRASE, this measure prohibits the sale, offer for sale, and distribution of sunscreen products not categorized as GRASE. Your Committee further finds, however, that the current form of this measure would have the unintended effect of removing an explicit ban on oxybenzone and octinoxate.

Accordingly, your Committee has amended this measure by:

- (1) Restoring existing statutory language that prohibits oxybenzone and octinoxate;
- (2) Specifying that the prohibition of active ingredients that are not generally recognized as safe and effective begins January 1, 2023;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3001, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3001, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2583 Agriculture and Environment on S.B. No. 3004

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a compost reimbursement program within the Department of Agriculture and for one full-time permanent compost reimbursement program manager position; and
- (2) Require an annual progress report to the Legislature prior to each Regular Session.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Life of the Land, Growing Together Edible Landscaping, Restore the Commons, Hawai'i Alliance for Progressive Action, 'Ai Pohaku, and twelve individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that food waste has far-reaching environmental, financial, and social impacts on society. One way to reduce the large amounts of food waste produced in the State is to recycle it into compost. Composting can reduce and eliminate the need for chemical fertilizers, reduce methane emissions from landfills, promote higher yields for crops, aid habitat revitalization, enhance water retention, and sequester carbon. Consequently, this measure supports the State's composting efforts by establishing and funding a compost reimbursement program.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3004 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2584 (Joint) Agriculture and Environment and Water and Land on S.B. No. 3011

The purpose and intent of this measure is to update certain state leasing statutes to maximize the benefit of agricultural lands to the State and help the State achieve its economic and food production goals.

Your Committees received testimony in support of this measure from the University of Hawai'i System. Your Committees received testimony in opposition to this measure from the Department of Agriculture, Agricultural Resource Management Division of the Department of Agriculture, and Hawai'i Farm Bureau. Your Committees received comments on this measure from the Department of the Attorney General; one member of the Waimanalo Neighborhood Board; and Hawaii Cattlemen's Council, Inc.

Your Committees find that state agricultural lands are a key resource that can be used to meet the State's goals for economic diversification and food self-sufficiency. The State offers leases of these lands to farmers at below market rates to promote agricultural production. However, some agricultural lands are tied to long-term leases that are not productive. This measure updates state leasing statutes to ensure the continued productivity of farming operations on state agricultural lands.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3011, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3011, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.
Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2585 Agriculture and Environment on S.B. No. 3181

The purpose and intent of this measure is to:

- (1) Establish a local agriculture transportation cost reimbursement incentive program to be administered by the Department of Agriculture to reimburse eligible producers for a portion of the producer's costs to transport agricultural commodities; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farm Bureau, and Hawaii Floriculture & Nursery Association.

Your Committee finds that agricultural production is an essential economic activity on many of Hawaii's islands. However, the distribution of Hawaii's agricultural production across several islands creates high transportation costs for the State's agricultural producers. This measure establishes a local agriculture transportation cost reimbursement incentive program to provide financial support to agricultural producers in the State for the transportation of their products.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3181 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2586 Agriculture and Environment on S.B. No. 3197

The purpose and intent of this measure is to:

- (1) Establish a farmer apprentice mentoring program to teach and train farmers to utilize a whole farm system approach to agriculture; and
- (2) Make an appropriation for the Department of Agriculture to provide mentoring on a whole farm system approach to agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture; Adaptations, Inc.; Chamber of Commerce Hawaii; Hawai'i Farmers Union United; Hawai'i Farm Bureau; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii imports between eighty-five and ninety percent of its food. The State's reliance on food imports makes it particularly vulnerable to supply chain disruptions, which have occurred frequently during the coronavirus disease 2019 pandemic. A whole farm system approach to agriculture will allow the State to reduce the need for imported food.

Your Committee finds that this measure is intended to establish a farmer training program. Your Committee has heard the concerns raised in testimony regarding the Chairperson of the Board of Agriculture establishing the curriculum for the program, as proposed by this measure.

Your Committee understands these concerns and notes that S.B. No. 2709, S.D. 1 (Regular Session of 2020), which was previously passed by your Committee, also sought to establish a farmer training program. Your Committee finds that the language in S.B. No. 2709, S.D. 1, is preferable because it establishes a beginning farmer training program under the University of Hawaii West Oahu Sustainable Community Food Systems in conjunction with qualified farmer training providers. The language in S.B. No. 2709, S.D. 1, is also preferable because it articulates topic areas and allows program applicants to apply for funding.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 2709, S.D. 1, a measure that:
 - (A) Establishes a Beginning Farmer Training Program to be administered by the University of Hawaii West Oahu Sustainable Community Food Systems; and
 - (B) Appropriates \$2,000,000 in general funds to the University of Hawaii for the Beginning Farmer Training Program; and
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3197, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2587 Agriculture and Environment on S.B. No. 3220

The purpose and intent of this measure is to:

- (1) Increase civil penalties for violation of certain pollution provisions; and
- (2) Appropriate funds for one full-time state biologist or ecologist.

Your Committee received testimony in support of this measure from the Department of Health and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that pollution, particularly in the State's waterways, poses a significant threat to human health and to the health of Hawaii's ecosystems. Increasing penalties for violations of certain pollution provisions will deter potential violators and protect the State and its residents. This measure supports efforts to deter potential violators by increasing penalties for violation of certain pollution provisions.

Your Committee has amended this measure by:

- (1) Inserting the following civil fine dollar amounts:
 - (A) \$56,460 in subsection 342D-30(a), Hawaii Revised Statutes;
 - (B) \$25,000 in subsection 342D-30(b), Hawaii Revised Statutes;
 - (C) \$56,400 in subsection 342E-4(a), Hawaii Revised Statutes;
 - (D) \$25,000 in subsection 342E-4(b), Hawaii Revised Statutes;
 - (E) \$56,400 in subsection 342L-10(a), Hawaii Revised Statutes; and
 - (F) \$10,000 in subsection 342L-10(b), Hawaii Revised Statutes;
- (2) Replacing the appropriation for a state biologist or ecologist with an appropriation for an environmental health specialist in the Enforcement Section of the Clean Water Branch;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3220, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2588 Agriculture and Environment on S.B. No. 3273

The purpose and intent of this measure is to:

- (1) Establish a Department of Environmental Protection by July 1, 2026;
- (2) Create a Department of Environmental Protection working group to evaluate the logistics required for the State to establish a Department of Environmental Protection; and
- (3) Require the working group to submit a report of its findings to the Legislature prior to the 2025 Regular Session.

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 League of Women Voters 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 Land and Natural Resources, Hawai'i State Energy Office, and Office of Planning and Sustainable Development.

Your Committee finds that many states have executive level departments or agencies dedicated to environmental policies and protection. Hawaii, however, does not have a department for environmental protection. Given the increasing threat posed by climate change and growing awareness of the importance of environmental protection, the State needs an executive level department dedicated to the implementation of environmental policies. This measure requires the establishment of a Department of Environmental Protection by July 1, 2026, and creates a working group to ensure effective and efficient establishment of a Department of Environmental Protection.

Your Committee has amended this measure by:

- (1) Statutorily establishing a Board of Environmental Protection to oversee the Department of Environmental Protection; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3273, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2589 Agriculture and Environment on S.B. No. 3363

The purpose and intent of this measure is to authorize the issuance of general obligation bonds to replace the water capturing system in the Hilo Water Treatment Plant, which captures recycled water, natural gases, and fertilizer for agricultural purposes.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; County of Hawai'i Office of the Mayor; Department of Environmental Management of the County of Hawai'i; one member of the Hawai'i County Council, United Public Workers, AFSCME Local 646, AFL-CIO; Recycle Hawaii; Big Island 'Reef Keepers' Association; Kupuna for the Mo'opuna; Wastewater Alternatives & Innovations; Hawai'i Reef and Ocean Coalition; Life of the Land; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and twelve individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hilo Waste Water Treatment plant is essential to the local community. However, the plant requires substantial upgrades and repairs to continue its productive and safe operations. This measure authorizes the issuance of general obligation bonds for replacements at the Hilo Wastewater Treatment Plant to allow for the capture of valuable natural resources.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3363 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

SCRep. 2590 Agriculture and Environment on S.B. No. 3364

The purpose and intent of this measure is to:

- (1) Require the Legislative Reference Bureau to conduct a five-year study on the coastal lands in the State that will be affected by impending sea level rise; and
- (2) Appropriate funds for the Legislative Reference Bureau to conduct the study.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women. 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 and State Procurement Office.

Your Committee finds that impending sea level rise presents many challenges to Hawaii and its coastal lands. For the State to effectively respond to those challenges, it must first understand the extent to which sea level rise will affect Hawaii's coastal lands. This measure requires the Legislative Reference Bureau to conduct a study on the effects of sea level rise on the State's coastal lands to promote informed policies.

Your Committee has amended this measure by removing an exemption to the Hawaii Public Procurement Code.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3364, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3364, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2591 (Joint) Agriculture and Environment and Transportation on S.B. No. 3379

The purpose and intent of this measure is to appropriate funds for a ports-of-entry biosecurity program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, Department of Agriculture, Department of Health, Big Island Invasive Species Committee, Hawai'i Farm Bureau, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that a recently-concluded five-year pilot program demonstrated the value in strengthening biosecurity in the State. Invasive species pose a significant challenge to Hawaii and its agriculture industry. Reducing the threat of invasive species would promote a more profitable agriculture industry and save the State considerable amounts of money and resources over the long term. This measure supports the State's biosecurity by appropriating funds for a port-of-entry biosecurity program.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3379 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2592 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2946

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture for water source infrastructure and the maintenance and improvements to the Peekauai Ditch Irrigation System located on Kauai.

Your Committees received testimony in support of this measure from the Department of Agriculture; Agriculture Resource Management Division of the Department of Agriculture; Office of Economic Development of the County of Kauai; Local Food Coalition; Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Crop Improvement Association; Land Use Research Foundation of Hawaii; Larry Jefts Farms, LLC; PonoHolo Ranch Limited; and five individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that reliable irrigation systems are the lifelines of Hawaii's agricultural industry. To ensure that Hawaii's agricultural crops receive a steady and dependable supply of water, sufficient funding is needed to maintain and improve the State's irrigation systems. This measure appropriates funds for water source infrastructure maintenance and improvements to the Peekauai Ditch Irrigation System.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2946 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Rhoads).
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2593 Agriculture and Environment on S.B. No. 2947

The purpose and intent of this measure is to:

- (1) Authorize the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure on any lands under the jurisdiction of the Department to promote and support agriculture; and
- (2) Establish the Agricultural Enterprise Program.

Your Committee received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Hawai'i Farm Bureau; Local Food Coalition; Land Use Research Foundation of Hawaii; Larry Jeffs Farms, LLC; Hawaii Cattlemen's Council, Inc.; Hawaii Aquaculture & Aquaponics Association; East O'ahu County Farm Bureau; Hawaii Crop Improvement Association; and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that small farming operations, particularly those engaged in diversified agriculture, often do not have access to the resources to maintain or expand productive processing, packing, storage, and distribution enterprises. It is often necessary for the Department of Agriculture to support small farming operations, particularly those on department lands, that have limited resources. This measure establishes the Agricultural Enterprise Program to bolster Department of Agriculture efforts to support small farms on department lands.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2947 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 2594 Agriculture and Environment on S.B. No. 2950

The purpose and intent of this measure is to impose an inspection fee on certain imported agricultural products to be deposited into a special fund and expended by the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, Department of Agriculture, and Tax Foundation of Hawaii.

Your Committee finds that Hawaii is uniquely vulnerable to invasive pests. Invasive pests are devastating to the State's natural environments and agricultural industry. This measure, as introduced, imposes an additional fee on certain agricultural products; however, according to testimony submitted by the Department of the Attorney General, an increase in the State's existing inspection fee would be better able to protect Hawaii from invasive species.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have established a new inspection fee on certain imported agricultural products to be deposited into a special fund and expended by the Department of Agriculture;
- (2) Increasing the inspection, quarantine, and eradication service fee under section 150A-5.3, Hawaii Revised Statutes, from seventy-five cents per one thousand pounds to five cents per pound; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2950, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2950, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2595 Agriculture and Environment on S.B. No. 2962

The purpose and intent of this measure is to propose a constitutional amendment that recognizes and protects, for present and future generations, the inherent and inalienable right of all people to clean water and air and healthy ecosystems, including climate, and to the preservation of the natural, cultural, scenic, and healthful qualities of the environment.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Hawai'i Reef and Ocean Coalition, 350.org, Our Revolution Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Coalition Hawaii, Surfrider Foundation, Center for Biological Diversity, Green Amendments For The Generations, Hawai'i Alliance for Progressive Action, Americans for Democratic Action Hawai'i, Friends of Hanauma Bay, Pono Hawai'i Initiative, Clean The Pacific, and thirty-five individuals. 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 Department of the Attorney General.

Your Committee finds that clean water and air and healthy ecosystems are critical to quality of life in Hawaii. However, the State's constitution does not explicitly recognize a right to clean water and air and to healthy ecosystems. At a time when clean water and air and healthy ecosystems are increasingly threatened by environmental pollution and climate change, the absence of an explicit right in Hawaii's constitution is significant. This measure proposes a new amendment that recognizes and protects, for present and future generations, the inherent and inalienable right of all people to clean water and air and healthy ecosystems, including climate, and to the

preservation of the natural, cultural, scenic, and healthful qualities of the environment. However, your Committee further finds that the language of the proposed amendment requires greater clarity.

Accordingly, your Committee has amended this measure by explaining the relationship between tradition and the environment in Hawaii and clarifying that the amendment to article I of the Constitution of the State of Hawaii shall read: The fundamental right of the people, including future generations, to clean water and air, a healthful environment and climate, healthy native ecosystems, and beaches, shall be protected and shall not be infringed.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2962, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2962, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Nishihara, Fevella). Noes, none. Excused, none.

SCRep. 2596 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2964

The purpose and intent of this measure is to authorize recreational athletic venues and cultural activities on existing golf courses within agricultural districts.

Your Committees received testimony in support of this measure from one member of the Mililani Neighborhood Board, Prince Waikiki Hotel and Hawaii Prince Golf Club, and AA & C Asbestos Removal. Your Committees received testimony in opposition to this measure from one member of the Waimanalo Neighborhood Board. Your Committees received comments on this measure from the Office of Planning and Sustainable Development and the Hawai'i Farm Bureau.

Your Committees find that agriculture is essential to the State. To recognize the importance of agriculture to Hawaii and promote its growth, the State has established agricultural districts. However, some activities, such as recreational athletics and other cultural activities, have been unnecessarily prohibited in agricultural districts. This measure authorizes recreational venues and cultural activities on existing golf courses in agricultural districts to balance the State's need for agriculture with the quality of life of its residents.

Your Committees have amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2964, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2964, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.
Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2597 Agriculture and Environment on S.B. No. 2969

The purpose and intent of this measure is to establish an Agricultural Emergency Special Fund to provide loans to farmers and ranchers for disaster recovery.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Ulupono Initiative, Hawaii Floriculture & Nursery Association, and Food+ Policy Internship. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that unexpected disasters can be devastating to the State's agricultural industry. Responding to disasters can be challenging for farmers who lack the necessary resources to rebuild their operations. This measure establishes an Agricultural Emergency Special Fund to support farmers and ranchers in disaster recovery efforts.

Your Committee has amended this measure by:

- (1) Inserting an appropriation out of the Agricultural Emergency Special Fund; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2969, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2969, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2598 Agriculture and Environment on S.B. No. 2972

The purpose and intent of this measure is to deposit revenue from the State Veterinary Laboratory and Animal Control Branch into the Animal Industry Special Fund and to allow funds from the special fund to be expended to make laboratory improvements.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; and Hawaii Cattlemen's Council, Inc.

Your Committee finds that the State Veterinary Laboratory and Animal Control Branch of the Department of Agriculture plays an important role in protecting Hawaii's agricultural industry from diseases and other threats. However, the State Veterinary Laboratory

often requires improvements to maintain its operations. This measure supports improvements to the laboratory by depositing certain revenues in the Animal Industry Special Fund and allowing expenditures from the special fund to be used for laboratory improvements.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2972 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2599 Agriculture and Environment on S.B. No. 2973

The purpose and intent of this measure is to extend regulatory authority of the Department of Agriculture over hemp production until June 30, 2024.

Your Committee received testimony in support of this measure from the Department of Health, Department of Agriculture, South Maui Gardens, Hawai'i Farm Bureau, and two individuals. Your Committee received testimony in opposition to this measure from Hawai'i Farmers Union United and three individuals.

Your Committee finds that Act 14, Session Laws of Hawaii 2020, will repeal in June 2022. A repeal of that Act will eliminate the Department of Agriculture and Department of Health regulatory authority to allow legalized cultivation and processing of hemp. This measure extends Act 14 to 2024, thereby ensuring continued regulatory authority for the State.

Your Committee has amended this measure by inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2973, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2973, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2600 Agriculture and Environment on S.B. No. 2974

The purpose and intent of this measure is to update the membership of the Advisory Committee on Pesticides to replace representatives of the sugar and pineapple industries with representatives of the coffee and diversified agriculture industries.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i, Hawaii Floriculture and Nursery Association, and Hawaii Coffee Association. Your Committee received comments on this measure from the Hawai'i Farm Bureau.

Your Committee finds that sugar and pineapple plantations were once the foundation of Hawaii's agricultural economy. However, since the 1970s, the number of sugar and pineapple plantations in the State has plummeted. In place of sugar and pineapple plantations, Hawaii now relies on coffee and diversified agriculture. This measure updates the membership of the Advisory Committee on Pesticides to better represent the State's current agricultural industry. Additionally, there remains a need to include members on the Advisory Committee on Pesticides who possess greater knowledge and expertise on the health effects of pesticide use.

Your Committee has amended this measure by adding a representative of Hawaii Farmers Union United to the Advisory Committee on Pesticides.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2974, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2974, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2601 Agriculture and Environment on S.B. No. 2977

The purpose and intent of this measure is to establish standards for the confinement of egg-laying hens and to prohibit business owners or operators from selling eggs or egg products that were produced by egg-laying hens confined in a cruel manner.

Your Committee received testimony in support of this measure from The Humane Society of the United States; Humane Society International; Villa Rose; Animal Equality Hawaii; Compassion in World Farming USA; Mercy For Animals; American Society for the Prevention of Cruelty to Animals; The Humane League; Friends of the Earth; Animal Outlook; Americans for Family Farmers; Animal Legal Defense Fund; Center for Biological Diversity; Natural Resource Defense Council; World Animal Protection; Carpenter & Carpenter, Inc.; Farm Sanctuary; and one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau, Hawaii Food Industry Association, Hawaiian Egg Company DBA Mikilua Poultry Farm, and five individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that human health and the welfare of farm animals depend on adequate regulation of food production, including egg production. Moreover, insufficient regulation of egg production and sales can have detrimental fiscal effects on the State's agricultural industry. This measure implements stronger regulations for the confinement of egg-laying hens to promote human safety and animal welfare.

Your Committee has amended this measure by increasing the maximum number of hens required for an exemption from thirty thousand to seventy-five thousand.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2977, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2977, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Fevella).

SCRep. 2602 Agriculture and Environment on S.B. No. 2988

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Agriculture for the control and mitigation of the two-lined spittlebug and for recovery efforts for lands damaged by the two-lined spittlebug; and
- (2) Require a report to the Legislature.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Local Food Coalition; Ulupono Initiative; Hawai'i Farm Bureau; Ponoholo Ranch Limited; Parker Ranch, Inc.; Land Use Research Foundation of Hawaii; Larry Jefts Farms, LLC; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Big Island Invasive Species Committee.

Your Committee finds that the two-lined spittlebug is an invasive species that attacks key forage grasses used by the livestock ranching industry. Infestations of the two-lined spittlebug reduce the quality of forage pastures by irreparably damaging important grasses. Grasses destroyed by the two-lined spittlebug also often must be replanted. This measure appropriates funds to combat infestations of the two-lined spittlebug and to support recovery efforts.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2988 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2603 Agriculture and Environment on S.B. No. 2992

The purpose and intent of this measure is to:

- (1) Establish an Agriculture Investment Special Fund to support agricultural producers; and
- (2) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Hawaii Floriculture & Nursery Association; Hawaii Cattlemen's Council, Inc.; and Food+ Policy Internship.

Your Committee finds that increasing the amount of food produced locally is key to reducing Hawaii's reliance on imported foods. However, agricultural producers in the State often face high costs that make local agriculture uncompetitive. This measure establishes an Agriculture Investment Special Fund to provide resources to alleviate economic strains on the agricultural industry.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment 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 Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2604 Agriculture and Environment on S.B. No. 368

The purpose and intent of this measure is to remove limitations on specific types of wastewater systems to which cesspools must be upgraded or converted and require a cesspool to be upgraded or converted to a wastewater system approved by the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health; Surfrider Foundation; Hawaii Cattlemen's Council, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that existing limits on cesspool upgrades make the process of upgrading a cesspool prohibitively expensive. However, cesspools have numerous detrimental effects on water quality and the environment. This measure allows for more options when upgrading cesspools to make upgrades more feasible.

Your Committee has amended this measure by:

- (1) Inserting additional requirements for cesspools within five hundred feet of certain bodies of water to be upgraded by January 1, 2024; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 368, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 368, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2605 Agriculture and Environment on S.B. No. 1025

The purpose and intent of this measure is to:

- (1) Authorize the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure on any lands under its jurisdiction;
- (2) Establish the Agricultural Enterprise Program and Special Fund; and
- (3) Require the Board of Agriculture to annually report an accounting of non-agricultural park lessees to the Legislature.

Your Committee received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Hawai'i Farm Bureau; Local Food Coalition; Land Use Research Foundation of Hawaii; Larry Jefts Farms, LLC; Hawaii Aquaculture & Aquaponics Association; East O'ahu County Farm Bureau; and Hawaii Cattlemen's Council, Inc.

Your Committee finds that many small farming operations do not have access to the resources required to maintain high productivity processing, packing, storage, and distribution enterprises. The Department of Agriculture plays an important role in supporting enterprises that lack the necessary resources to increase productivity. This measure establishes an agricultural enterprise program, which will allow the Department of Agriculture to provide continued support for agricultural enterprises.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1025 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2606 Agriculture and Environment on S.B. No. 1277

The purpose and intent of this measure is to establish the environmental justice task force and an advisory council to develop high quality data relating to environmental justice concerns, identify environmental justice communities, and devise a method to correct for racist and unjust practices leading to historical and current environmental injustices.

Your Committee received testimony in support of this measure from the Surfrider Foundation and two individuals.

Your Committee finds that environmental hazards cause disproportionate health outcomes for certain communities as a result of systemic injustices. Correcting those injustices requires detailed data on the extent of disproportionate outcomes and adverse effects. This measure develops a task force and advisory council to gather and disseminate data on disproportionate outcome and environmental injustices in the State.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1277 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, 5. Noes, none. Excused, none.

SCRep. 2607 Agriculture and Environment on S.B. No. 1315

The purpose and intent of this measure is to establish a food manufacturer tax credit and define qualified taxpayers as manufacturers that produce value-added products using local crops.

Your Committee received testimony in support of this measure from the Hawaii Food Manufacturers Association; Ulupono Initiative; Hawaiian Chip Company; Carpenter & Carpenter, Inc.; Hawaii Cattlemen's Council, Inc.; Hawaii Food Industry Association; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Department of Agriculture, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that the State has a goal to double local food production by 2030. One barrier to that goal is that there is little access to capital for food manufacturing and few incentives for investment in Hawaii's food manufacturing industry. This measure incentivizes investment in local food production by establishing a food manufacturer tax credit.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1315 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2608 Agriculture and Environment on S.B. No. 1316

The purpose and intent of this measure is to establish an agricultural production tax credit that includes agricultural producers who produce at least fifty percent of their food crops for local consumption.

Your Committee received testimony in support of this measure from the Department of Agriculture; Ulupono Initiative; Hawai'i Farm Bureau; Carpenter & Carpenter, Inc.; Hawaii Food Industry Association; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the State has a goal to double local food production by 2030. One barrier to that goal is that there is little access to capital for agricultural production and few incentives for investment in Hawaii's agricultural industry. This measure incentivizes investment in local food production by establishing an agricultural production tax credit for producers who produce at least fifty percent of their food crops for local consumption.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1316 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2609 Agriculture and Environment on S.B. No. 1416

The purpose and intent of this measure is to:

- (1) Establish requirements for the Department of Agriculture to enhance farmer equity by ensuring inclusion of socially disadvantaged farmers and ranchers in the development, implementation, and enforcement of food and agriculture laws, rules, policies, and programs; and
- (2) Require an annual report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; and one individual. Your Committee received comments on this measure from the Hawai'i Farm Bureau.

Your Committee finds that farmers are key to the State's food system. However, many farmers who are socially disadvantaged face unique additional barriers to success. Existing policies are insufficient to meet the needs of socially disadvantaged farmers. This measure supports socially disadvantaged farmers by requiring the Department of Agriculture to enhance farmer equity and ensure inclusion of socially disadvantaged farmers in agricultural policy decision making.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1416 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, 5. Noes, none. Excused, none.

SCRep. 2610 (Joint) Agriculture and Environment and Transportation on S.B. No. 2007

The purpose and intent of this measure is to:

- (1) Impose a state carbon emissions tax of \$6.25 per ton of carbon dioxide equivalent emissions on aviation fuel;
- (2) Direct the aviation fuel tax into the airport revenue fund; and
- (3) Implement a tax credit to mitigate the effects of the aviation fuel tax on low income tax payers.

Your Committees received testimony in support of this measure from the Ulupono Initiative, Climate Protectors Hawai'i, Elemental Excelerator, and five individuals. Your Committees received testimony in opposition to this measure from the Retail Merchants of Hawaii, Airlines for America, and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Transportation, Hawai'i State Energy Office, Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii.

Your Committees find that the State's efforts to address climate change have overlooked the role of aviation fuel in producing greenhouse gas emissions. In accordance with the 2018 Intergovernmental Panel on Climate Change report and the Carbon Offsetting and Reduction Scheme for International Aviation, it is essential for Hawaii to reduce the level of greenhouse gas emissions from aviation fuel. This measure imposes an aviation fuel tax to help the State and aviation industry meet their respective sustainability and environmental goals.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; 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 Agriculture and Environment and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2007, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2007, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Transportation: Ayes, 5; Ayes with Reservations (DeCoite, Inouye, Fevella). Noes, none. Excused, none.

SCRep. 2611 Agriculture and Environment on S.B. No. 2054

The purpose and intent of this measure is to:

- (1) Assess a climate change mitigation impact fee on every customer who rents, leases, or utilizes a rental motor vehicle; and

(2) Establish a Climate Change Mitigation Special Fund.

Your Committee received testimony in support of this measure from two members of the Maui County Council, Hawai'i State Association of Counties, Life of the Land, and Ulu pono Initiative. Your Committee received testimony in opposition to this measure from the Avis Budget Group, Enterprise Holdings, Maui Hotel & Lodging Association, Hawai'i Lodging & Tourism Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Transportation, Department of the Attorney General, Office of Planning and Sustainable Development, and the Tax Foundation of Hawaii.

Your Committee finds that the tourism industry has significant effects on Hawaii's environment and public services. The effects of cars, buses, shuttles, and other road vehicles, which emit carbon, are especially pernicious to the State's environment. This measure imposes a climate change mitigation impact fee for the renting, leasing, or utilizing of tourism-related vehicles to help protect Hawaii's natural environment.

Your Committee has amended this measure by clarifying that all revenues from the fee will be deposited to the credit of the Climate Change Mitigation Special Fund.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2054, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2612 Agriculture and Environment on S.B. No. 2290

The purpose and intent of this measure is to implement a phased series of bans on personal care products that contain plastic microbeads.

Your Committee received testimony in support of this measure from the Department of Health, Conservation Council For Hawai'i, Life of the Land, and three individuals. Your Committee received testimony in opposition to this measure from the Consumer Healthcare Products Association, Personal Care Products Council, Retail Merchants of Hawaii, and Hawaii Food Industry Association.

Your Committee finds that plastic microbeads pose a danger to Hawaii's natural environment, especially aquatic animals. A prohibition on plastic microbeads would support the State's commitment to environmental sustainability. This measure implements phased bans on plastic microbeads in 2022, 2023, and 2024.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2290 and recommends that it pass Second Reading and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2613 Agriculture and Environment on S.B. No. 2327

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to collaborate with agricultural growers and researchers to develop and implement a program to safely distribute disease and insect free tropical plant materials to Hawaii farmers;
- (2) Require the Department of Agriculture to adopt rules to specify plant species and varieties that warrant additional regulations; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau. Your Committee received testimony in opposition to this measure from the Department of Agriculture. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State's tropical flower industry is an important part of the agricultural sector. There is concern, however, that certain diseases that affect tropical flowers and foliage have caused a decline in the industry. This measure reduces the risks to the tropical flower industry by requiring the Department of Agriculture to collaborate with agricultural growers to implement a program to safely distribute disease and insect free plant materials to farmers.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2327 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2614 Agriculture and Environment on S.B. No. 1030

The purpose and intent of this measure is to remove the requirement that representatives of the pineapple and sugar industries be included on the Advisory Committee on Pesticides and instead include representatives of the coffee and diversified agriculture industries.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Alliance for Progressive Action, and one individual. Your Committee received comments on this measure from the Hawai'i Farm Bureau.

Your Committee finds that, in 1980, Hawaii was home to fourteen sugar plantations and four pineapple plantations, which covered more than three hundred thousand acres. In 2017, however, sugar and pineapple plantations accounted for fewer than five thousand acres. The dramatic decline in sugar and pineapple production in the State highlights the need to update the membership of the Advisory Committee on Pesticides. This measure replaces representatives from the sugar and pineapple industries with representatives of the coffee and diversified agricultural industries, thereby ensuring the continued relevance of the Advisory Committee. Your Committee further finds, however, that this measure does not fully revise the membership of the Advisory Committee on Pesticides. Future action may be needed to ensure that the public interest in health and safety, as well as environmental protection, is represented on the Advisory Committee on Pesticides.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1030 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, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2615 Agriculture and Environment on S.B. No. 2353

The purpose and intent of this measure is to create an exclusion from the income tax for the lesser of a percentage of gross annual income or an amount of gross annual income earned by a farmer from farming activities.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Food Industry Association, Ulupono Initiative, and Hawai'i Farm Bureau. Your Committee received comments on this measure from Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that the State has a significant trade imbalance in its agricultural industry, meaning that it relies on imported agricultural products. Increasing the amount of agriculture in the State, especially small farms engaged in diversified agriculture, would help Hawaii reduce its reliance on agricultural imports. This measure provides a tax exclusion for farmers to incentivize the growth of diversified agriculture in the State. However, your Committee also notes that the tax exclusion provided in this measure applies to all eligible agricultural production and is not limited to food production. Given the State's goal of increased food self-sufficiency, priority for tax exclusion should be given to agricultural food production.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2353 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio, Rhoads, Fevella). Noes, none. Excused, none.

SCRep. 2616 Agriculture and Environment on S.B. No. 2357

The purpose and intent of this measure is to extend the authorization to issue special purpose revenues bonds to assist MauiGrown, Inc. with the operation and expansion of its farm and mill.

Your Committee received testimony in support of this measure from the Department of Agriculture; MauiGrown Coffee, Inc.; Hawaii Coffee Association; Hawai'i Farm Bureau; and Momona Farm. Your Committee received comments on this measure from Department of Budget and Finance.

Your Committee finds that Act 116, Session Laws of Hawaii 2017, authorized the issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc. with the operation and expansion of its coffee farm and mill. However, the authorization for the issuance special purpose revenue bonds to MauiGrown Coffee, Inc. is set to lapse in June of 2022. This measure extends authorization for the issuance of special purpose revenue bonds by five years to 2027.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2357 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Fevella).

SCRep. 2617 Agriculture and Environment on S.B. No. 2435

The purpose and intent of this measure is to:

- (1) Clarify that a taxpayer may claim the important agricultural land qualified agricultural cost tax credit no earlier than the third taxable year after application for first-year certification of the credit; and
- (2) Extend the time that the Department of Agriculture may certify the important agricultural land qualified agricultural cost tax credit by ten years from 2021 to 2031.

Your Committee received testimony in support of this measure from Kamehameha Schools; the Land Use Research Foundation of Hawaii; Carpenter & Carpenter, Inc.; Ulupono Initiative; and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Office of Planning and Sustainable Development, Department of Budget and Finance, Department of Taxation, Department of Agriculture, and Tax Foundation of Hawaii.

Your Committee finds that the important agricultural lands qualified agricultural cost tax credit supports food self-sufficiency by providing tax credits to qualified landowners and farmers to offset certain costs related to agricultural operations. However, the tax credit effectively expired in December of 2021. This measure provides landowners and farmers additional time to claim the tax credit and extends the tax credit to 2031.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2435 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

SCRep. 2618 Agriculture and Environment on S.B. No. 2538

The purpose and intent of this measure is to make criminal the destruction of any tree on state or county property to be punishable as a misdemeanor.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Land and Natural Resources, Climate Protectors Hawai'i, and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that this measure supports the State's environmental sustainability goals by protecting Hawaii's trees. Trees are an important source of carbon sequestration and improve the general quality of life of the State's residents.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2538 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 2619 Agriculture and Environment on S.B. No. 2556

The purpose and intent of this measure is to repeal chapter 157, Hawaii Revised Statutes, commonly referred to as the Milk Control Act.

Your Committee received testimony in support of this measure from the Hawaii Coffee Association, Kuahiwi Ranch, and Hawaii Foodservice Alliance LLC. Your Committee received testimony in opposition to this measure from Cloverleaf Dairy and Meadow Gold Dairies Hawaii. Your Committee received comments on this measure from the Department of the Attorney General and Department of Agriculture.

Your Committee finds that the Milk Control Act was put into effect in response to issues prevalent in the dairy industry of the 1960s, such as over-production and unfair pricing schemes. However, the Milk Control Act has become a burden for Hawaii's existing dairy industry, which is faced with high regulatory hurdles and is unable to compete with producers from outside the State. This measure repeals the Milk Control Act to strengthen Hawaii's dairy industry and lower prices for consumers.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2556 and recommends that it pass Second Reading and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2620 Agriculture and Environment on S.B. No. 2615

The purpose and intent of this measure is to amend the composition of the Board of Agriculture by providing representation from the islands of Molokai and Lanai.

Your Committee received testimony in support of this measure from the Department of Agriculture, Pūlama Lāna'i, one member of the Maui County Council, and eight individuals.

Your Committee finds that this measure amends the composition of the Board of Agriculture to better reflect the unique characteristics of the agricultural resources of Molokai and Lanai.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2615 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2621 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2664

The purpose and intent of this measure is to:

- (1) Create a classification of agricultural public lands entitled "taro lands"; and
- (2) Appropriate funds to the Department of Land and Natural Resources to create an inventory of lands classified as taro lands.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Farm Bureau, Hydroponics Alternatives LLC, and two 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 Hawaii imports a substantial portion of the food it consumes. The need for imports is particularly acute for essential starches. However, taro is a culturally significant food crop in Hawaii that could meet the State's need for essential starches. This measure creates a land classification for taro lands to promote the cultivation of taro crops in Hawaii and reduce the State's dependence on food imports.

Your Committees have amended this measure by replacing the Board of Land and Natural Resources with the Land Use Commission as the agency responsible for conducting the inventory and as the expending agency of the appropriation for the inventory.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2664, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2664, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2622 (Joint) Agriculture and Environment and Water and Land on S.B. No. 2665

The purpose and intent of this measure is to:

- (1) Prohibit the Board of Land and Natural Resources, in declaring residential development areas and acquiring lands therein, from disturbing wetland taro lands and infrastructure on undeveloped lands;
- (2) Establish a fourth public land class for taro lands;
- (3) Permit structures for lo'i taro fields in the agricultural district;
- (4) Establish growth and perpetuation of traditional Hawaiian crops as a goal of the State Planning Act; and
- (5) Authorize the Board of Land and Natural Resources, with the Taro Security and Purity Task Force, to create an inventory of taro lands.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Farm Bureau, Hydroponics Alternatives LLC, and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that protection of wetland taro lands is essential to the State's heritage and food security goals. However, gaps in land use, historic preservation, and planning laws have allowed key structural elements for wetland taro production to be destroyed. This measure implements protections for wetland taro lands to promote Hawaii's cultural heritage and food security.

Your Committees have amended this measure by:

- (1) Restricting the new definition of "taro lands" to public lands of high productivity determination within the conservation district established pursuant to chapter 205, Hawaii Revised Statutes;
- (2) Requiring that permitted walls, terraces, or supporting structures in agricultural districts be currently in use for wetland taro cultivation;
- (3) Limiting the prohibition on development projects for the Board of Land and Natural Resources to lands used for wetland taro cultivation prior to statehood and currently in use for wetland taro cultivation;
- (4) Replacing the Board of Land and Natural Resources with the Land Use Commission as the agency responsible for conducting an inventory of wetland taro lands; and
- (5) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2665, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2665, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2623 Agriculture and Environment on S.B. No. 2798

The purpose and intent of this measure is to:

- (1) Authorize temporary courtesy and relief permits for out-of-state veterinarians;
- (2) Permit licensed veterinarians to practice veterinarian telemedicine; and
- (3) Allow international veterinary school graduates to qualify for the veterinary licensure examination.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaiian Humane Society, Hawaii Board of Veterinary Medicine, Hawaii Veterinary Medical Association, Veterinary Emergency + Referral Center, Animal Interfaith Alliance in Britain, The Humane Society of the United States, and twenty-six individuals.

Your Committee finds that many able and skilled veterinarians are unable to help the State meet its demand for veterinarians due to eligibility requirements for licensure. Granting temporary permits to out-of-state veterinarians would ensure that qualified veterinarians are able to assist in providing veterinary care in the State. Additionally, veterinary telemedicine is an important tool for veterinarians to meet the needs of their clients and patients. This measure allows out-of-state veterinarians to provide care in certain settings and for veterinarians to offer veterinary telemedicine in the State.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2798 and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2624 Agriculture and Environment on S.B. No. 2837

The purpose and intent of this measure is to establish a spay and neuter special fund and allow funds from an income tax check-off to be deposited into the special fund.

Your Committee received testimony in support of this measure from Best Friends, Maui Humane Society, Environmental Caucus of the Democratic Party of Hawai'i, Animal Balance, Hawaiian Humane Society, Alliance for Contraception in Cats & Dogs, Animal Interfaith Alliance in Britain, Petfix Spay and Neuter, Neighborhood Cats, Kaua'i Humane Society, Love A Cat Charity, Aloha Animal Advocates, Conflictresolution.com, The Humane Society of the United States, Molokai Humane Society, Hawaii Island Humane Society, Stonewall Caucus of the Democratic Party of Hawai'i, and ninety-six individuals. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance and two individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of the Attorney General, Department of Taxation, Tax Foundation of Hawaii, and North Shore Ko'olau Diversity Collective.

Your Committee finds that overpopulation of certain animals contributes to widespread suffering of those animals in the State. Spaying and neutering of pets would reduce the overpopulation of animals and limit the need for euthanization. Despite the value of spaying and neutering for the prevention of animal suffering, the State does not contribute funds to support the practice. This measure establishes a spay and neuter special fund and allows an income tax check-off to be deposited into the special fund for the purpose of supporting spaying and neutering of certain animals in the State.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation into and out of the Spay and Neuter Special Fund;
- (2) Replacing references to a husband and wife with reference to a married couple for purposes of income tax filing; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2837, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2837, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2625 Agriculture and Environment on S.B. No. 2944

The purpose and intent of this measure is to prohibit the use of important agricultural lands and lands with class A productivity ratings for waste disposal.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farm Bureau, and Hawaii Crop Improvement Association.

Your Committee finds that agriculture is an essential economic activity in Hawaii. To support agriculture, the State has established land use designations that protect certain lands for agricultural use. However, lands designated for agriculture can also be used for specific other activities. This measure prohibits the use of agricultural lands for waste disposal to ensure that agricultural lands are used to support agricultural production.

Your Committee has amended this measure by including lands with class B productivity ratings among lands on which waste disposal sites are prohibited.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2944, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2944, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2626 Energy, Economic Development, and Tourism on S.B. No. 2474

The purpose and intent of this measure is to:

- (1) Require the Public Utilities Commission to develop and adopt reliability standards and interconnection requirements;
- (2) Establish an interconnection procedure for utility-scale renewable energy projects; and
- (3) Require the Public Utilities Commission to contract for an electricity reliability administrator.

Your Committee received testimony in support of this measure from Hawaii Clean Power Alliance and Ulupono Initiative. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company, Inc. and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaii State Energy Office.

Your Committee finds that with the retirement of the AES coal plant, the timely interconnection of alternative utility-scale renewable energy generation and storage projects to the Hawaii electric system is necessary to maintain electric grid reliability and ensure that the State's electrical energy needs are met. Independent power producers rely on a clear timeline and transparent costs to ensure their proposed projects are completed within budget and will contribute to the State's renewable energy portfolio standards. This measure will help reduce the risks of delays and variables to benefit ratepayers, support the State's renewable energy goals, and set standards for grid-reliability.

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2474, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2627 Energy, Economic Development, and Tourism on S.B. No. 2584

The purpose and intent of this measure is to direct the Public Utilities Commission to adopt guidelines for interconnection applications that would trigger distribution, transmission, or other utility infrastructure upgrade costs in excess of a threshold determined by the Commission.

Your Committee received testimony in support of this measure from the Hawaii Solar Energy Association. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii and Hawaiian Electric Company, Inc. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Division of Consumer Advocacy, Public Utilities Commission, Hawai'i State Energy Office, and Tesla.

Your Committee finds that Hawaii electric utilities currently invest in grid infrastructure based on the assumption that one hundred percent of the estimated customer load from new home and commercial development will be served by the electrical grid. However, much of the electrical demand from new developments will be met through onsite distributed energy sources. This measure directs the Public Utilities Commission to adopt guidelines for electric utilities to integrate and leverage distributed energy resources.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2584, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2584, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2628 Energy, Economic Development, and Tourism on S.B. No. 3049

The purpose and intent of this measure is to amend section 201-13.8, Hawaii Revised Statutes, to allow the Department of Business, Economic Development, and Tourism to collect and analyze employer information and data.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Department of Labor and Industrial Relations. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii.

Your Committee finds that the Department of Business, Economic Development, and Tourism currently does not have the authority to collect and analyze employer data related to industry and occupational wages by county or other employment conditions and practices. Your Committee further finds that this type of data is vital to the effective operation of several programs within the purview of the Department of Business, Economic Development, and Tourism. Accordingly, your Committee finds that this measure will increase the effectiveness of the Department of Business, Economic Development, and Tourism by authorizing the collection of data necessary to inform and support programs within the Department's purview.

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3049, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3049, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2629 (Joint) Energy, Economic Development, and Tourism and Water and Land on S.B. No. 2398

The purpose and intent of this measure is to:

- (1) Create the Pulehunui Community Development District to allow for planning, development, and maintenance of public lands in Pulehunui, Maui;
- (2) Amend the Hawaii Community Development Authority (HCDA) membership by replacing the Chairperson of the Hawaiian Homes Commission and an at-large member with the Director of the Office of Planning and Sustainable Development and the Director of the Office of Planning and Permitting of each county, or their designees, in which a community development district is located;
- (3) Amend community representatives on each board from three to two at-large members; and
- (4) Establish membership for quorum on matters related to the Pulehunui Community Development District.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, Hawaii Community Development Authority, and one member of the Maui County Council. Your Committees received testimony in opposition to this measure from the League of Women Voters and one individual.

Your Committees find that the public lands in Pulehunui, Maui are relatively underdeveloped and have strong potential for increased growth and development that can provide for the community's needs. Investing in critical infrastructure through the development of these public lands will provide significant opportunities for other state and county projects in the vicinity.

Your Committees note that the Department of Land and Natural Resources intends to develop a light industrial and business park on a two hundred and eighty-acre portion within the Pulehunui Community Development District and that adding the Chairperson of the Board of Land and Natural Resources as a member on the Pulehunui Community Development District Authority Board is reasonable and appropriate.

Accordingly, your Committees have amended this measure by:

- (1) Adding the Chairperson of the Board of Land and Natural Resources or the Chairperson's designee to the voting members considered in determining quorum and majority for matters affecting the Pulehunui Community Development District;
- (2) Replacing all references to the Director of the Office of Planning and Sustainable Development with the Director of the Department of Business, Economic Development, and Tourism to conform with other related measures;
- (3) Deleting language referencing the initial terms of members appointed under Act 61, Session Laws of Hawaii 2014, as extraneous; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2398, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2398, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.
Water and Land: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2630 (Joint) Agriculture and Environment and Water and Land and Energy, Economic Development, and Tourism on S.B. No. 2174

The purpose and intent of this measure is to:

- (1) Establish within the Department of Agriculture an Aquacultural Area Lease Program for the purpose of identifying state facilities, lands, and marine waters that are suitable for use as commercial agricultural areas and leasing them to be used for aquaculture;
- (2) Allow agencies having control and management of identified aquacultural areas to lease the facilities, lands, and waters to the Department of Agriculture;
- (3) Allow the Aquacultural Area Lease Program to use the funds in the Aquacultural Development Special Fund;
- (4) Require revenues obtained from aquacultural area leases to be deposited into the Aquacultural Development Special Fund;
- (5) Impose penalties and civil and criminal liabilities; and
- (6) Exempt the Aquacultural Area Lease Program from being subject to the Hawaii Ocean and Submerged Lands Leasing Act.

Your Committees received testimony in support of this measure from the Department of Agriculture, University of Hawai'i Sea Grant College Program, Hatch Aquaculture Fund Management LLC, and Kohala Mountain Fish Company. Your Committees received comments on this measure from the Office of Information Practices and one individual.

Your Committees find that aquacultural production presents a valuable opportunity for the State. Increasing aquacultural production would greatly benefit the State's economic development and promote Hawaii's food self-sufficiency goals. This measure establishes an Aquacultural Lease Program to identify and lease certain areas for the development of aquacultural production. Your Committees further find that, according to testimony submitted by the Department of Agriculture, the Department of Agriculture is better suited to administer the program than the Board of Agriculture.

Accordingly, your Committees have amended this measure by:

- (1) Replacing the Board of Agriculture with the Department of Agriculture as the administrator for the program;
- (2) Removing a requirement that the Department of Agriculture hold meetings pursuant to chapter 92, Hawaii Revised Statutes; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment, Water and Land, and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2174, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2174, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2631 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 2284

The purpose and intent of this measure is to:

- (1) Establish provisions of law relating to the Department of Agriculture's governing of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Clarify that any person who takes aquaculture products without lawful entitlement shall be subject to prosecution for theft;
- (4) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as may be necessary to protect indigenous species;
- (5) Establish prohibitions relating to the spawning, incubating, or cultivation of transgenic fish species or any exotic species of finfish;
- (6) Make exemptions for certain research activities; and
- (7) Require the Department of Agriculture to prepare programmatic environmental impact reports.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hatch Aquaculture Fund Management LLC, and Kohala Mountain Fish Company. Your Committees received comments on this measure from the Department of Land and Natural Resources and Department of the Attorney General.

Your Committees find that diversification of the State's economy is necessary to lessen its economic dependence on tourism. Globally, seafood demand outpaces supply, making aquacultural industry a promising source of economic growth for the State. This measure supports expansion of Hawaii's aquaculture industry by clarifying and strengthening regulation of aquacultural production. However, your Committees also note the need for the Department of Agriculture to acquire land for aquacultural parks and the potential for significant environmental effects from aquaculture if it is not appropriately managed and regulated.

Your Committees have amended this measure by:

- (1) Removing provisions relating to prohibited and research activities regarding transgenic fish species or any exotic species of finfish;
- (2) Removing the theft provision, for consistency;
- (3) Clarifying that the business of aquaculture is exempt from other provisions relating to the harvesting, processing, and marketing of cultured aquatic life, not from provisions relating to commercial fishing;
- (4) Reorganizing existing aquaculture provisions and new provisions of this measure as a new section in chapter 141, Hawaii Revised Statutes;
- (5) Requiring the Department of Agriculture to acquire land for the purposes of aquaculture;
- (6) Inserting an appropriation for four full-time equivalent (4.0 FTE) positions in the Department of Agriculture for aquaculture;
- (7) Inserting an effective date of July 1, 2022; and
- (8) 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 Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2284, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2284, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Nishihara).

Energy, Economic Development, and Tourism: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2632 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.B. No. 3325

The purpose and intent of this measure is to:

- (1) Establish the Hawaii farmland and forest soil health carbon smart incentive program to incentivize carbon sequestration activities; and
- (2) Appropriate funds for the program.

Your Committees received testimony in support of this measure from the Hawaii Green Infrastructure Authority; Department of Land and Natural Resources; The Nature Conservancy; 350Hawaii.org; Hawaii Cattlemen's Council, Inc.; Climate Protectors Hawai'i, Conservation Council For Hawaii, and seven individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and Office of Planning and Sustainable Development.

Your Committees find that climate change has caused an increase in extreme weather events that pose a threat to food production and distribution. However, the State can mitigate its contributions to climate change by sequestering carbon. This measure incentivizes carbon sequestration by establishing a carbon smart incentive program for certain sequestering activities.

Your Committees have amended this measure by:

- (1) Making the Office of Planning and Sustainable Development the coordinating agency for the farmland and forest soil health carbon smart incentive program;
- (2) Replacing the carbon offset program under section 225P-6, Hawaii Revised Statutes, with the new provisions proposed by this measure to establish a farmland and forest soil health carbon smart incentive program;
- (3) Requiring the greenhouse gas sequestration task force to establish a reviewing committee;
- (4) Replacing the Hawaii Green Infrastructure Authority with the Office of Planning and Sustainable Development as the expending agency; and
- (5) 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 Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3325, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3325, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Nishihara).

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 2633 (Joint) Agriculture and Environment and Health on S.B. No. 2629

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture, in consultation with the Department of Health, to develop and implement a one-time pesticide disposal collection for a duration to be determined by the Department of Agriculture;
- (2) Require the Department of Agriculture to convene a steering committee to guide and monitor the pesticide disposal collection program; and
- (3) Make an appropriation.

Your Committees received testimony in support of this measure from the Department of Agriculture; Department of Health; Delaware Department of Agriculture; Hawaii Pest Control Association; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Hawai'i Farm Bureau Molokai Chapter; Larry Jeffs Farms, LLC; Hawai'i Food+ Policy Internship; CropLife America; Biotechnology Innovation Organization; Hawaii Crop Improvement Association; and eight individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that providing a safe and lawful method to dispose of banned, outdated, or unwanted pesticides is critical to the State's environmental management efforts. Additionally, more than forty states have successfully implemented similar programs. This measure requires the Department of Agriculture to implement a pesticide disposal collection program to support the State's environmental management efforts.

Your Committees have amended this measure by:

- (1) Clarifying language to align with existing language in the Hawaii Revised Statutes; and
- (2) Allowing the Department of Agriculture to determine the duration of the pesticide disposal collection program.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2629, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2629, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 2634 (Joint) Agriculture and Environment and Health on S.B. No. 2888

The purpose and intent of this measure is to establish the Access to Local Food Act to allow cottage food operation to sell cottage food products under certain conditions and upon receipt of a permit from the Department of Health.

Your Committees received testimony in support of this measure from the Institute for Justice, Hawaii Master Food Preservers, Ka Ohana O Na Pua, Hawaii Tropical Fruit Growers, Hawai'i Alliance for Progressive Action, Hawaii Food Industry Association, Hawai'i Farm Bureau, one member of the Hawai'i County Council, and thirteen individuals. Your Committees received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committees received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that local food production is integral to the State's economic development and food security. Homemade food sold directly to consumers constitutes a small but growing industry that can help the State achieve higher economic development and greater food security. However, Hawaii is one of only a few states that does not provide exemptions from Department of Health regulations for cottage foods. This measure provides exemptions from certain Department of Health Regulations to ensure the continued growth and productivity of the cottage food industry.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2888, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2888, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

SCRep. 2635 (Joint) Agriculture and Environment and Health on S.B. No. 2195

The purpose and intent of this measure is to establish a five-year pilot program within the Department of Health to eradicate feral chickens beginning in the Pearl City and Aiea areas of Oahu.

Your Committees received testimony in support of this measure from seven individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Health, Department of Agriculture, Hawaiian Humane Society, and one member of the Waimanalo Neighborhood Board.

Your Committees find that feral chickens are a persistent nuisance and health risk throughout the State. Feral chickens trespass in yards and gardens, dig up plants, damage food crops, and jeopardize native plants. They also crow at all times of the day and night and create road hazards. This measure establishes a five-year pilot program for the eradication of feral chickens to promote a higher quality of life and greater safety for Hawaii's residents.

Your Committees have amended this measure by:

- (1) Expanding the pilot project to be Statewide;
- (2) Requiring the Department of Agriculture to submit a Special Local Need registration to the Environmental Protection Agency for the use of OvoControl; and
- (3) 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 Agriculture and Environment and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2195, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2195, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

SCRep. 2636 Health on S.B. No. 2031

The purpose and intent of this measure is to establish the Office of Health Equity within the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health; Hawai'i Coalition for Immigrant Rights; Hawai'i Public Health Institute; AlohaCare; American Cancer Society Cancer Action Network; American Heart Association;

Hawaii Medical Service Association; Native Hawaiian & Pacific Islander Hawai'i COVID-19 Response, Recovery, and Resilience Team (NHPI 3R); and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Healthcare Association of Hawaii.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic unequally impacted groups already experiencing health disparities. Many people who are employed as frontline workers in essential services industries and, as a result, faced greater risks of exposure to COVID-19 are demographically native Hawaiian, Pacific Islander, Filipino, women, and immigrants. One of the stated goals of the Department of Health is to pursue and achieve health equity. Therefore, in support of that goal, this measure establishes the Office of Health Equity within the Department of Health.

Your Committee acknowledge the testimony of NHPI 3R, which recommended recomposing the membership of the policy advisory group created by this measure in order to include membership who would provide the Office with specific and direct objectives.

Therefore, your Committee has amended this measure by:

- (1) Replacing the proposed policy advisory groups with leaders from organizations advancing health equity for disadvantaged racial or ethnic groups; gender and sexual minorities; those with physical, developmental, and other disabilities; and rural and remote communities;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2031, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2031, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2637 Health on S.B. No. 2073

The purpose and intent of this measure is to allow for standard telephone contacts for telehealth purposes.

Your Committee received testimony in support of this measure from the University of Hawai'i System, State Council on Developmental Disabilities, State Council on Mental Health, Disability and Communication Access Board, Hawai'i Pacific Health, Hawai'i Public Health Institute, Hawai'i Primary Care Association, National Association of Social Workers--Hawai'i, Waianae Coast Comprehensive Health Center, American Cancer Society Cancer Action Network, Hawaii Medical Association, Hawaii Substance Abuse Coalition, Health Committee of the Democratic Party of Hawai'i, Hawaiian Islands Association for Marriage and Family Therapy, AARP Hawai'i, Healthcare Association of Hawaii, and six 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 Commerce and Consumer Affairs, Department of Human Services, Kaiser Permanente Hawaii, The Queen's Health Systems, and Hawaii Psychiatric Medical Association.

Your Committee finds that during the coronavirus disease 2019 pandemic, the Governor's emergency order allowed the use of standard telephone contacts between health care providers and patients to minimize in-person meetings while ensuring continued access to care. Allowing insurance reimbursement for telehealth through standard telephone contacts greatly increased access to care for vulnerable populations, including the elderly, low-income, medically- and socially-complex patients, and those in rural areas who do not have the broadband capabilities, electronic equipment, financial means, transportation options, or technological proficiency to operate sophisticated digital video conferencing software. This measure aims to make provisions of the emergency order permanent by including standard telephone contacts in the definition of "telehealth".

Your Committee has amended this measure by inserting an effective date of January 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. 2073, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2073, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2638 Health on S.B. No. 2281

The purpose and intent of this measure is to:

- (1) Establish licensure requirements for school psychologists to be administered by the Board of Psychology;
- (2) Require all school psychologists to be licensed by July 1, 2025; and
- (3) Increase the composition of the Board of Psychology to include two school psychologists.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawai'i Association of School Psychologists, Hawai'i Psychological Association, Hui for Excellence in Education, and twenty individuals. Your Committee received testimony in opposition to this measure from the Hawaii Board of Psychology, and three individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that Hawaii is the only state that does not regulate school psychologists. Not having a licensing requirement has allowed individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standard to practice psychology in Hawaii's schools. Furthermore, services performed by certified or licensed school

psychologists are reimbursable by Medicaid; thus, because school psychologists are not required to be licensed, the Department of Education cannot bill Medicaid for their services. Your Committee finds that licensing school psychologists would increase the standards of the profession and provide the Department of Education a means to recoup funds under Medicaid. Therefore, this measure establishes licensure requirements for school psychologists to ensure qualified persons serve Hawaii's students in public schools in a fiscally sustainable manner.

Your Committee has amended this measure by inserting an effective date of January 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. 2281, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2281, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2639 Health on S.B. No. 2443

The purpose and intent of this measure is to:

- (1) Define pharmacy benefit manager practices; and
- (2) Authorize the Insurance Commissioner to suspend or revoke a pharmacy benefit manager's registration and impose fines for certain violations.

Your Committee received testimony in support of this measure from Hawai'i Primary Care Association and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, CVS Health Solutions LLC; Kaiser Permanente Hawaii, Pharmaceutical Care Management Association, and American Cancer Society Cancer Action Network.

Your Committee finds that pharmacy benefit managers (PBMs) are companies that manage prescription drug benefits on behalf of health insurers and other payors. PBMs wield great negotiating power, and thus have a significant behind-the-scenes impact in determining total drug costs for insurers, shaping patients' access to medications, and determining how much pharmacies are paid. PBMs may also prevent pharmacists from engaging in certain beneficial behavior, such as contractually prohibiting pharmacists from informing a customer about the availability of a more affordable generic medication. This measure protects consumers' and pharmacists' interests by regulating certain PBM practices.

Your Committee acknowledges the testimonies of various stakeholders, including the Department of Health, the Insurance Commissioner of the Department of Commerce and Consumer Affairs' Insurance Division, Kaiser Permanente Hawaii, and CVS Health Solutions LLC, which provided suggested amendments to this measure for clarity and consistency with existing law.

Therefore, your Committee has amended this measure by:

- (1) Replacing PBM license issuance and service fees of \$140 with an amount required under section 431:7-101, Hawaii Revised Statutes;
- (2) Repealing section 328-106, Hawaii Revised Statutes;
- (3) Clarifying that information a PBM may not prohibit a pharmacy or pharmacist from discussing with a person is specific to the person's cost sharing obligations;
- (4) Clarifying that a PBM may not prohibit a pharmacy or pharmacist from disclosing information to law enforcement or government officials for the purposes of filing a complaint;
- (5) Amending the definition of "pharmacy benefit manager" in sections 431R-1 and 431S-1, Hawaii Revised Statutes, to be the same;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2443, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2443, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2640 Health on S.B. No. 3180

The purpose and intent of this measure is to establish the Rural Health Task Force within the Department of Health to make recommendations on registered nurse recruitment and retention in rural areas of east Maui, Molokai, and Lanai.

Your Committee received testimony in support of this measure from one member of the Maui County Council; The Queen's Health Systems; Hana Health; Hawai'i Primary Care Association; Liberty Dialysis--Hawaii, LLC; Molokai Community Health Center; and eight individuals. Your Committee received comments on this measure from the Department of Health, Department of Human Services, Hawai'i State Center for Nursing, and Hawai'i--American Association of Nurses.

Your Committee finds that since 2019, more than nine hundred nurses have left the workforce in Hawaii due to the coronavirus disease 2019 pandemic, the cost of living, and lack of affordable housing in the State. This shortage has impacted the State's rural communities the hardest. This measure would provide the Department of Health with assistance from health care providers currently working in the rural communities in east Maui, Molokai, and Lanai to develop a plan to recruit and retain nurses for these and other rural areas.

Your Committee acknowledges the testimony of the Hawaii Primary Care Association, which requested that a representative of the Molokai Community Health Center be included on the task force, as it is one of only five organizations providing primary care on Molokai, serving forty percent of that island's population. Your Committee also acknowledges the testimony of the Department of Human Services, which requested to be removed from the task force, as it lacks expertise in recruiting and retaining nurses.

Therefore, your Committee has amended this measure by:

- (1) Removing the Director of Human Services from the task force;
- (2) Adding one representative of Molokai Community Health Center as a member to be invited to participate on the task force;
- (3) Clarifying that members participating on the task force are not subject to chapter 84, Hawaii Revised Statutes, solely because of the member's participation on the task force; and
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and

As affirmed by the record of votes of 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. 3180, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3180, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2641 Health on S.B. No. 3208

The purpose and intent of this measure is to:

- (1) Amend the definition of "preceptor" and "volunteer-based supervised clinical training rotation" to improve accessibility for providers to receive income tax credits for acting as preceptors; and
- (2) Include the Director of Health on the Preceptor Credit Assurance Committee.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i State Center for Nursing, Kaiser Permanente Hawaii, The Queen's Health Systems, Hawai'i —American Nurses Association, Hawai'i Pacific Health, Hawai'i Primary Care Association, Hawai'i Association of Professional Nurses, and four individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that the State faces a shortage of primary care providers, such as physicians, advanced practice registered nurses, and pharmacists. Although Hawaii students are interested in pursuing careers in health care, Hawaii schools lack qualified preceptors to teach and train these students. To encourage the participation of preceptors, existing law provides an income tax credit to health care preceptors volunteering to instruct, supervise, and train students and resident doctors. However, only a small number of preceptors met the credit's eligibility requirements due to its qualifying criteria. This measure amends the health care preceptor tax credit law to expand its eligibility requirements.

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3208, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2642 Health on S.B. No. 3248

The purpose and intent of this measure is to appropriate funds to the Department of Health to purchase one advanced life support ambulance to be based on the island of Molokai, and related equipment, and pay related personnel costs for state-certified emergency medical services personnel.

Your Committee received testimony in support of this measure from one member of the Maui County Council, American Medical Response, Kauai Paramedics Association, The Queen's Health Systems, and twenty-seven individuals. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that currently, the island of Molokai has only one ambulance providing emergency medical services to residents. Providing timely response to a 911 call is critical to increasing the likelihood of successful outcomes for injured or sick individuals. Adding another advanced life support ambulance would provide better on-island emergency coverage and decrease the time needed to transport medical professionals responding to emergencies on the island. This measure appropriates funds to the Department of Health to purchase one advanced life support ambulance for the island of Molokai and for related equipment and personnel costs.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount; and
- (2) Inserting an effective date of January 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. 3248, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3248, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2643 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2023

The purpose and intent of this measure is to require the Department of Land and Natural Resources to utilize the current state-of-the-art knowledge in marine finfish hatchery production to establish a functional system to provide pua ama and pua awa to stock loko ia.

Your Committees received testimony in support of this measure from Food+ Policy Internship 2022, Kua'āina Ulu 'Auamo, and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that loko ia (Hawaiian fishponds) are part of advanced food systems that optimize natural watersheds, nutrient cycles, and fish biology and represent one of the world's most significant and successful aquacultural achievements. The dramatic decline in the number of loko ia and the average yield of those remaining are attributed to various factors including competition from cheaper imported products, money replacing barter as the standards of exchange, population movement from rural to urban areas, loss of traditional loko ia management skills, and the availability of alternative sources of employment.

Additionally, forces of nature, such as lava flows, tsunami and sea storms, land erosion, vegetation encroachment, and eutrophication have contributed to the destruction of Hawaiian loko ia. The historic loss of loko ia played a tragic role in furthering food inequity in Hawaii and points to the need to reinvigorate efforts to get ponds in operation.

Presently, hatchery production is the best option to restore loko ia productivity and access to hatchery-raised pua has been identified as a pivotal need. State and federal funded research between the 1970s and 1980s examined hatchery production of amaama and demonstrated successful maturation, spawning, and rearing of amaama through larval stage. Similar success with awa showed the potential role hatchery-raised pua could have for restocking efforts. Prioritizing loko ia restoration and revitalization is an active step towards improving food systems and reducing hunger and increasing responsible consumption and production patterns. Restoration addresses the food security challenges of being an isolated island community.

Your Committees have heard concerns from the Department of Land and Natural Resources regarding appropriations for loko ia. This measure, as drafted, does not contain appropriation language that will allow the Department of Land and Natural Resources to expand and develop its knowledge and practices of marine finfish hatchery production to address the decline of loko ia. To address the concerns of the Department, your Committees have amended this measure by:

- (1) Inserting a blank appropriation for the hiring of staff or contractors with expertise in finfish hatchery production, purchasing of equipment and supplies, and training workshops for loko ia across the State and by the Department of Land and Natural Resources;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2023, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2023, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 5. Noes, none. Excused, none.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2644 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2480

The purpose and intent of this measure is to authorize the issuance of bonds for the Department of Land and Natural Resources and Agribusiness Development Corporation to purchase the Wahiawa Irrigation System on the Island of Oahu.

Your Committees received testimony in support of this measure from the Hawaii Crop Improvement Association, Ulupono Initiative, Hawai'i Farm Bureau, Dole Food Company Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committees received comments on this measure from the Agribusiness Development Corporation.

Your Committees find that the Wahiawa Irrigation System is a critical irrigation system providing water to farmers in Waialua and Haleiwa on the island of Oahu. Built by the Waialua Sugar Company, the Wahiawa Irrigation System was created with a dam and freshwater reservoir fed by the north fork and south fork of the Kaukonahua stream. The dam is essential to agriculture as the water in the reservoir provides irrigation to farmers in Wahiawa, Waialua, and Haleiwa. Dole Food Company has listed the irrigation system for sale for \$20,000,000, which includes the Wahiawa Reservoir, Wahiawa Dam and Spillway, and Ditch System. This purchase price is not for the acquisition of the system but rather it reflects the estimated cost of mandated improvements to the Wahiawa Irrigation System. It is in the interest of the public for the State to acquire the Wahiawa Irrigation System and preserve the System for public access and the agriculture industry. To provide the agricultural sector with a reliable irrigation system, this measure requires the Department of Agriculture and the Agribusiness Development Corporation to acquire the Wahiawa Irrigation System.

Your Committees raised concerns that the proposed amendments would have an impact on the Department of Agriculture but the Department of Agriculture did not submit testimony on this measure. Your Committees also raised concerns regarding the true financial burden to the State and the Department of Agriculture beyond the estimated \$20 million, which may lead to potential litigation and liabilities. As the Wahiawa Irrigation System serves as a crucial system to many local farmers on Oahu, your Committees also expressed concerns regarding impacts from climate change.

Your Committees have amended this measure by:

- (1) Replacing the Department of Land and Natural Resources with the Department of Agriculture as one of the purchasing agencies of the Wahiawa Irrigation System;
- (2) Amending the general obligation bonds lapse date to lapse on June 30, 2024; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2480, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2480, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 2645 (Joint) Water and Land and Agriculture and Environment on S.B. No. 2768

The purpose and intent of this measure is to:

- (1) Authorize the Governor to designate the Department Of Land and Natural Resources to administer or enter into an agreement for the administration of a green jobs youth corps to provide temporary work and training opportunities in the fields of natural resource management, agriculture, or other sustainability-related professions to young adults ages twenty-six and younger;
- (2) Require the Department of Land and Natural Resources to partner with an organization that has received accreditation from the Corps Center of Excellence Accreditation Program or has at least ten years of experience providing similar programming statewide in the State, or both; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department Of Land and Natural Resources, Hawaii State Energy Office, Kua'āina Ulu 'Auamo, Hawaii Fish Company Inc., Kupu, Hawai'i's Thousand Friends, Hawai'i Food + Policy Internship, Re-use Hawai'i, The Nature Conservancy, Hawai'i Green Fee, and four individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the State is currently facing an unemployment epidemic. Many skilled and promising young people in the State lack meaningful opportunities to participate in the workforce.

Your Committees additionally find that during the Regular Session of 2020, the Legislature passed Act 9, Session Laws of Hawaii 2020 (Act 9), which used funds designated for the State by the federal Coronavirus Aid, Relief, and Economic Security Act to establish a workforce and training program that, among other accomplishments, funded a short-term green jobs program in partnership with the nonprofit Kupu. Under the Kupu Aina Corps, over three hundred fifty displaced workers and recent graduates were matched with work and training opportunities across the State. Kupu's partnership with conservation and agricultural host sites enabled individuals to work within their own communities, while also contributing to Hawaii's economy and environment.

Your Committees further find that, despite the success of the program established pursuant to Act 9, more must be done to support the diversification of Hawaii's economy. Your Committees note, too, that the program established under part XV of Act 9 is no longer active.

Accordingly, your Committees find that this measure will revive the benefits of the workforce program previously enacted under Act 9 in terms of economic diversification and stimulus, but with a greater focus on young adults. This measure will also make the program permanent and place it under the administration of the agency most familiar with conservation and oversight of a conservation corps, and provide the authority to administer a green jobs youth corps in partnership with a qualified community organization.

Your Committees have amended this measure by:

- (1) Increasing, from twenty-six to thirty-eight, the age limit for participation in the program authorized by this measure to encourage greater participation, as recommended in the testimony of Kupu; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2768, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2768, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2646 (Joint) Water and Land and Agriculture and Environment on S.B. No. 3299

The purpose and intent of this measure is to:

- (1) Require that the Department of Land and Natural Resources recognize that:
 - (A) Game mammals and game birds provide a sustainable food source and play a role in native Hawaiian traditional and customary practices, merit quality habitat, and should be managed to reduce impacts and provide benefits in reducing grass fire fuel and weed control to important watershed areas and native habitat;
 - (B) Sustainability of natural habitats reduces negative impacts to important watershed areas; and
 - (C) 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 that each department, office, or agency of the State update its rules and policies to integrate the local hunting and fishing industries into any food security or sustainability strategies that department, office, or agency employs; and
- (3) Require reports to the Legislature.

Your Committees received testimony in support of this measure from the Office of the Mayor of the County of Hawai'i, Hawaii County Game Management Advisory Commission, Hawai'i Forest Industry Association, Hawaii Sportsmen's Alliance, National Wild Turkey Federation, Hawaii Firearms Coalition, Hawai'i Farm Bureau, and twenty-two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that it is important to balance the management of game populations with the sustainability of their natural habitats to reduce negative impacts of significant watershed areas. Hunting game mammals and birds is an accepted generational practice that helps many local families and individuals supplement their food supply. If game and bird populations are left unmanaged, they can contribute to environmental degradation to both farmland and the natural environment. However, game mammals are also a first line of defense against wildfires that can destroy native trees and cause the growth of additional invasive plants. This measure will help guide the Department of Land and Natural Resources to balance hunting with the management of healthy ecosystems.

Your Committees have amended this measure by:

- (1) Clarifying that game mammals and game birds provide a sustainable food source, provided that negative impacts to the environment are sufficiently minimized or offset through native ecosystem protections that merit quality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting;
- (2) Clarifying that the Department of Land and Natural Resources shall recognize that proper management of game populations in appropriate areas minimizes or reduces impacts to agriculture, important watershed areas, and native habitats, and provides benefits such as reducing grass fire fuel and weed control to important watershed areas; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3299, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3299, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2647 (Joint) Transportation and Agriculture and Environment on S.B. No. 2295

The purpose and intent of this measure is to:

- (1) Require the Department of Transportation to plan for a certain amount of sea level rise in all future or amended transportation projects; and
- (2) Require all Department of Transportation projects to conform to certain carbon concrete standards.

Your Committees received testimony in support of this measure from the Surfrider Foundation and three individuals. Your Committees received comments on this measure from the Department of Transportation.

Your Committees find that our state highways are vulnerable to sea level rise, coastal erosion, and other impacts of climate change and extreme weather. Therefore, this measure requires the Department of Transportation to plan for sea level rise in all future or amended transportation projects and to conform to the carbon concrete standards.

Your Committees have amended this measure by:

- (1) Clarifying that the Department of Transportation shall plan for sea level rise within the sea level rise exposure areas designated by the Hawaii Climate Commission;
- (2) Allowing the Director of Transportation to issue exemptions for the use of the carbon concrete standards when necessary or when different procedures are mandated by federal law; and
- (3) 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 Transportation and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2295, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2295, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2648 (Joint) Transportation and Agriculture and Environment on S.B. No. 3275

The purpose and intent of this measure is to prohibit any person from using a state-owned road, street, or highway to transport endangered marine species harvested from state waters for commercial purposes, and marine species harvested from state waters for non-subsistence commercial purposes.

Prior to decision making on this measure, your Committees made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 prohibits any person from using a public road, street, highway, or similar thoroughfare to transport endangered marine species harvested from state waters for commercial purposes and marine species harvested from state waters for commercial aquarium purposes.

Your Committees received testimony in support of the proposed S.D. 1 from the Legacy Reef Foundation, Big Island Reef Keepers Alliance, and four individuals. Your Committees received comments on the proposed S.D. 1 from the Department of Transportation, Department of Land and Natural Resources, and one individual.

Your Committees find that illegal poaching and extraction of marine species, rare corals, and fish for commercial gain are serious problems in Hawaii and are heightened by challenges in enforcing applicable laws. Your Committees find that prohibiting the transportation of illegal takes provides law enforcement with an additional tool to stop illegal trophy hunting and profiteering from Hawaiian waters.

Your Committees have amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Removing references to endangered species;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) 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 Transportation and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3275, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3275, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2649 (Joint) Public Safety, Intergovernmental, and Military Affairs and Higher Education on S.B. No. 2640

The purpose and intent of this measure is to appropriate funds for the second year of the education program for imprisoned women.

Your Committees received testimony in support of this measure from the University of Hawai'i; Women's Prison Project; Hawai'i Friends of Restorative Justice; Young Women's Christian Association, O'ahu; Hawaii Substance Abuse Coalition; American Civil Liberties Union of Hawai'i; Community Alliance on Prisons; and six individuals. Your Committees received comments on this measure from the Department of Public Safety, Department of Human Services, and Department of Budget and Finance.

Your Committees find that in August 2021, the Governor awarded over \$8,000,000 to schools, colleges, and other entities as part of the Governor's emergency education relief. Among the awardees, the Hawaii Friends for Restorative Justice received \$250,000 for the first year of an education program for imprisoned women. The program involves the Hawaii Friends for Restorative Justice partnering with the Women's Community Correctional Center, Windward Community College, the University of Hawaii at Manoa, and McKinley Community School for adults to train incarcerated women to be general education development tutors for their peers, provide college correspondence courses for women in the Women's Community Correctional Center, and provide reentry and transition services for women who wish to continue their education post incarceration. Additionally, your Committees believe that continuing education reduces repeat crime. This measure will allow the State to reduce recidivism and provide skills to develop incarcerated women's potential and help with their post-incarceration employment by appropriating funds for the second year of the education program for imprisoned women.

Your Committees have amended this measure by 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, Intergovernmental, and Military Affairs and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2640, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2640, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2650 Labor, Culture and the Arts on S.B. No. 2731

The purpose and intent of this measure is to appropriate funds to support the Bernice Pauahi Bishop Museum.

Your Committee received testimony in support of this measure from the Bernice Pauahi Bishop Museum, State Foundation on Culture and the Arts, Hawai'i Tourism Authority, and Kanaeokana Network. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Bernice Pauahi Bishop Museum, designated as the State of Hawaii Museum of Natural and Cultural History, is significant for its cultural, architectural, educational, scientific, and historical contributions to Hawaii. It is listed on the National Register of Historic Places and is one of Hawaii's most significant and iconic buildings.

Your Committee further finds that the Bernice Pauahi Bishop Museum stewards more than twenty-five million catalogued objects, and actively generates and shares knowledge associated with its collections. The museum's work supports over fifty state and federal government agencies, departments, and affiliated organizations, without whom many basic questions concerning Hawaii's people, plants, and animals could not be answered with efficiency and confidence. The museum's collections include over 1,200,000 cultural artifacts, representing Native Hawaiian, Pacific Island, and Hawaii immigrant life; more than 125,000 historical publications, including many in the Hawaiian language; one million historical photographs, films, works of art, and publications; and over twenty-two million plant and animal specimens.

Your Committee also finds that Bernice Pauahi Bishop Museum researchers have discovered over seventeen thousand species of plants, animals, and insects throughout the Pacific region and have made countless discoveries related to the migration, settlement, and daily life of Pacific people. Not only does the museum conduct research, but it also provides vital education to the public. The museum's educational programs provide science and cultural education opportunities to thousands of school children in Hawaii each year, and it is estimated that the museum has hosted more than ten million visitors over its history.

This measure will appropriate funds to enable the Bernice Pauahi Bishop Museum to continue its work to protect Hawaii's irreplaceable collections and primary source knowledge, which is a global resource essential for the perpetuation of Hawaii's natural and cultural heritage.

Your Committee notes the testimony of the Department of Budget and Finance, stating that funding for the Bernice Pauahi Bishop Museum may be more suitably appropriation to the Department of Accounting and General Services. This is because Act 88, Session Laws of Hawaii 2021, removed the recurring operating subsidy of \$626,000 in general funds for the museum from the Department of Budget and Finance's base budget and replaced it with appropriations of \$626,000 in American Rescue Plan Act funds in fiscal year 2021-2022 and 2022-2023 that were made to the State Foundation on Culture and the Arts within the Department of Accounting and General Services.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$2,000,000;
- (2) Changing the expending agency to the Department of Accounting and General Services;
- (3) Requiring the sum appropriated pursuant to this measure to be included in the base budget for the Department of Accounting and General Services for the Bernice Pauahi Bishop Museum in future fiscal bienniums; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee also notes the testimony of the Department of Budget and Finance expressing concerns regarding this measure's possible effect on the State's obligation to adhere to the maintenance of effort requirements as a recipient of Elementary and Secondary Schools Emergency Relief funds under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and the American Recovery Plan Act of 2021. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that your Committee on Ways and Means further examine those issues and concerns raised by the testimony.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2731, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2731, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2651 (Joint) Government Operations and Water and Land on S.B. No. 2366

The purpose and intent of this measure is to:

- (1) Clarify that a government agency does not assume ownership or jurisdiction over a disputed road solely through maintenance or repair activities; and
- (2) Authorize the State to transfer ownership of roads in favor of counties by quitclaim if requested by the county.

Your Committees received testimony in support of this measure from the Department of Transportation, Office of the Mayor of the County of Kauai, and Office of the Mayor of the County of Maui. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that there are roads in Hawaii whose ownership or jurisdiction is disputed between the State and counties. Neither state nor county agencies are willing to maintain these roads because the maintenance activities may be construed as assuming ownership and jurisdiction over the disputed roads. Your Committees further find that the safety of persons traveling over these so called "roads in limbo" is affected by the lack of maintenance. Your Committees therefore find that this measure will promote public

safety by enabling government agencies to maintain roads that are subject to ownership and jurisdictional disputes without compromising any legal claims pertaining to those roads.

Your Committees note the testimony of the Department of Transportation suggesting a more appropriate statutory placement for the new section created by this measure. Your Committees also note the testimony of the Office of the Mayor of the County of Kauai and Office of the Mayor of the County of Maui recommending the addition of statutory immunity for the State and counties under certain circumstances.

Your Committees have amended this measure by:

- (1) Moving the new statutory language to chapter 264, Hawaii Revised Statutes, rather than chapters 27 and 46, Hawaii Revised Statutes;
- (2) Deleting the definition of “disputed public street, road, or highway” and any references to non-vehicular accessways or interests;
- (3) Inserting language granting statutory immunity for the State and counties under certain circumstances; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2366, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2366, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

SCRep. 2652 (Joint) Government Operations and Health on S.B. No. 2137

The purpose and intent of this measure is to:

- (1) Establish a public information meeting requirement to receive a county permit to operate a halfway house, clean and sober home, or drug rehabilitation home;
- (2) Establish a public information meeting requirement for clean and sober home registry applications; and
- (3) Prohibit clean and sober homes that are located within one-half mile of an existing public or private elementary or secondary school from inclusion on the Department of Health’s registry of clean and sober homes.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from the Hawai’i Health & Harm Reduction Center; American Civil Liberties Union of Hawaii; Oxford House Inc.; Hawaii Substance Abuse Coalition; Coalition for a Drug-Free Hawaii; Habilitat, Inc.; The Institute for Human Services, Inc.; and eight individuals. Your Committees received comments on this measure from the Department of the Attorney General and Department of Health. Your Committees note the testimony of the Department of the Attorney General that the measure would violate federal anti-discrimination laws.

Your Committees find, however, that there have been complaints by community members with respect to the lack of oversight of operations of clean and sober homes. These complaints concern the lack of transparency regarding the locations of clean and sober homes, especially those in proximity to schools, and the lack of clear procedures for community members to address concerns or complaints regarding these homes.

Accordingly, your Committees find that this measure has the potential to address legitimate community concerns while balancing the needs and rights of persons residing in clean and sober homes. Your Committees have therefore amended this measure by:

- (1) Deleting the language that would have amended section 46-4, Hawaii Revised Statutes, to impose public information meeting requirements prior to a county issuing a permit for the operation of a halfway house, clean and sober home, or drug rehabilitation home;
- (2) Amending section 321-193.7(j), Hawaii Revised Statutes, to require the Department of Health and county agencies, to work together to address complaints and educate the public on clean and sober homes;
- (3) Deleting language that would have prohibited a clean and sober home to operate within one-half mile of an elementary or secondary school; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2137, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2137, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Health: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (San Buenaventura).

SCRep. 2653 Government Operations on S.B. No. 2336

The purpose and intent of this measure is to allow the Office of Information Practices to resolve open meeting and open record complaints through either a legal determination on whether a violation occurred or guidance on the relevant legal requirements.

Your Committee received testimony in support of this measure from the Office of Information Practices and one individual. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii, The Civil Beat Law Center for the Public Interest, and Hawaii Chapter of the Society of Professional Journalists. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that the purpose of the Office of Information Practices is to ensure open government practices while protecting individual privacy rights. Your Committee further finds that existing law requires the Office of Information Practices to issue a full written opinion in response to certain inquiries and complaints, and does not provide the Office of Information Practices with the discretion to issue informal opinions where appropriate. This causes delays in the processing of appeals and exacerbates an existing backlog of appeals.

Accordingly, your Committee finds that this measure will promote more expedient decision-making from the Office of Information Practices by codifying a discretionary, informal guidance process to resolve certain inquiries and complaints, thereby providing the Office of Information Practices with the flexibility needed, given its limited resources, to prioritize appeals that warrant formal opinions and expedite addressing complaints through written guidance.

Your Committee has amended this measure by:

- (1) Requiring opinions or rulings and guidance issued by the Office of Information Practices, or summaries thereof, to be posted publicly online within a reasonable amount of time from issuance;
- (2) Defining the terms “guidance” and “ruling” to clarify that both decisions are written documents available for public review;
- (3) Clarifying that the Director of the Office of Information Practices has the discretion to determine whether to issue guidance or a ruling in the form of a formal opinion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2336, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2654 Government Operations on S.B. No. 3034

The purpose and intent of this measure is to clarify the listing requirements for joint contractors and subcontractors submitting construction bids under section 103D-302, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Budget and Fiscal Services of the City and County of Honolulu, and General Contractors Association of Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the State’s procurement law is in need of clarification regarding the listing of subcontractors requirement under section 103D-302(b), Hawaii Revised Statutes. As noted in the testimony of the Department of Accounting and General Services, the current lack of clarity leads to additional bid protests, delays, and administrative costs in the procurement process. Accordingly, your Committee finds that this measure will increase efficiency in the procurement process and reduce avoidable bid protests by clarifying the listing of subcontractors requirement.

Your Committee notes the testimony of the State Procurement Office, providing that the term “joint contractor” is not defined by section 444-1, Hawaii Revised Statutes, nor otherwise defined by administrative rule. That section, however, defines “contractor” to include contractors submitting a bid with another contractor as “joint contractors”, subcontractors, and others who may perform the work of a contractor or portions thereof, and therefore all of which should be included in bid listings.

Your Committee has therefore amended this measure by:

- (1) Adding the term “joint contractor” as contractors submitting a bid with other contractors; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3034, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3034, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2655 Government Operations on S.B. No. 2123

The purpose and intent of this measure is to require the redaction of certain information on financial disclosure statements deemed to be public records for non-paid volunteer members of state boards and commissions.

Your Committee received testimony in support of this measure from the Department of Transportation; University of Hawai’i System; University of Hawai’i Alumni Association; HPM Building Supply; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Lisa A.M. Miller Consulting, LLC; Title Guaranty of Hawaii; Watumull Properties Corp.; University of Hawaii Professional Assembly; Na Hoku, Inc.; Hawai’i Executive Collaborative; Association of Emeritus Regents of the University of Hawaii;

Hawaiian Host Group; Hawaii Foodservice Alliance LLC; Central Pacific Bank; Kaua'i Island Utility Cooperative; Island Holdings, Inc.; First Hawaiian Bank; Tori Richard, Ltd.; Finance Factors; Mana Up; Hawaii Venture Capital Association; 31 aikalima LLC; and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Ethics Commission, League of Women Voters of Hawaii, The Civil Beat Law Center for the Public Interest, Americans for Democratic Action Hawai'i, Common Cause Hawaii, Hawaii Chapter of the Society of Professional Journalists, and eight individuals.

Your Committee finds that all state board and commission members are required to submit financial disclosures to the Hawaii State Ethics Commission. Your Committee further finds that as a direct result of this disclosure requirement, the state currently has many vacancies and the pool of qualified individuals that are willing to serve on state boards and commissions has and continues to dwindle. Community members who are most qualified to serve are often not willing to pursue a seat on state boards or commissions because of the requirement that financial disclosures be made public. Those individuals and their businesses often value privacy concerning compensation and other personal matters.

Your Committee notes the testimony in opposition to this measure and the importance of the public's right to know that those entrusted to serve on seventeen major boards do so without conflicts of interest in matters that come before them.

Your Committee recognizes that personal privacy interests of those who voluntarily serve on boards and commissions must be balanced with the public's right to know and prevent conflicts of interest in decision-making. Your Committee finds that this balance will be best achieved by maintaining the requirement that each person submit to the Hawaii State Ethics Commission the financial disclosure statements required under sections 87-17(f)(1) through -(7), Hawaii Revised Statutes, which include sources of income, certain ownership interests, officer and director positions, debts, creditor interests in insolvent businesses, and names of persons represented before government agencies. Your Committee finds that this measure will require the Hawaii State Ethics Commission to redact only amounts, leaving all key information open to public disclosure.

In implementing this measure, your Committee urges the Hawaii State Ethics Commission to work with agencies to ensure that all board members and staff are trained and educated on the state ethical rules and laws, and, in particular, those pertaining to financial disclosures of board members.

Accordingly, your Committee finds that this measure will benefit the people of Hawaii and increase the size and quality of the pool of candidates for seats on state boards and commissions by redacting only the amounts of the financial disclosure information.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2023, to afford the Hawaii State Ethics Commission additional time to implement this measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2123, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2123, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2656 Government Operations on S.B. No. 2143

The purpose and intent of this measure is to require each state board to make its board packets publicly available prior to the board's meeting.

Your Committee received testimony in support of this measure from The Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, National Federation of the Blind of Hawaii, Common Cause Hawaii, and seven individuals. Your Committee received comments on this measure from the Office of Information Practices and Hawai'i Tourism Authority.

Your Committee finds that a recurring issue with many state boards is the inadequate or incomplete provision of information regarding agenda topics in advance of board meetings. This impairs the public's ability to provide meaningful comment on board matters. Your Committee further finds that members of the public have useful contributions to make on a wide array of issues and should be allowed to provide comments on issues on the agenda and not only at the beginning of meetings. Accordingly, your Committee finds that this measure will promote public engagement in the operation of state boards by increasing the amount of information provided to the public in advance of board meetings.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "board packet";
- (2) Clarifying that boards are not required to prepare and use board packets, but when boards do so, they are required to make the board packets available to the public before the meeting; and
- (3) Increasing the required packet availability from twenty-four to forty-eight hours prior to a board meeting.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2143, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2143, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2657 Government Operations on S.B. No. 2111

The purpose and intent of this measure is to allow government agencies to publish public notices on an official website as an alternative to a newspaper.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Department of Health, Department of Budget and Finance, University of Hawai'i System, Department of Human Services, Hawaii State Energy Office, Department of Land and Natural Resources, Hawai'i Tourism Authority, Department of Transportation, Department of Planning and Permitting of the City and County of Honolulu, Department of Design and Construction of the City and County of Honolulu, and National Federation of the Blind of Hawaii. Your Committee received testimony in opposition to this measure from the Star Advertiser and one individual. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that electronic posting can be a more effective, expedient, and economical method of publishing public notices. This is particularly true for routine but time-sensitive situations, such as postings of clean water environmental hazard advisories or postings regarding disaster-related response and recovery activities. Your Committee further finds that it is in the public interest to encourage within government the adoption of modern technologies and business practices that expand public engagement. Your Committee recognizes, however, that certain public notices shall remain subject to stricter statutory posting requirements where circumstances so demand.

Accordingly, your Committee finds that this measure will promote transparency in government operations, increase administrative efficiency, and modernize governmental operations by allowing government agencies to publish public notices electronically under certain circumstances. In effecting this modernization, your Committee urges all government agencies to consider the access needs of individuals with disabilities and not only meet, but exceed, legal obligations regarding those individuals.

Your Committee notes the testimony of the Department of Health, suggesting certain amendments to address the needs of individuals with limited broadband access or technological experience.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 1-28.5(a)(3), Hawaii Revised Statutes, to:
 - (A) Require the evaluation and documentation of the rationale for posting online-only notices for individuals with limited broadband access or technological experience; and
 - (B) Provide online-only notices accessible to individuals with visual impairments through screen reader accessible format; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2111, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2658 (Joint) Transportation and Government Operations on S.B. No. 2603

The purpose and intent of this measure is to:

- (1) Allow the Department of Transportation to install and lease or contract to install and lease telecommunication facilities;
- (2) Allow longitudinal access to the right-of-way of a highway for installation, operation, and maintenance of these telecommunication facilities;
- (3) Authorize the Director of Transportation to offer a broadband service provider use of and access to its spare conduits and related telecommunication facilities under special conditions;
- (4) Grant a property owner the right of just compensation from the Department of Transportation or the broadband provider for any decrease in land value from the expanded use of an existing easement to install or operate a telecommunication facility; and
- (5) Establish the smart highway corridor special fund.

Your Committees received comments on this measure from the Department of Transportation, Department of the Attorney General, Department of Budget and Finance, and State Procurement Office.

Your Committees find that it is necessary to have greater flexibility and direction in telecommunication facility and infrastructure installation. Therefore, this measure sets rules for the construction, funding, and management of telecommunication facilities including leasing the areas above or below state highways for construction. This measure also allows other entities to use state telecommunication facilities in exchange for moneys that shall be deposited in the smart highway corridor special fund, which shall help to offset the cost of the original construction, installation, and maintenance of the telecommunication facilities.

Your Committees have amended this measure by:

- (1) Specifying that chapter 206N, Hawaii Revised Statutes, applies to the activities of a provider of telecommunication facilities;
- (2) Clarifying that the Director of Transportation may lease highway rights of way above or below state highways for telecommunication purposes only;

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

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2603, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2603, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Government Operations: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Gabbard).

SCRep. 2659 Higher Education on S.B. No. 2304

The purpose and intent of this measure is to:

- (1) Clarify that the purpose of the Research Corporation of the University of Hawaii is to promote educational, scientific, and literary pursuits through research, training of research personnel, and dissemination of knowledge by publication of research findings; and
- (2) Limit undertakings of the Research Corporation of the University of Hawaii to matters that are reasonably necessary to carry out its purpose.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the University of Hawai'i System, Research Corporation of the University of Hawai'i, and twenty-five individuals.

Your Committee finds that the Research Corporation of the University of Hawaii was established in 1965 for the purposes of promoting, encouraging, initiating, developing, and conducting scientific research and investigation in all branches of learning, and disseminating to the public, the benefits of such research and investigation. To promote cooperative research projects with private firms and persons, the Legislature at the time granted the Research Corporation of the University of Hawaii with flexibility in the hiring of its personnel and the handling of disbursement moneys by exempting it from state laws relating to reimbursement of special funds to the state general funds.

However, the Research Corporation of the University of Hawaii has gradually expanded its undertakings into areas beyond its original eponymous purpose, and the benefits of exemptions from statutory requirements granted years ago have been extended to apply beyond what was originally intended by the Legislature.

Additionally, your Committee also notes that any amendments made to Administrative Procedures 12.204 (AP 12.204), relating to guidelines and procedures for revolving fund service orders to the Research Corporation of the University of Hawaii, require notification to the Legislature. Therefore, your Committee respectfully requests that your Committee on Ways and Means consider amending this measure to include a requirement for the University of Hawaii to report to the Legislature any amendments to AP 12.204 within thirty days of adoption by both the University and the Corporation.

Your Committee notes that S.B. No. 3267 (Regular Session of 2022), is a substantially similar measure that also allows the Research Corporation of the University of Hawaii to enter into contracts with the University of Hawaii for the purposes of supporting or facilitating sponsored research and training activities, or for advancing innovation in the State. Your Committee concludes that the language in S.B. No. 3267 is partially preferable because it also allows for innovation of entrepreneurship activities.

Your Committee has amended this measure by:

- (1) Deleting the contents of section 2 and inserting the contents of section 1 of S.B. No. 3267, a substantially similar measure, which:
 - (A) Authorizes the University of Hawaii to enter into contracts with the Research Corporation of the University of Hawaii for the purposes of supporting or facilitating sponsored research and training activities or for advancing innovation and entrepreneurship in the State; and
 - (B) Requires the University of Hawaii to consult with employee unions to review conformance of positions with exceptions to collective bargaining for the employment of personnel.
- (2) Prohibiting the Research Corporation of the University of Hawaii to supplant civil servants, and in the event of any transfers of personnel to the Corporation, a justification must be provided and approved by the Governor and requiring that the Corporation provide quarterly and end-of-year reports to the Legislature on all affected programs and personnel;
- (3) Authorizing the Research Corporation of the University of Hawaii to continue and uphold any contracts enacted prior to the approval of this measure but shall not enter into new contracts that conflict with this measure upon its enactment;
- (4) Authorizing the Research Corporation of the University of Hawaii to engage in minor renovation projects in support of research and training that do not exceed \$2 million;
- (5) Requiring all Research Corporation of the University of Hawaii accounts to follow internal policies and laws governing the Corporation, and follow Administrative Procedures 12.204, relating to the guidelines and procedures for revolving fund service orders to the Research Corporation of the University of Hawaii;
- (6) Requiring the Research Corporation of the University of Hawaii to report all internal service orders and revolving accounts utilizing University of Hawaii intramural funds to the Legislature on an annual basis;

- (7) Requiring the University of Hawaii and the Research Corporation of the University of Hawaii to review and approve all revolving accounts on an annual basis; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee respectfully requests your Committee on Ways and Means to examine the feasibility of rolling over contracts and whether the agreements are nullified upon approval of this measure.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2304, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2304, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2660 Higher Education on S.B. No. 3269

The purpose and intent of this measure is to:

- (1) Outline tenure requirements and criteria for tenure-track faculty;
- (2) Require a minimum of at least one performance review every five years for tenured and tenure-track faculty;
- (3) Require a minimum of at least one performance review every three years for administrative, professional, and technical and non-tenurable employees;
- (4) Establish minimum faculty categories for all campuses; and
- (5) Establish a “C” classification for instructors at the community colleges.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from University of Hawaii'i at Mānoa Department of Political Science; Hawaii Nurses' Association – OPEIU Local 50; Hawaii State AFL-CIO; Hawaii Cattlemen's Council, Inc.; Graduate Student Organization of the University of Hawaii'i at Mānoa Executive Council; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories, and Canada, AFL-CIO, CLC Local 665; Hawaii Firefighters Association; Hawaii'i Library Association; a petition containing the signatures of nineteen faculty and staff members from the University of Hawaii Cancer Center; and one hundred seventy-one individuals. Your Committee received comments on this measure from one individual.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by:

- (1) Amending the preamble to correct the statement that the University of Hawaii Board of Regents adopted the permitted interaction group's Resolution 21-06, which supported recommendations by the permitted action group;
- (2) Including librarians and employees previously classified as “B” to be eligible for tenure; and
- (3) Creating a “C” category to classify community college faculty as employees who teach classes but are not required to conduct research.

Your Committee received testimony in support from one individual. Your Committee received testimony in opposition from the Office of Collective Bargaining; University of Hawaii'i System; Hawaii Community College Academic Support Division Faculty; University of Hawaii'i at Mānoa Hawai'inuiākea School of Hawaiian Knowledge; State of Hawaii Organization of Police Officers; United Public Workers, AFSCME Local 646, AFL-CIO; University of Hawaii Professional Assembly; Hawaii Government Employees Association AFSCME Local 152, AFL-CIO; and eighty-eight individuals. Your Committee received comments on the proposed S.D. 1 from one individual.

Your Committee finds that the University of Hawaii is the only system of public education in Hawaii that is supported by state funds, uses public land set aside for university purposes, and is continually supported by other public resources. Some of the university's workforce that are supported by public resources are faculty who teach and provide other instruction in various academic disciplines and professional fields such as law and medicine, while other faculty primarily engage in research or who provide specialized services but who are not typically employed in a teaching capacity. Within academic institutions, the term “academic tenure” is generally understood to mean the right of a faculty member to permanent or continuous service, which is granted following a rigorous process that includes a probationary service period and evaluations on various criteria. The decision to classify a position as eligible for a possible grant of tenure to the incumbent results in the long-term commitment of public resources for that position.

In 2021, the Senate passed Senate Concurrent Resolution No. 201, S.D. 1, H.D. 1, Regular Session of 2021 (S.C.R. No. 201), to urge the University of Hawaii to convene a task force to examine and assess the University of Hawaii tenure system. Following the enactment of S.C.R. No. 201, the Board of Regents of the University of Hawaii created a permitted interaction group to review the issue of tenure with a focus on the history and evolution of tenure and current criteria used for decision-making on tenure. The permitted interaction group found that, while tenure is still a critical component to academic freedom and retention of faculty, in recent years, the University of Hawaii has been reducing the number of tenured faculty. In addition, the permitted interaction group further found that “to establish policy direction in conducting promotion and tenure to ensure that university priorities and mission are met” revisions to review policies should be considered.

While your Committee has heard the concerns of many testifiers from the community, your Committee also considered the findings from the permitted interaction group, which suggested revisions to classification plans and incorporation of revisions regarding periodic review of university employees should be considered. In addition, classifications of community college faculty and instructors were not adequately addressed, leading to this group's omission in the original classification system. Amendments are

therefore necessary to address some issues raised by the permitted interaction group findings and testimony regarding the community college classification.

Accordingly, your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Clarifying that only support faculty and extension agents, personnel classified as "FSE", hired after June 30, 2022, shall be subject to section 304A-1002(3), Hawaii Revised Statutes;
- (2) Clarifying eligibility for tenure for community college faculty classified as "C"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3269, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3269, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Wakai). Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 2661 (Joint) Agriculture and Environment and Higher Education on S.B. No. 2959

The purpose and intent of this measure is to appropriate funds to the University of Hawaii for the College of Tropical Agriculture and Human Resources to establish one full-time agriculture education coordinator position.

Your Committees received testimony in support of this measure from the University of Hawai'i System; Department of Agriculture; Hawai'i Farm to School Hui; Local Food Coalition; Hawai'i Farm Bureau; Hawai'i Youth Food Council; Growing Together Edible Landscaping; Center for Getting Things Started; Ka Ohana O Na Pua; Hawai'i Island School Garden Network; Hawaii Cattlemen's Council, Inc.; and five individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the number of young farmers in Hawaii has steadily decreased in recent years. A key factor in the decreasing number of young farmers is the lack of agriculture education, which has led to falling interest in agricultural activities. This measure appropriates funds for a full-time agriculture education coordinator position to ensure the continuation and expansion of agriculture education for young farmers in the State.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2959 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Kidani, Wakai).

SCRep. 2662 (Joint) Transportation and Water and Land on S.B. No. 2134

The purpose and intent of this measure is to authorize the Department of Transportation to negotiate leases for the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings belonging to or controlled by the State.

Your Committees received comments on this measure from the Hawaii Harbor Users Group and Young Brothers, LLC.

Your Committees find that the Department of Transportation should be able to lease maritime infrastructure for non-maritime usage. This measure authorizes the Department of Transportation to negotiate such leases when necessary.

Your Committees have amended this measure by clarifying that the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings shall be located within the Aloha Tower complex designated boundaries.

As affirmed by the records of votes of the members of your Committees on Transportation and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2134, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2134, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair and President on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2663 (Joint) Public Safety, Intergovernmental, and Military Affairs and Judiciary on S.B. No. 2772

The purpose and intent of this measure is to:

- (1) Create and expand existing community-based furlough programs, residential drug treatment, therapeutic living, and mental health programs for judiciary-involved women; and
- (2) Create and fund a comprehensive data base regarding justice-involved women and their families to better inform decisions regarding diversion from prison, rehabilitation in prison, and transition out of prison.

Your Committees received testimony in support of this measure from the Women's Prison Project; Young Women's Christian Association, O'ahu; Hawaii Disability Rights Center; Hawaii Substance Abuse Coalition; and five individuals. Your Committees received comments on this measure from the Department of Public Safety, Department of Budget and Finance, Judiciary, and Community Alliance on Prisons.

Your Committees find that expanding diversion services for females is considerably less costly than incarceration and may also allow female offenders in the community to remain with their families and children while participating in much-needed services and treatment. Presently, the number of programs that allow minors to remain with their mothers while in treatment is limited. Expanding these existing programs would be beneficial as their capacity to provide residential treatment to women with minor children is a challenge. There is a limited number of bed spaces, which results in wait lists for mothers seeking treatment. Your Committees further find that the creation of a comprehensive database will help all justice-involved agencies to better address an offender's risks, needs, and responsivity, enabling the creation of a more complete and comprehensive plan for treatment and care. This measure will allow the State to reduce trauma for children and mothers and lower the risk of recidivism by appropriating funds to the Judiciary to create and expand existing community-based furlough programs, residential drug treatment, therapeutic living, and mental health programs for judiciary-involved women.

Your Committees have amended this measure by:

- (1) Inserting an appropriation amount of \$200,000;
- (2) Deleting language that would have required the Judiciary to create and fund a comprehensive data base regarding justice-involved women and their families to better inform decisions regarding diversion from prison, rehabilitation in prison, and transition out of prison; and
- (3) 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, Intergovernmental, and Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2772, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2772, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Judiciary: Ayes, 6. Noes, none. Excused, 1 (Keohokalole).

SCRep. 2664 (Joint) Higher Education and Education on S.B. No. 2359

The purpose and intent of this measure is to require the University of Hawaii to establish in each county, K-12 expanded teaching cohort programs for students who are pursuing undergraduate degrees in education.

Your Committees received testimony in support of this measure from the Department of Education, University of Hawai'i System, University of Hawaii at Hilo, and Hawaii State Teachers Association.

Your Committees find that due to a variety of factors, Hawaii has long suffered from a shortage of qualified public school teachers. Recent data reflect another long-term trend: teachers leaving Hawaii or resigning for other non-retirement reasons has outpaced retirement as the top reason for attrition in the last three years. During the 2020-2021 school year, seven hundred seventy-one teachers resigned for non-retirement reasons, compared with six hundred seventy-four in 2019-2020 and seven hundred fifty-five in 2018-2019. In total, 1,199 teachers separated from the Department of Education in the 2020-2021 school year, compared to nine hundred sixty-one in 2019-2020.

Your Committees also find that the University of Hawaii System does not offer a sufficient number of classes required for students majoring in education and pursuing undergraduate degrees, especially on the neighbor islands. Expanding the pipeline to "grow our own" educators for the State builds capacity on all islands, including the neighbor islands where shortages are most severe, and provides residents with an opportunity to remain in Hawaii and support local communities. As the University of Hawaii serves as a major pipeline to produce teachers for the State, this issue is a matter of statewide concern pursuant to article X, section 6, of the Hawaii State Constitution.

After hearing the concerns from the University of Hawaii System regarding the \$600,000 implementation costs for this measure, your Committees respectfully requests that your Committee on Ways and Means investigate the possibility of appropriations being needed to support the expanded cohort program.

Your Committees have amended this measure by 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 Higher Education and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2359, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2359, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 2665 Higher Education on S.B. No. 3155

The purpose and intent of this measure is to:

- (1) Amend the number of University of Hawaii Board of Regents member terms that expire each year from three to two; and
- (2) Adjust the terms of the Board of Regents members appointed between 2022-2026 to realign the number of terms scheduled to expire each year.

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

Your Committee finds that Act 172, Session Laws of Hawaii 2019, reduced the number of members of the Board of Regents of the University of Hawaii from fifteen to eleven, making the number of members whose terms will expire in the coming years not evenly distributed and may result in sudden losses of institutional knowledge. To prevent dramatic shifts in the composition of the Board of Regents, a realignment of terms of members appointed by the Governor is necessary to ensure that a large number of terms do not expire each year. As the Board of Regents guide policy and major decisions for the University of Hawai'i System, the composition of the Board of Regents is a matter of statewide concern under article X, section 6 of the Hawaii State Constitution. To address the issues surrounding regent terms and to prevent significant loss of knowledge, this measure addresses the Board of Regents member numbers, composition, selection, and term limits.

Your Committee has amended this measure by:

- (1) Reducing the number of regents from eleven to nine;
- (2) Amending the composition of the Board of Regents to require one member from each county, totaling four members;
- (3) Amending the composition of the Board of Regents to require five at-large members to be selected as follows:
 - (A) Two members selected from a list of three names submitted to the governor by the President of the Senate;
 - (B) Two members selected from a list of three names submitted to the governor by the Speaker of the House of Representatives; and
 - (C) One member selected by the Governor;
- (4) Adjusting the terms of the Board of Regents members appointed between 2022-2026 to reflect the new total of regents;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the amendments made to this measure that change the composition and selection process of the Board of Regents is contingent upon the ratification of a constitutional amendment repealing the Candidate Advisory Council of the Board of Regents of the University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3155, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3155, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2666 (Joint) Judiciary and Labor, Culture and the Arts on S.B. No. 2836

The purpose and intent of this measure is to:

- (1) Require the Judiciary to create a separate employment classification for juvenile probation officers;
- (2) Establish minimum procedures for the appointment of juvenile probation officers; and
- (3) Require reports to the Legislature on the status of the implementation of this Act.

Your Committees received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Adult Friends for Youth; and eleven individuals. Your Committees received comments on this measure from the Judiciary.

Your Committees find that the duties performed by juvenile probation officers are essential and vital to the State's juvenile justice system. Juvenile probation officers address a wide range of complex issues that impact the well-being of the State's youth and their families. Their efforts to transform the juvenile justice system have resulted in a significant reduction in juvenile crime across the State. Your Committees also find that juvenile probation officers are currently classified as social workers within the Judiciary's hiring system. This classification has created confusion about the role and authority of juvenile probation officers, including their ability to take minors into custody, administer drug tests, and establish reporting requirements for earned discharge from probation. Juvenile probation officers do not currently have access to annual safety training and do not possess sufficient identification, such as badges, to ensure their safety in the field. This measure will provide juvenile probation officers with the necessary tools and training that they need to adequately perform their duties assigned.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; 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 Judiciary and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2836, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2836, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 5. Noes, none. Excused, 2 (Kim, Lee).
Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 2667 Judiciary on S.B. No. 2044

The purpose and intent of this measure is to:

- (1) Increase from \$1,000 to \$5,000 the fine that may be assessed for campaign spending law violations against a noncandidate committee making only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period; and
- (2) Allow the Campaign Spending Commission to order that the fine be up to three times the amount of the unlawful contribution or expenditure, and that the payment of the fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and one individual.

Your Committee finds that a noncandidate committee that makes only independent expenditures, otherwise known as Super PACs or large political action committees, is not penalized the same as individuals and candidate committees for violations of campaign spending laws. An increase in the amount of the fine is necessary in enforcement cases against Super PACs. This measure will be a more effective deterrent against Super PACs, with their deep pockets, from violating campaign spending 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 S.B. No. 2044 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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

SCRep. 2668 (Joint) Judiciary and Agriculture and Environment on S.B. No. 2618

The purpose and intent of this measure is to establish and fund an Environmental Investigative Hotline Pilot Project through the Department of the Attorney General, Investigations Division, that will implement and manage an investigative hotline for Molokai residents to report environmental concerns on Molokai and have one full time investigator on the island of Molokai to investigate reports of environmental concerns.

Your Committees received testimony in support of this measure from the Hawaii State Aha Moku and one member of the Maui County Council. Your Committees received testimony in opposition to this measure from the Department of the Attorney General. Your Committees received comments on this measure from the Department of Budget and Finance.

The Committees find that in rural areas, such as Molokai, a remote island with a population of about seven thousand people, many state departments do not have full time employees dedicated to enforcement activities available. Therefore, when a complaint is made, the state departments do not have staff physically present to address the situation; instead, many times a state department has to rely on still photos and videos that may not capture the full extent of the situation or be sufficient to support the issuance of a citation. State departments must then make a determination whether to send a staff member into the field after the fact to conduct an investigation, which can take weeks to schedule depending upon flight schedules or staff availability. The delay obviously hampers the ability of any government inspector to witness the violation and issue an enforceable citation. These limitations also lead to delays in stopping environmentally hazardous activities, that impact the health and safety of the residents of Molokai. This measure will establish and fund an investigative hotline that gives Molokai residents a way to report concerns and violations and provide for an investigator on site to address the concerns and violations in a timely manner.

Your Committees urge the Department of the Attorney General, Department of Land and Natural Resources, and Maui County Police to suggest solutions for the law enforcement issues faced by Molokai residents, specifically the excessive delays in responding to concerns on the island as noted in the Hawaii State Aha Moku's testimony.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2618, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2618, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 7. Noes, none. Excused, none.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 2669 (Joint) Judiciary and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3194

The purpose and intent of this measure is to:

- (1) Establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions;
- (2) Implement the recommendations of the 2010 illegal fireworks task force by:
 - (A) Raising the fireworks display permit fee from \$110 to \$150;
 - (B) Amending the fines for certain fireworks violations;
 - (C) Clarifying 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

- (D) Increasing the penalty for removing or extracting the pyrotechnic contents from any fireworks or articles pyrotechnic for certain uses;
- (3) Authorize the Sheriff Division of the Department of Public Safety to enforce the fireworks control law;
- (4) Require the Attorney General to establish an explosion detection technology working group; and
- (5) Require the Department of Public Safety to develop and implement a web-based reporting tool for illegal fireworks that will provide the counties with additional data to enforce the applicable fireworks laws.

Your Committees received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaiian Humane Society, and four individuals. Your Committees received testimony in opposition to this measure from the Honolulu Police Department and two individuals. Your Committees received comments on this measure from the Judiciary, Department of Budget and Finance, and one individual.

Your Committees find that Act 170, Session Laws of Hawaii 2010, established an illegal fireworks task force to develop strategies and make recommendations to the Legislature to address the illegal importation and use of fireworks in the State. Among other matters, the illegal fireworks task force recommended that the Legislature consider increasing fireworks permit fees and violation fines to deter the use of illegal fireworks, decrease the supply of illegal fireworks in the State, and increase funding for prevention and enforcement efforts. Your Committees further find that technologies, including ShotSpotter and web-based reporting tools, have shown potential to assist police departments in enforcing fireworks laws. Additionally, your Committees believe that alternative enforcement mechanisms, such as an expeditious adjudication system for fireworks infractions similar to the system for processing traffic infractions, should be considered to promote compliance with fireworks laws. This expeditious adjudication system will allow the Judiciary to expediently process violations of the fireworks control law, allowing the Judiciary to reserve resources for cases that require more resources. This measure will allow the State to ensure that the people of the State may live in peace and security, without the public safety risks, health hazards, and traumatic impacts of illegal fireworks use by implementing a multi-faceted approach to increasing the State's enforcement against illegal fireworks, including a working group and proposed technology to further improve interagency cooperation.

Your Committees have amended this measure by:

- (1) Deleting language that would have established an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions;
- (2) Deleting language that would have increased the permit cost to use aerial fireworks from \$110 to \$150;
- (3) Incorporating the new fireworks citations into the existing traffic and emergency order citation system under Chapter 291D, Hawaii Revised Statutes;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (6) 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 Judiciary and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3194, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3194, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6. Noes, none. Excused, 1 (Keohokalole).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 2670 (Joint) Government Operations and Transportation on S.B. No. 3324

The purpose and intent of this measure is to require:

- (1) Lot owners in a subdivision to pay for the repair and maintenance of subdivision roads where the applicable deeds do not specify that requirement; and
- (2) The counties to provide training, support for applicable assessments, and oversight of housing subdivisions where no oversight authority has been established.

Your Committees received testimony in support of this measure from the Hawaii Council of Community Associations, Hawaiian Shores Community Association, Associa, and fifteen individuals. Your Committees received testimony in opposition to this measure from the County of Hawaii Planning Department and three individuals.

Your Committees find that some housing subdivisions in the State have been approved without a requirement that the lot owners fund the repair and maintenance of the private roads and other infrastructure within the subdivision. Unlike condominium property regimes, many housing subdivisions are not subject to a statutory framework or an oversight agency to oversee the creation, monitoring, training, and auditing of the various volunteer associations responsible for the subdivision infrastructure. As a result, various homeowners in the subdivisions in the district of Puna in the County of Hawaii have been involved in litigation for decades.

Your Committees further find that the inability to collect assessments from lot owners of subdivisions with no court-approved corporation, association, or entity results in substandard and deeply rutted roads that can delay emergency vehicles that respond to emergency situations, including crime scenes. Numerous structures have been destroyed because a fire truck was not able to arrive in time.

Your Committees note, however, the testimony of the County of Hawaii Planning Department regarding certain community association support services that are outside the purview of the department. Your Committees also note the testimony of the Hawaii Council of Community Associations, which commented that it would be prudent to establish a working group to study the issues and develop a more comprehensive statutory scheme and long-term workable solutions for the health and safety of these homeowners.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have created a new chapter in the Hawaii Revised Statutes pertaining to Housing Subdivisions, and replacing it with language to establish a working group to study matters further;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Government Operations and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3324, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3324, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

Transportation: Ayes, 5. Noes, none. Excused, none.

SCRep. 2671 Transportation on S.B. No. 2756

The purpose and intent of this measure is to:

- (1) Create a two-tier rate adjustment for water carriers based on automatic annual increases or a justified increase based on actual costs and performance;
- (2) Establish a water carrier agricultural cargo shipping subsidy with an annual rate increase; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from Young Brothers, LLC. Your Committee received comments on this measure from the Department of the Attorney General; Public Utilities Commission; Department of Commerce and Consumer Affairs; Department of Budget and Finance; Hawai'i Farm Bureau; Maui County Farm Bureau; and Hawaii Cattlemen's Council, Inc.

Your Committee finds that the water carrier industry plays a crucial role in sustaining each island's economy and supporting Hawaii's agricultural industry by making shipping more affordable for consumers. Due to recent economic events and increasing operating costs, it is necessary to balance the need for continuous interisland water carrier service throughout the State with the need for water carriers to maintain financial stability. General rate cases tend to be time consuming for both water carriers and the Public Utilities Commission. The collaborative efforts by the Water Carrier Working Group, formed in response to Senate Resolution No. 125, S.D. 1 (2020), developed recommendations focusing on annual rate adjustments, improving customer service, and establishing broad subsidies for trans-Pacific and interisland cargo, among other issues, including the recommendation to establish the water carrier inflationary cost index, which is reflected in this measure. A two-tier rate adjustment mechanism will help reduce administrative burdens and provide a more contemporaneous means of pairing regulated cargo rates with inflation-adjusted expenses. Further, the agriculture cargo shipping subsidy program will make shipping agricultural goods more affordable and help mitigate further increases for customers.

Your Committee has heard the concerns raised in testimony that this measure, as currently drafted, fails to incorporate certain audit findings that recommended no inflation adjustment be requested prior to 2023, and that any such proposal for increasing rates be subject to the water carrier demonstrating measurable improvements in cost containment. Therefore, amendments to this measure are necessary to address these and other concerns raised in testimony.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that, before January 1, 2024, the Public Utilities Commission shall establish a two-tier water carrier inflationary cost index by which water carrier rates shall be annually adjusted;
- (2) Specifying that, for tier one, an automatic rate adjustment for each calendar year shall be calculated by increasing or decreasing the water carrier rate in effect through the end of the previous calendar year by the percentage increase or decrease in the consumer price index for that year;
- (3) Clarifying that, for tier two, the Public Utilities Commission shall grant approval of an expense justified rate increase based on proof of performance measures demonstrating that there has been no material decline in the water carrier's operations, safety, or customer service levels;
- (4) Clarifying that the total water carrier inflationary cost index rate adjustment shall exclude surcharges and shall not exceed five percent per calendar year;
- (5) Requiring the water carrier agriculture cargo shipping subsidy program to be administered consistent with the standards and qualifications for making subsidies as previously enacted for other administrative grant programs in the State;
- (6) Inserting language appropriating \$200,000 to the Public Utilities Commission to establish a water carrier inflationary cost index rate adjustment;

- (7) Inserting a \$750,000 appropriation amount for the Department of Transportation for the interstate water carrier agriculture subsidies program;
- (8) Inserting an effective date of January 1, 2050, to encourage further discussion;
- (9) Amending section 1 to reflect its amended purpose and to clarify that the interstate water carrier agriculture subsidies program is for a public purpose to alleviate costs associated with transportation and service across the State, primarily for small communities reliant on shipment of goods by barge, and providing universal support to water carriers, cargo users, and consumers; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2756, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2756, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2672 Transportation on S.B. No. 3158

The purpose and intent of this measure is to appropriate funds for subsidies to encourage the purchase and use of electric motor vehicles and bicycles.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Alliance for Automotive Innovation, Ulupono Initiative, Tesla, Blue Planet Foundation, and Hawaii Bicycling League. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the single greatest factor of the increasing cost of living in Hawaii is the rising cost of transportation. Due to increasingly expensive fossil fuels and a lack of cheaper transit options, Hawaii residents already pay among the highest cost to commute in the country. Furthermore, the continued burning of fossil fuels contributes to climate change which poses a serious threat to the economic well-being, public health, and environment of Hawaii.

Your Committee further finds that electric motor vehicles and bicycles are significantly more cost effective and better for the environment than gas powered vehicles. Therefore, the purpose of this measure is to encourage the purchase and use of electric motor vehicles and electric bicycles to reduce the cost of living and cost of transportation by creating subsidies for those looking to purchase electric motor vehicles and electric bicycles.

Your Committee has amended this measure by:

- (1) Inserting language to establish the electric vehicle, electric bicycle, moped, and motorcycle rebate program and electric vehicle and electric bicycle rebate special fund within the Department of Transportation to provide rebates up to an unspecified amount to individuals for the purchase of an electric vehicle, electric bicycle, moped, or motorcycle;
- (2) Authorizing the Department of Transportation to contract with a third-party administrator to manage the rebate program;
- (3) Specifying that the rebate program prioritize low-income applicants;
- (4) Allocating an unspecified portion of the barrel tax to fund the rebate program;
- (5) Inserting a blank appropriation amount of federal funds for the rebate program;
- (6) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that although this measure contains a blank portion of the barrel tax to be allocated to the electric vehicle, electric bicycle, moped, and motorcycle rebate special fund, your Committee respectfully requests that your Committee on Ways and Means consider inserting 3 cents as the allocation. Your Committee also requests the your Committee on Ways and Means consider suspending the allocation of the barrel tax to the electric vehicle charging system subaccount established pursuant to section 269-33(e), Hawaii Revised Statutes, for five years, and instead appropriating \$5,000,000 from federal Infrastructure Investment and Jobs Act to the subaccount.

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, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3158, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Inouye, Fevella). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2673 Transportation on S.B. No. 3274

The purpose and intent of this measure is to establish the Multimodal Transportation Branch of the Department of Transportation to increase funding, pursue grants, and work on projects focusing on safe, low user cost pedestrian and bicycle infrastructure.

Your Committee received testimony in support of this measure from the Hawai'i Public Health Institute, Ulupono Initiative, Hawaii Bicycling League, Hawaii Transportation Association, Bikeshare Hawaii, 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 State Energy Office.

Your Committee finds that the fastest growing contributor to the increasing cost of living in Hawaii is the rising cost of transportation. Hawaii residents already pay among the highest costs to commute per capita anywhere in the country, and despite rising fossil fuel prices, residents struggle to find cheaper, efficient transit options. Hawaii lacks a safe pedestrian and bicycle commuting infrastructure, meaning that many Hawaii households are forced to pay for multiple cars. This measure will increase resources available for pedestrian and bicycle infrastructure.

Your Committee has amended this measure by:

- (1) Removing language that would have established the Multimodal Transportation Branch;
- (2) Establishing a requirement that an unspecified percentage of all Department of Transportation expenditures in a fiscal biennium shall be used for safe, protected pedestrian and bicycle infrastructure;
- (3) Establishing two positions dedicated to grant writing to maximize funds gained from the Infrastructure Investment and Jobs Act;
- (4) Inserting a blank appropriation for two full-time equivalent grant writing positions in the Department of Transportation; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3274, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3274, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (DeCoite). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2674 Transportation on S.B. No. 2825

The purpose and intent of this measure is to require the Department of Transportation Harbors Division to conduct a comprehensive study examining increased commercial activity at Kalaeloa Harbor to support the offloading of additional cargo containers and livestock transportation.

Your Committee received testimony in support of this measure from the Kapolei Chamber of Commerce; Hawaii Logistic Services; and Hawaii Meats, LLC. Your Committee received testimony in opposition to this measure from the Hawaii Harbor Users Group. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Transportation; and Hawaii Cattlemen's Council, Inc.

Your Committee finds that over eighty percent of goods in Hawaii are imported via ocean transportation. From Honolulu Harbor, many cargo containers are transported via commercial trucks to West Oahu for storage or further processing. These frequent trips negatively impact efficiency at the docks and increase highway traffic levels and congestion. This measure is to appropriate an unspecified amount of money to fund the Department of Transportation Harbors Division to conduct a comprehensive study to determine and identify resources necessary to expand Kalaeloa Harbor for increased and additional commercial uses, including offloading of cargo and livestock transportation.

Your Committee has amended this measure by:

- (1) Allowing the Department of Transportation an additional year to report to the Legislature; and
- (2) Requiring the Department of Transportation to consult with relevant stakeholders and harbor users to conduct the study.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2825, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2825, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2675 Transportation on S.B. No. 2444

The purpose and intent of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, American Property Casualty Insurance Association, and GEICO. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice and Avail. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Insurance Division, Turbo, and Independent Car Rental Association.

Your Committee finds that peer-to-peer car-sharing programs do not have established requirements for insurance coverage. Not all car insurance packages cover peer-to-peer car-sharing purposes, and thus the purpose of this measure is to make mandatory the insurance terms for operating a peer-to-peer car-sharing program.

Your Committee notes the testimony of the Insurance Commissioner expressing concern that this measure may limit insurance coverage and may take away some of the broad protections that consumers currently have under their existing auto policies.

Your Committee also notes the testimony of the Hawaiian Association for Justice that this measure does not require a sufficient amount of minimum insurance coverage.

Your Committee has amended this measure by:

- (1) Addressing insurance gap coverage by specifying that car-sharing termination time means the latest of certain events, rather than the earliest;
- (2) Removing business use from the categories of excluded coverage provided for in this measure; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2444, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2444, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2676 Transportation on S.B. No. 2720

The purpose and intent of this measure is to:

- (1) Allow for new electric vehicle charging stations having a single port to qualify for a rebate;
- (2) Increase the flexibility of the Public Utilities Commission to administer the electric vehicle charging station rebate program; and
- (3) Include marketing and outreach expenses within allowable administration costs of the electric vehicle charging station rebate program.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaiian Electric Company, Blue Planet Foundation, Alliance for Automotive Innovation, Tesla, Ulupono Initiative, 350 Hawaii, Our Revolution Hawaii, and Hawaii Automobile Dealers' Association. Your Committee received comments on this measure from the Hawaii State Energy Office, Public Utilities Commission, and Hawai'i Energy.

Your Committee finds that climate change caused by carbon emissions from burning fossil fuels poses a serious threat to the economic well-being, public health, natural resources, and environment of Hawaii. While there is growing interest in electric vehicles among Hawaii residents, the lack of adequate vehicle charging infrastructure presents a key barrier to greater adoption. Therefore, the purpose of this measure is to provide a rebate for new Level 2 charging stations with one port, amend and add flexibility to the guidelines for consideration by the Public Utilities Commission in administering the program, and clarify that marketing and outreach expense are included among allowable program administration expenses.

Your Committee has amended this measure by:

- (1) Clarifying that each installation or upgrade is eligible for up to the stated rebate dollar amounts;
- (2) Inserting a rebate of up to \$1,300 for upgrades to existing Level 2 station with one port; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2720, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2720, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2677 Transportation on S.B. No. 2299

The purpose and intent of this measure is to:

- (1) Permit a bicyclist to proceed through an intersection from a right turn only lane if they cannot safely merge into the thru traffic lane, provided they signal intention to merge left; and
- (2) Permit a bicyclist to proceed in a right turn only lane when approaching an intersection, even if they do not intend to turn right, provided that they do not pass a stopped vehicle and that they exercise reasonable safety when passing a moving vehicle.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Bicycling League, Cycle On Hawaii, and Bikeshare Hawaii. Your Committee received testimony in opposition to this measure from the Department of Transportation and Honolulu Police Department.

Your Committee finds that at some intersections it may be appropriate to allow bicyclists to proceed through the intersection via a right turn only lane. Your Committee further finds that it should be left to the Department of Transportation to determine intersections appropriate for application of this measure.

Your Committee has amended this measure by authorizing the Department of Transportation to identify intersections where bicycles may proceed through an intersection and place signage to designate them.

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. 2299, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2299, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2678 (Joint) Transportation and Government Operations on S.B. No. 2803

The purpose and intent of this measure is to require all state, county, and private bus operators to upgrade to zero emission buses by 2035.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of Education, Hawaiian Electric Company, Ulupono Initiative, Hawaii Hydrogen Alliance, Americans for Democratic Action Hawaii, 350 Hawaii, Roberts Hawaii, and Climate Protectors Hawai'i. Your Committees received testimony in opposition to this measure from the Hawaii Transportation Association, Pacific Biodiesel Technologies, and one individual. Your Committees received comments on this measure from the Public Utilities Commission, Hawaii State Energy Office, State Procurement Office, Department of Transportation Services of the City and County of Honolulu, and the United States Hydrogen Alliance.

Your Committees find that unabated greenhouse gas emissions, and the resulting climate change and sea level rise present an urgent and existential threat to citizens of the State. The State has established a target date of 2045, to become carbon negative, but these efforts must be accelerated. This measure requires state, county, and private bus operators to upgrade to zero emission buses.

Your Committees have amended this measure by:

- (1) Extending the goal of only zero emission buses to 2045;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) 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 Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2803, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2803, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2679 (Joint) Transportation and Government Operations on S.B. No. 2679

The purpose and intent of this measure is to:

- (1) Extend the renewal period from two years to four years for licensees who are seventy years of age or older but younger than eighty years of age; and
- (2) Require applicants for a new license or for license renewal who are seventy years of age or older to present certification of physical and mental competence from a doctor upon application.

Your Committees received testimony in support of this measure from the Department of Transportation, Department of Customer Services of the City and County of Honolulu, AARP Hawai'i, and four individuals. Your Committees received comments on this measure from the Executive Office on Aging and three individuals.

Your Committees find that for greater convenience while maintaining safety, license renewal applicants over the age of seventy but younger than eighty only need to apply once every four years instead of every two years. To ensure the safety of these applicants, this measure requires an applicant to present certification of physical and mental competence from a doctor.

Your Committees have amended this measure by:

- (1) Extending the renewal period to four years for all licensees seventy-two years of age or older;
- (2) Removing language that would have required that driver's license applicants who are seventy years of age or older have to present certification of physical and mental competence from a doctor;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2679, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2679, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2680 (Joint) Transportation and Agriculture and Environment on S.B. No. 2516

The purpose and intent of this measure is to establish a goal within the Hawaii Department of Transportation for seventy-five percent of state highways to be covered with tree canopies by 2045.

Your Committees received testimony in support of this measure from the Hawai'i Public Health Institute, Environmental Caucus of the Democratic Party of Hawai'i, Hawaii Bicycling League, and Climate Protectors Hawai'i. Your Committees received testimony in opposition to this measure from the Department of Transportation. Your Committees received comments on this measure from one individual.

Your Committees find that urban heat from the sun is a problem in Hawaii. Areas with asphalt and concrete are particularly susceptible. To reduce the exposure to the sun, this measure sets a goal of seventy-five percent of all state highways to be covered by tree canopy by 2045.

Your Committees have amended this measure by:

- (1) Deleting language that would have set the goal of all state highways being seventy-five percent covered by tree canopy by 2045;
- (2) Inserting language to establish various new environmentally focused standards for new highways or new highway modifications;
- (3) Establishing a task force to guide the funding, implementation, and maintenance of the new highway construction standards; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2516, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2516, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2681 Human Services on S.B. No. 2518

The purpose and intent of this measure is to identify gender-based pricing as a deceptive trade practice.

Your Committee received testimony in support of this measure from Ma'i Movement Hawai'i, AF3IRM Hawai'i, and thirteen individuals. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that gender-based pricing is a subtle and invidious form of discrimination based on gender, where different prices are charged for goods or services based on the consumer's gender. Gender-based pricing can be evidenced in a wide range of goods and services for consumers of all ages, including toys, clothing, personal hygiene products, car purchases and repairs, mortgages, haircuts, tailoring, and dry cleaning. Your Committee further finds that most of the time, pricing for goods and services for female consumers are priced higher than those for male consumers, and although the price difference for each product may be minuscule, the effect of paying a higher price on goods and services over an entire lifetime is significant, especially considering the fact that women in Hawaii earn roughly \$0.85 for every dollar men are paid, according to a recent study from the U.S. Bureau of Labor Statistics. This measure seeks to eliminate gender-based pricing in Hawaii by making it unlawful as a deceptive trade practice.

Your Committee notes the testimony of Retail Merchants of Hawaii, raising the concern that the base price of products, especially for personal care products, are set by manufacturers who are mostly on the mainland or in foreign countries, who ship their products to be sold in Hawaii. Therefore, your Committee believes that this measure should not be applied to price differences based upon labor, materials, tariffs, or any other gender-neutral reason, including when a retail establishment passes through to the consumer, a price that is set by a manufacturer, distributor, or other entity that is beyond the retailer's control.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that gender-based pricing by manufacturers who sell the goods they manufacture to any person in the State for a price they set constitutes an unlawful deceptive trade practice;
- (2) Amending section 1 to reflect its clarified purpose; and
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2518, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2518, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Misalucha).

SCRep. 2682 (Joint) Health and Water and Land on S.B. No. 2658

The purpose and intent of this measure is to make an emergency appropriation from the leaking underground storage tank fund to the City and County of Honolulu Board of Water Supply for emergency operations, future planning, and remediation resulting from the contamination of the Southern Oahu Basal Aquifer; provided that the Department of Health seeks to enter into a memorandum of understanding with the United States Navy to reimburse the Department of Health for the full amount of the appropriation.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, League of Women Voters of Hawaii, and three individuals. Your Committees received comments on this measure from the Department of Health, Department of Land and Natural Resources, and Department of Budget and Finance.

Your Committees find that in November of 2021, petroleum was detected in the drinking water supply on Oahu resulting from a petroleum leak from the U.S. Navy's Red Hill Bulk Fuel Storage Facility. Since the contaminated drinking water was discovered, the City and County of Honolulu Board of Water Supply (BWS) and Department of Health have worked to address the consequences of the contamination, including water testing, remediation, and studying sites for future wells. This action has included closing the Halawa Shaft and both Halawa and Aiea wells, limiting BWS' ability to provide sufficient fresh water to its customers. BWS has expended a significant amount of funds on these efforts but lacks sufficient funding for emergency operations, future planning, and remediation. This measure makes an emergency appropriation to the City and County of Honolulu Board of Water Supply as a grant-in-aid for these operations.

Your Committees acknowledge the testimony of the Department of Health, which testified that its leaking underground storage tank fund has a \$400,000 ceiling, \$300,000 of which has already been encumbered.

Therefore, your Committees have amended this measure by:

- (1) Changing the appropriation source from the leaking underground storage tank fund to the general fund;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2658, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2658, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 2683 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on S.B. No. 3343

The purpose and intent of this measure is to require:

- (1) Importers of fireworks to obtain a license from the Harbors Division of the Department of Transportation; and
- (2) The Harbor Division of the Department of Transportation to report annually to the Legislature regarding licenses issued.

Your Committees received testimony in support of this measure from the Hawaiian Humane Society and one individual. Your Committees received comments on this measure from the Department of Transportation, Department of Labor and Industrial Relations, and Honolulu Fire Department.

Your Committees find that while illegal fireworks usage in Hawaii is a problem, the shipments of illegal fireworks by importers without fireworks permits enable this issue. This measure requires importers of fireworks to obtain a license to import aerial devices, display fireworks, articles pyrotechnic, or consumer fireworks.

Your Committees note that they did not receive clarification from the Department of Transportation Harbors Division on whether additional resources are needed for the Division to carry out the purposes of this measure. Your Committees request that the Harbors Division notify your Committee on Commerce and Consumer Protection if additional resources are necessary.

Your Committees have amended this measure by:

- (1) Deleting section 5 to retain license fees payable to the counties;
- (2) Clarifying that the applicable county will share joint jurisdiction over fireworks inspections with the Harbors Division; and
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3343, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3343, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Shimabukuro).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2684 Higher Education on S.B. No. 2302

The purpose and intent of this measure is to designate the State Procurement Officer as the Chief Procurement Officer for both the University of Hawaii and Department of Education.

Your Committee received testimony in support of this measure from the Hawaii Regional Council of Carpenters.

Prior to the hearing, your Committee posted and made available for public review a proposed S.D. 1, which, amends this measure by:

- (1) Inserting findings to provide information on chief procurement officer practices at other state higher education systems in the United States and establishing that preventing conflicts of interest in the area of procurement is a matter of statewide concern;
- (2) Retaining the Department of Education Superintendent as the Department's chief procurement officer; and
- (3) Replacing the State Procurement Officer with the Vice President for Budget and Finance and Chief Financial Officer of the University of Hawaii System to serve as the Chief Procurement Officer of the University of Hawaii.

Your Committee received comments on the proposed S.D. 1 from the University of Hawai'i System.

Your Committee finds that it is a matter of statewide concern that the President of the University of Hawaii serves simultaneously as the Chief Procurement Officer for the University of Hawaii System. The President of the University of Hawaii System concurrently serving as Chief Procurement Officer will lead to inevitable conflicts of interest.

In other state systems of higher education, such as California State University, University of Massachusetts, and University of Oregon, there is a distinction between institutional leadership and purchasing when assigning the authority over procurement. While the Chief Procurement Officer for Colorado possesses authority over state purchasing and procurement and direct oversight over Colorado's institutions of higher learning, there were no instances in institutions across the country that had a university president concurrently named as Chief Procurement Officer.

Your Committee also heard the testimony of the University of Hawaii System, which provided comments regarding its Chief Financial Officer simultaneously serving as the Chief Procurement Officer. In its current organizational structure, the President serves as the Chief Procurement Officer, which aligns with other state agencies that designate the director of that agency as the Chief Procurement Officer. However, your Committee probed further into the intricacies of how procurement decisions are made at the University.

Currently, there are twelve procurement positions bifurcated into seven positions within the Office of Procurement Management (OPM), which are responsible for goods and services, and five positions within the Facilities Contracts Office, which are responsible for construction and construction-related projects. While OPM's Director reports directly to the Vice President for Administration, the Facilities Contracts Manager reports to the Director of Facilities Business Office, and the Director of Facilities Business Office reports to the Vice President for Administration. While the procurement code's lack of specificity in certain areas may require the exercise of discretion in making certain decisions about issues such as change orders, the complex and seemingly convoluted chain of command in the University's procurement process and workflow provide little responsibility of decision makers to thoroughly vet decisions and be held accountable for those decisions.

Your Committee also expresses concerns regarding the Director of Procurement position, which has been filled on an interim basis for the last two years. While the University noted that a hiring freeze impacted the ability to hire a permanent Director of Procurement, keeping the position filled on an interim basis exacerbated problems relating to the lack of oversight and accountability.

Your Committee additionally notes that testimony received from the University of Hawaii System also raises concerns that there are multiple bureaucratic considerations that must be addressed to place the procurement process under the Chief Financial Officer. As the procurement process is currently separated from the Chief Financial Officer, additional considerations such as revising internal processes and chain of responsibility to incorporate the Chief Financial Officer are necessary. However, incorporating procurement under the Chief Financial Officer provides a layer of accountability in the oversight of personnel involved in procurement and the ability to ensure that matters are thoroughly vetted before final approval of procurement projects. To address concerns raised over the role of Chief Procurement Officer at the University of Hawaii, this measure designates the Vice President for Budget and Finance/Chief Financial Officer as the Chief Procurement Officer.

In consideration of the testimony received from the University of Hawaii regarding the multiple bureaucratic considerations that would arise in placing the procurement process under the Chief Financial Officer, your Committee respectfully requests your Committee on Ways and Means to investigate potential costs and budget implications for the University of Hawaii.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2302, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the President on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2685 Transportation on S.B. No. 3313

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a mileage-based road user fee with a cap for electric vehicles;
- (2) Require motor vehicle registration applications to specify whether the type of fuel for which the vehicle is adapted is electricity;
- (3) Require certificates of inspection to state the odometer reading of electric vehicles;
- (4) Defines "alternative fuel vehicle"; and
- (5) Appropriates an unspecified amount of funds for the implementation of a state mileage-based road user fee, beginning with electric vehicles.

Your Committee received testimony in support of this measure from the Department of Transportation and two individuals. Your Committee received testimony in opposition to this measure from Our Revolution Hawaii, 350 Hawaii, Hawaii Electric Vehicle Association, Kauai Electric Vehicle Association, and five individuals. Your Committee received comments on this measure from the Hawaii State Energy Office, Tax Foundation of Hawaii, Ulupono Initiative, Tesla, and six individuals.

Your Committee finds that as fuel tax revenues decrease, the Department of Transportation (DOT) has recommended the adoption of a per-mile road usage charge system to provide sustainable funding for the State's road infrastructure. Replacing the registration surcharge on electric vehicles with a mileage-based road user fee is a minimally disruptive first step to transition the State to a per-mile road usage charge system. This measure ensures that the owners of alternative fuel vehicles pay a fair share of Hawaii's roadway maintenance costs.

Your Committee notes that a number of testimonies was submitted in opposition to this measure as the description of this measure did not indicate that the capped mileage-based road user fee for electric vehicles established in this measure replaces the existing \$50 annual vehicle registration surcharge for electric vehicles.

Your Committee further finds that it is important to not incentivize increasing in overall commuting and vehicle miles travelled to boost road usage charge revenue. Your Committee further notes that a mileage-based road user fee should eventually apply to all road users to ensure that all drivers pay a fair share of Hawaii's roadway maintenance costs.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the capped mileage-based road user fee for electric vehicles established in this measure replaces the existing \$50 annual vehicle registration surcharge for electric vehicles;
- (2) Requiring DOT to plan for the deployment of a statewide mileage-based road user fee program by 2025 and submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (3) Requiring DOT, in collaboration with the Hawaii State Energy Office, Hawaii Climate Change Mitigation and Adaptation Commission, and the Office of Planning and Sustainable Development, to establish a working group to:
 - (A) Develop metrics, benchmark targets, and plans to reduce the overall miles travelled in the State, using the total miles traveled in 2019 as a beginning year; and
 - (B) Annually report its progress and recommendations to the Legislature;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3313, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3313, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (DeCoite, Inouye, Fevella). Noes, none. Excused, none.

SCRep. 2686 Transportation on S.B. No. 377

The purpose and intent of this measure is to increase all fines for traffic violations relating to the operation or ownership of a vehicle by twenty percent.

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

Your Committee finds that the current penalties for traffic violations relating to the operation or ownership of a vehicle are not strict enough to adequately discourage repeat offenders. The purpose of this measure is to increase traffic fines by twenty percent to facilitate harsher consequences on these violations.

Your Committee has amended this measure by:

- (1) Removing the twenty percent increase in fines and instead imposing mandatory community service for a third or subsequent moving traffic violation within a one-year period;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 377, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 377, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2687 Transportation on S.B. No. 2834

The purpose and intent of this measure is to establish the Transportation Improvement and Modernization Commission to help ensure the Department of Transportation achieves state goals and outcomes while improving reporting to provide better transparency for elected leaders and the public.

Your Committee received testimony in support of this measure from the Ulupono Initiative, Hawaii Bicycling League, Bikeshare Hawaii, and Hawaii Regional Council of Carpenters. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Hawaii State Energy Office, and Hawaii Transportation Association.

Your Committee finds that transparency and accountability are critical to ensuring public agencies are effective, efficient, and successfully provide services in the public interest. However, there is no current reliable and readily available metric to track how much overall progress is being made on the statewide goals for the Department of Transportation. Some planned projects are even projected to be contrary to achieving certain policy goals. This measure improves transparency and accountability to help ensure the Department of Transportation progresses towards meeting its goals by improving reporting to elected leaders and the public.

Your Committee has amended this measure by:

- (1) Amending the duties and membership of the State Highway Safety Council and renaming it to the Transportation Safety and Modernization Council; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2834, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2834, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2688 Transportation on S.B. No. 2133

The purpose and intent of this measure is to:

- (1) Prohibit any person whose driver's license has been administratively revoked or who has been convicted for offenses involving operating a vehicle under the influence of an intoxicant from being eligible for a driver's license without providing proof of compliance with the ignition interlock law; and
- (2) Prohibit a person from driving for two years if the person does not own or have the use of a vehicle for the installation of an ignition interlock device or is otherwise unable to drive during the revocation period.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Casanova Powell Consulting, Smart Start, Traffic Injury Research Foundation, and the Foundation for Advancing Alcohol Responsibility. 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 driving under the influence of an intoxicant is a serious and highly dangerous offense. Ignition interlock devices are designed to prevent a person under the influence from driving their vehicle. This measure requires compliance with the ignition interlock law for offenders if they wish to be eligible for a driver's license. This measure further provides that if the offender does not have a vehicle that can have an interlock ignition device installed or otherwise is unable to drive during the revocation period, they are prohibited from driving for two years.

Your Committee finds that this measure is intended to deter driving under the influence. Your Committee has heard the concerns raised in testimony and acknowledges that several other measures relating to ignition interlock devices have been introduced during the current session. Accordingly, your Committee finds that it is best to consolidate several of the provisions proposed into this measure.

Your Committee has therefore amended this measure by deleting its contents and inserting language to:

- (1) Require any person operating a vehicle with an ignition interlock device to have government issued identification in their immediate possession;
- (2) Expand the offense of circumventing or tampering with an ignition interlock device to include obscuring the camera lens or not providing a picture of the driver;
- (3) Impose a fine for operation of a motor vehicle by a person with a blood alcohol concentration between .05 and .08;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2133, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2133, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 2689 Transportation on S.B. No. 2745

The purpose and intent of this measure is to require the Director of Transportation to adopt rules that require tour aircraft operators to have aircraft liability insurance coverage of not less than \$1,000,000 per person per incident.

Your Committee received comments on this measure from the Department of Transportation, Blue Hawaiian, and Paradise Helicopters Hawai'i.

Your Committee finds that tour aircraft crashes, particularly involving helicopters, have escalated in recent years, which poses significant risks to public health and safety. In recent years there has been increased and widespread operation of sight seeing aircraft in the State and notably over residential areas. Passengers and local residents living in densely populated areas have an interest in ensuring that costs and expenses due to tour aircraft crashes are covered by insurance.

Your Committee has amended this measure by:

- (1) Inserting a blank amount for the required per person per incident liability insurance coverage;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2745, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2745, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 2690 Transportation on S.B. No. 3255

The purpose and intent of this measure is to appropriate funds for capital improvement projects in the Waianae district to address traffic mitigation.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Ulupono Initiative, Hawaiian Community Development, Bikeshare Hawaii, and 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 Transportation.

Your Committee finds that Farrington Highway is the sole major roadway on Oahu's leeward coast and the sole access route that links the Waianae district to Ewa and east toward metropolitan Honolulu. Traffic volume on Farrington Highway has increased from an average of twenty thousand vehicles per day in 2000, to fifty thousand vehicles per day in 2016. This situation not only creates daily commutes lasting hours, but the lack of viable alternate routes creates serious problems when an emergency results in Farrington Highway being impassable.

Your Committee finds that this measure is necessary to appropriate funds for capital improvement projects to attempt to address traffic issues on Farrington Highway.

Your Committee has amended this measure by:

- (1) Removing certain language from section 1;
- (2) Removing projects relating to pedestrian overpasses;
- (3) Limiting the capital improvement project to the Farrington Highway corridor infrastructure plans;
- (4) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3255, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3255, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2691 Transportation on S.B. No. 3152

The purpose and intent of this measure is to make an emergency appropriation to authorize additional funds for the Department of Transportation Highways Division's special maintenance program.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that Hawaii's critical infrastructure needs immediate repairs. Additionally, spending on infrastructure will stimulate economic recovery for the State. This measure will appropriate funds to address critical infrastructure needs throughout the State, including critical infrastructure that is nearing the end of its service life.

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. 3152 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 2692 Transportation on S.B. No. 3312

The purpose and intent of this measure is to:

- (1) Make clarifying amendments to chapter 291J, Hawaii Revised Statutes, to reflect legislative intent, including the repeal or change of certain defenses to violations of the photo red light imaging detector systems program; and
- (2) Amend the appropriation made pursuant to Act 133, Session Laws of Hawaii 2021, to account for the photo red light imaging detector systems program's current timetable.

Your Committee received testimony in support of this measure from the Department of Transportation, City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and one individual.

Your Committee finds that there is a prevalence of drivers who run red lights and thereby endanger the lives of other motorists, pedestrians, bicyclists, and other vulnerable road users. In recent years, it has become common to hear reports of hit-and-run drivers who have struck children or the elderly on Hawaii's roads and highways. Disregard for traffic signals has also been the common denominator in many recent, highly-publicized motor vehicle crashes that have claimed numerous lives.

To address systemic issues regarding drivers who disregard traffic signals, the Legislature initially passed Act 234, Session Laws of Hawaii 1998 (Act 234), to implement a photo speed imaging detector system. Across the United States, photo red light imaging detectors are shown to be safe, quick, cost-effective, and efficient as no traffic stop is involved and a police officer is not at risk from passing traffic or armed violators. Implementation of photo red light imaging systems not only create safer streets, but police officers are also freed from time consuming duties of traffic enforcement and have more time to respond to priority calls. Imaging systems also allow for impartial enforcement of traffic laws. Despite many benefits to the implementation of red light systems, public opposition to the method of implementing the photo speed imaging detector systems program forced the State to repeal Act 234 in its entirety.

Since the enactment and repeal of Act 234, red light traffic violations continue to create hazards for users of Hawaii's roads and highways. To address ongoing issues related to red light violations, the Legislature enacted Act 30, Session Laws of Hawaii 2020, and Act 133, Session Laws of Hawaii 2021, to develop and implement a photo red light imaging detector systems program. In 2019, the Department of Transportation also convened a multi-agency red light running committee to anticipate any legal or procedural challenges, and to prepare for the upcoming red light imaging program, which is scheduled to begin in 2022. Despite some delays in the implementation of the photo red light system program, this measure clarifies the legislative intent of the photo red light system program to align with the program's current timetable.

Your Committee has amended this measure by inserting an effective date of January 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. 3312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3312, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 2693 (Majority) Transportation on S.B. No. 1357

The purpose and intent of this measure is to prohibit display of any material that distracts, obstructs the view of, or affects the safety of other drivers, including but not limited to flags, towels, sheets, and cloths, on vehicles being operated or moved on a public street, road, or highway, except when required to be displayed for loads that extend beyond the vehicle, and sets a fine for violation of this prohibition.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Livable Honolulu, and two individuals. Your Committee received testimony in opposition to this measure from thirteen individuals. Your Committee received comments on this measure from the Department of Transportation Services of the City and County of Honolulu.

Your Committee finds that flags, banners, and other large cloths flown from vehicles being operated or moved on streets cause distractions and create unsafe driving conditions. The purpose of this measure is to implement a fine to discourage these unsafe practices.

Your Committee has amended this measure by:

- (1) Clarifying that the maximum size of an acceptable flag or banner is twelve inches by eighteen inches for purposes of this measure; and
- (2) Inserting an effective date of January 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. 1357, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1357, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Fevella). Excused, 1 (Shimabukuro).

SCRep. 2694 Transportation on S.B. No. 3272

The purpose and intent of this measure is to:

- (1) Establish the Helicopter Noise and Safety Task Force; and
- (2) Require the Director of Transportation to adopt rules to require tour aircraft operators to have commercial general liability insurance coverage of at least \$10,000,000 and to report details of each flight taken by the tour aircraft operation in order to renew a tour aircraft operation permit.

Your Committee received testimony in support of this measure from the O'ahu Tour Helicopter Safety and Noise Inter-Action Group and three individuals. Your Committee received comments on this measure from the Department of Transportation, Blue Hawaiian, Paradise Helicopters Hawaii, and one individual.

Your Committee finds that tour helicopters and small aircraft operations constitute a significant risk to passengers and residents on the ground. Over the past five years, tour helicopters and small aircraft operations in Hawaii accounted for nearly seventeen percent of the nation-wide accidents that prompted investigation by the National Transportation Safety Board. In one ten-month period spanning 2019 to 2020, twenty-three lives were lost in four separate tour helicopter or small aircraft accidents on Oahu and Kauai. Your Committee therefore finds that decisive action must be taken to increase safety precautions.

Your Committee has amended this measure by:

- (1) Renaming the task force as the Air Noise and Safety Task Force;
- (2) Amending the scope of the task force to include aircrafts, rather than helicopters;
- (3) Inviting communities impacted by aircraft noise, helicopter operators, and small aircraft operators to join the task force;
- (4) Clarifying that the term of membership of the task force is a two-year term;
- (5) Removing language that would have required commercial general liability insurance coverage for tour aircraft operations;
- (6) Requiring the Director of Transportation to adopt rules to require tour aircraft operations to submit monthly reports of certain flight data; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3272, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 2695 Transportation on S.B. No. 3361

The purpose and intent of this measure is to establish the Airport Advisory Working Group in the Department of Transportation to advise on airport design and construction projects to prioritize user experience while reflecting local culture, environment, and the history of Hawaii.

Your Committee received testimony in support of this measure from the Airport Concessionaires Committee. 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 Transportation and the Department of Budget and Finance.

Your Committee finds that Hawaii's airports ranked near the bottom in a J.D. Power 2021 customer satisfaction airport survey despite having spent hundreds of millions of dollars in renovations. This measure addresses problems facing Hawaii's airports by establishing the Airport Advisory Working Group in the Department of Transportation which will advise on construction projects to prioritize the user experience while preserving a design that reflects local culture and shares the narrative of Hawaii and its values.

Your Committee has amended this measure by:

- (1) Clarifying that the airport advisory working group shall advise the Department of Transportation Airports Division on how to improve airport planning and design at state international airports;
- (2) Adjusting the membership of the working group to include the following:
 - (A) A member appointed by the President of the Senate, to serve a co-chairperson;
 - (B) A member appointed by the Speaker of the House of Representatives, to serve as co-chairperson;
 - (C) One member representing labor or the construction trade; and
 - (D) One member representing commercial or retail airport concessions;
- (3) Establishing one full-time equivalent conceptual architect position in the Department of Transportation to assist the working group;
- (4) Appropriating an unspecified amount from the airport revenue fund, rather than from general funds, for establishment and operation of the working group;
- (5) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3361, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3361, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 2696 Government Operations on S.B. No. 2191

The purpose and intent of this measure is to clarify existing eligibility and document provision requirements for organizations applying for grants under chapter 42F, Hawaii Revised Statutes, and establish new requirements.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and one individual. Your Committee received written comments on this measure from the Office of Community Services and Hawai'i Alliance of Nonprofit Organizations.

Your Committee finds that certain requirements of chapter 42F, Hawaii Revised Statutes, are presently unclear. This leads to complications in expeditiously determining grantee eligibility and processing grant applications. Accordingly, your Committee finds that this measure will improve the effectiveness of the grant application process under chapter 42F, Hawaii Revised Statutes, by clarifying existing requirements and requiring applicants to provide certain additional documentation at the beginning of the review process.

Your Committee has amended this measure by:

- (1) Deleting proposed language under section 42F-102(b)(1), Hawaii Revised Statutes, which would have added a redundant tax clearance requirement;
- (2) Clarifying that nonprofit organizations applying for a grant under section 42F-103(c), Hawaii Revised Statutes, must have and maintain tax-exempt status under the Internal Revenue Code, instead of being limited to section 501(c)(3) of the Internal Revenue Code;
- (3) Clarifying that grants awarded under chapter 42F, Hawaii Revised Statutes, shall only be awarded to organizations that are incorporated in Hawaii and not elsewhere, among other requirements; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations 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, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2697 (Joint) Government Operations and Transportation on S.B. No. 2293

The purpose and intent of this measure is to limit the Department of Transportation's use of facial recognition systems to certain specified situations.

Your Committees received testimony in support of this measure from the Department of Transportation and one individual. Your Committees received testimony in opposition to this measure from the Security Industry Association. Your Committees received comments on this measure from the American Civil Liberties Union.

Your Committees find that the unregulated and unfettered use of facial recognition and imaging technology poses unique and significant implications with respect to the civil rights and liberties of the State's residents and visitors. Your Committees recognize, however, that in certain limited circumstances, the use of this technology serves a legitimate public purpose and does not infringe on an individual's privacy rights.

Your Committees further find that detecting infectious travelers is necessary to ensure that Hawaii's economy can fully function while keeping the public safe. In May 2021, facial imaging equipment became operational throughout the State's five major airports. Your Committees find that this equipment is being used in conjunction with thermal screening as part of the project of the Airports Division of the Department of Transportation to screen travelers for fevers and detect those who may be infected with the coronavirus or other infectious diseases that pose a public health risk.

Your Committees additionally find that the Airports Division of the Department of Transportation should be allowed to continue using the facial imaging system purchased for sole use within airports to protect the public health and safety while balancing concerns regarding privacy interests of individuals.

Accordingly, your Committees find that this measure balances concerns regarding privacy and public health and safety by limiting the Department of Transportation's use to a facial imaging system.

Your Committees note the testimony of the Department of Transportation on the nature of its imaging system and need for funding for its continued maintenance and operation. Based on this testimony, your Committees find that the Department of Transportation uses an "integrated thermal scanner facial imaging system" that obtains images for the purpose of detecting a person's temperature; captures images only of persons with temperatures of 100.4 degrees Fahrenheit or higher who are referred to the Department of Health for testing; and neither retains the image for longer than thirty minutes nor is connected to any personal identifying information or shared with any other entity or person.

Your Committees have therefore amended this measure by:

- (1) Clarifying that the system used by the Department of Transportation is an integrated thermal scanner facial imaging system;

- (2) Specifying that any images obtained by the Department of Transportation's integrated thermal scanner facial imaging system be deleted within thirty minutes of capture, rather than within sixty minutes;
- (3) Inserting a blank appropriation to the Department of Transportation for the maintenance and operation of its thermal scanner facial imaging system;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) 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 Government Operations and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2293, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2293, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

Transportation: Ayes, 5. Noes, none. Excused, none.

SCRep. 2698 Government Operations on S.B. No. 2456

The purpose and intent of this measure is to authorize the issuance of limited purpose identification cards for individuals who otherwise satisfy the requirements for a government-issued identification card except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under federal law.

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, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, The Legal Clinic, Parents and Children Together, and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 2015, the Legislature authorized the issuance of limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits to individuals who otherwise satisfy the requirements for a driver's license, provisional driver's license, or instruction permit except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under the federal REAL ID Act.

Your Committee further finds that the State does not similarly provide residents who do not drive and are unable to meet the requirements for a REAL ID-compliant identification card with the ability to access state-issued identification. This issue impacts several demographic groups, including young adults, elderly persons, houseless persons, undocumented immigrants, and lawfully present non-immigrants, and is exacerbated by the coronavirus disease 2019 pandemic, since proof of identification is required for entry into many public venues. Authorizing the issuance of limited purpose identification cards will improve access for residents of the State, including marginalized or disadvantaged residents.

Accordingly, this measure will provide greater access to a wide range of services for marginalized persons and others by providing an alternate form of identification.

Your Committee has amended this measure by:

- (1) Aligning the limited purpose identification card application process with that of the limited purpose driver's license under section 286-104.5, Hawaii Revised Statutes;
- (2) Clarifying the identity of the federal department associated with the issuance of deferred action for childhood arrival approval letters;
- (3) Adding as acceptable documentation certain documents issued to incarcerated persons upon their release;
- (4) Deleting the reference to the Department of Transportation as providing direction to the examiner of drivers, to clarify the measure's county-wide application; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2456, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 2699 Energy, Economic Development, and Tourism on S.B. No. 1065

The purpose and intent of this measure is to:

- (1) Include best practice destination management and regenerative tourism under the scope and responsibilities of the Hawaii Tourism Authority (HTA);
- (2) Require HTA to develop a tourism management plan that includes tourism marketing, best practice destination management, and regenerative tourism; and

- (3) Require HTA to allocate most marketing moneys to the respective county economic development offices for visitor marketing contracts and nonprofits that benefit the county.

Your Committee received testimony in support of this measure from eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Tourism Authority, County of Hawai'i Office of the Mayor, City and County of Honolulu's Office of Economic Revitalization, County of Hawaii's Department of Research and Development, Maui Hotel & Lodging Association, Kohala Coast Resort Association, Kahala Hotel & Resort, Kona-Kohala Chamber of Commerce, Hawai'i Hotel Alliance, American Hotel and Lodging Association, Kaanapali Operations Association Inc., Hawai'i Lodging & Tourism Association, County of Maui's Office of Economic Development, Outrigger Hospitality Group, The Old Wailuku Inn at Ulupono, Springboard Hospitality, Hanalei Colony Resort, and twelve individuals.

Your Committee finds that the first two parts of this measure better align with HTA's updated mission to focus on visitor and designation management. Your Committee recognizes the majority of the testimony in opposition to the measure applies to part III of this measure, which requires HTA to allocate ninety-seven percent of its marketing funds to each county's economic development office based on the percentage of visitor arrivals in each county to finance visitor marketing contracts and nonprofits that benefit the county.

According to testimony received by your Committee, marketing efforts are best leveraged for the State when they are centralized, and certain county economic development offices do not have enough expertise to efficiently promote the county as a visitor destination. Multiple testifiers also stated that an allocation of marketing funds based on visitor arrivals reinforces the demand for visitor quantity, which is contrary to HTA's updated focus on visitor quality and may also be detrimental to current resident sentiment within and among the counties.

Your Committee further recognizes that with its updated focus on visitor and destination management, HTA, in partnership with the counties and the respective visitor bureaus, coherently and expeditiously developed community-based destination management action plans (DMAPs) that aim to rebuild, redefine, and reset the direction of tourism over a three-year period. Each DMAP focuses on the stabilization, recovery, and rebuilding of the desired visitor industry on each island. Testimony from the County of Hawaii's Department of Research and Development acknowledges that the implementation of the action steps in its DMAP has contributed to the renewal of the visitor sector on Hawaii Island in a responsible, regenerative, and pono (righteous) manner as the coronavirus disease 2019 pandemic continues.

Accordingly, your Committee has amended this measure by:

- (1) Removing the requirement for HTA to allocate most of its marketing funds to the respective county economic development offices for visitor marketing contracts and nonprofits that benefit the county;
- (2) Codifying the objectives and action items for HTA within the:
 - (A) Oahu DMAP 2021 to 2024;
 - (B) Maui Nui DMAP 2021 to 2023;
 - (C) Hawaii Island DMAP 2021 to 2023; and
 - (D) Kauai DMAP 2021 to 2023;
- (3) Appropriating unspecified amounts to HTA to carry out the action items for each DMAP; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1065, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1065, S.D. 2, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2700 Labor, Culture and the Arts on S.B. No. 2059

The purpose and intent of this measure is to designate the 'ōhi'a lehua as the State endemic tree to recognize its cultural and ecological importance and raise awareness of the critical threats the plant species is currently facing, with the hope that it will lead to effective conservation and healthy growth of 'ōhi'a forests across the Hawaiian Islands.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ko'olau Waialua Alliance, Kua'āina Ulu 'Auamo, Coordinating Group on Alien Pest Species, Rapid 'Ōhi'a Death Statewide Outreach, and three hundred forty-five individuals.

Your Committee finds that the 'ōhi'a lehua (*Metrosideros polymorpha*) is a flowering evergreen that is an endemic plant species found only in the Hawaiian Islands that has unique cultural, ecological, and economic value to the people of Hawaii. Your Committee also finds that the existence of the 'ōhi'a is currently under threat, including from diseases such as a fungal pathogen called rapid 'ōhi'a death. Your Committee believes that this measure will not only allow the people of Hawaii to recognize the 'ōhi'a lehua's cultural and ecological importance to the State, but also raise awareness of the critical threats the endemic plant species is currently facing and prompt effective conservation and expansion of its habitat in the State.

Your Committee notes that S.B. No. 2520 (Regular Session of 2022) is a similar measure that includes valuable information regarding the history and significance of the 'ōhi'a lehua. Your Committee therefore believes this measure should incorporate such information.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 1 to incorporate the information in S.B. No. 2520 (Regular Session of 2022) on the history and significance of the 'ōhi'a lehua; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2059, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 2701 Ways and Means on S.B. No. 2639

The purpose and intent of this measure is to require the Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders.

Your Committee received written comments in support of this measure from the Department of Public Safety, Women's Prison Project, and two individuals.

Your Committee recognizes the importance of addressing the specific needs of female offenders, which includes their assessment, program, treatment, and reentry needs. Your Committee finds that developing and implementing an appropriate risk needs assessment tool will help address those needs.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2639 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2702 Ways and Means on S.B. No. 2766

The purpose and intent of this measure is to require the Office of Planning and Sustainable Development to assess the rural land use district law and submit reports that provide suggested revisions to facilitate the reclassification of agricultural district lands to rural district lands.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development, Department of Agriculture, and Hawaii Farm Bureau.

Your Committee received written comments in opposition to this measure from the Land Use Commission.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that because only 0.3 percent of all lands in the State, and none on Oahu, are classified as rural district lands, most rural communities exist on agricultural district lands. Further, many people residing in these rural communities engage in subsistence or family farming, thereby benefiting from the reduced property tax rates. Your Committee believes that the reports required by this measure will help to improve land use management by distinguishing lands for rural communities and subsistence or family farms from agricultural lands with bonafide farming, thus allowing for better protection of productive agricultural lands.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2766, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2703 Ways and Means on S.B. No. 2767

The purpose and intent of this measure is to appropriate moneys to support the State's fish aggregation device program.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and the Hawaii Fishermen's Alliance for Conservation and Tradition.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that fishers throughout the State rely heavily on fish aggregation devices to locate targeted fish. Your Committee recognizes that a missing or an off-station fish aggregation device may result in the loss of opportunity to acquire fish for personal and community consumption and increased operational costs borne by fishers in the State. Accordingly, your Committee believes that keeping the State's fish aggregation device program fully operational is essential to mitigating these losses and costs.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2767, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2704 Ways and Means on S.B. No. 2056

The purpose and intent of this measure is to support the State's food sustainability and agricultural production goals.

Specifically, the measure:

- (1) Requires the Office of Planning and Sustainable Development to conduct a study of the suitability of soil classification systems, including the soil overall (master) productivity rating system and detailed land classification of the Land Study Bureau, for the regulation of agricultural lands by the State and counties;
- (2) Requires the Office of Planning and Sustainable Development to submit a report to the Legislature; and
- (3) Appropriates funds to the Office of Planning and Sustainable Development to conduct the study.

Your Committee received written comments in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawaii State Energy Office, University of Hawaii, Hawaii Farm Bureau, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the study and accompanying report required by this measure will facilitate optimal public and private agricultural investments by providing valuable information to help the State more effectively identify productive agricultural lands and protect agricultural production resources under state and county land use regulatory systems.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2056, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2056, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2705 Ways and Means on S.B. No. 2150

The purpose and intent of this measure is to authorize and appropriate moneys for the Department of Human Services to provide additional housing assistance subsidies to recipients of Temporary Assistance for Needy Families or Temporary Assistance for Other Needy Families benefits who participate in the First-to-Work program.

Your Committee received written comments in support of this measure from the Department of Human Services, Partners in Care, Catholic Charities Hawaii, Hawaii Children's Action Network Speaks!, Neighborhood Place of Kona, Hawaii Appleseed, Hawaii Habitat for Humanity, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that this measure will help reduce homelessness, childhood poverty, and economic stress by providing housing security for vulnerable families while the families prepare for, accept, and retain employment through the First-to-Work program.

Your Committee notes the objection by the State Procurement Office to provisions in the measure that exempt the expenditure of funds for the administration of housing assistance subsidies from Chapters 103D and 103F, Hawaii Revised Statutes, and its recommendation to delete the exemption language from the measure.

Your Committee has amended this measure by:

- (1) Changing the appropriation amounts to unspecified sums; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2150, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2150, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2706 Ways and Means on S.B. No. 2681

The purpose and intent of this measure is to minimize bid challenges, costs, and delays of public works construction projects.

Specifically, this measure:

- (1) Allows a bidder for a construction project to clarify or correct immaterial or technical issues with subcontractor listings for up to twenty-four hours after the bid submission deadline; and
- (2) Requires that bids for construction be publicly opened no sooner than twenty-four hours after the bid submission deadline.

Your Committee received written comments in support of this measure from the General Contractors Association of Hawaii.

Your Committee received written comments in opposition to this measure from the Department of Accounting and General Services and the City and County of Honolulu.

Your Committee received written comments on this measure from the Judiciary, State Procurement Office, and Department of Transportation.

Your Committee finds that there is a limited amount of time between a prime contractor's receipt of bids from its subcontractors and the procuring agency's bid submission deadline. These constraints may cause inadvertent failures to list in a bid a required subcontractor, or the listing of erroneous subcontractor license numbers. Your Committee further finds that authorizing additional time for prime contractors to correct their subcontractor listings would facilitate the Legislature's intent of ensuring that subcontractors are listed properly on bid submittals and are licensed, while maintaining the integrity of the bid process.

Your Committee has amended this measure by:

- (1) Clarifying that, upon this measure's repeal date, section 103D-302, Hawaii Revised Statutes, shall be reenacted in the form in which it read before the effective date of this Act; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2681, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2681, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Inouye, Fevella). Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2707 Ways and Means on S.B. No. 2759

The purpose and intent of this measure is to exempt the instream use of water used for traditional and customary kalo cultivation from the Department of Land and Natural Resources' disposition of water rights process.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands; a member of the Hawaii County Council; County of Kauai Planning Department; Office of the Mayor of the County of Kauai; Council for Native Hawaiian Advancement; Kuaaina Ulu Auamo; Sierra Club of Hawaii; Aloha Aina Legal Group, LLLC; Waioli Valley Taro Hui; Ahahui o na Kauka - Association of Native Hawaiian Physicians; Hui o Na Wai Eha; Earthjustice; Papa Ola Lokahi; Haiku Community Association; Hanalei Hawaiian Civic Club; and thirteen individuals.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that providing a water disposition exemption for certain kalo cultivation will help to reduce barriers for taro cultivation, reduce the cost to produce poi, increase food production in Hawaii, and protect the traditional and customary practices of Native Hawaiians as mandated by the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Including a severability clause; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2759, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2759, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2708 Ways and Means on S.B. No. 2770

The purpose and intent of this measure is to require the Department of Public Safety to create, in collaboration with the Office of Hawaiian Affairs, a Native Hawaiian rehabilitation program for prison inmates that emphasizes Native Hawaiian values and cultural practices.

Your Committee received written comments in support of this measure from the Department of Public Safety, Women's Prison Project, Community Alliance on Prisons, Opportunity Youth Action Hui, and four individuals.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Department of Budget and Finance and the Office of Hawaiian Affairs.

Your Committee finds that rehabilitation programs improve the likelihood of inmate rehabilitation. Further, your Committee believes that connecting Native Hawaiian prison inmates with their cultural and ancestral roots may be an effective method of rehabilitation. However, it is the intent of this Committee that these Native Hawaiian programs should be available to all inmates, regardless of ethnic background.

Your Committee has amended this measure by:

- (1) Codifying in the Hawaii Revised Statutes the mandate for the creation of a Native Hawaiian rehabilitation program;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2770, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2770, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2709 Ways and Means on S.B. No. 2771

The purpose and intent of this measure is to improve outcomes for female offenders.

More specifically, the measure requires the Department of Public Safety to:

- (1) Conduct pretrial female risk and needs assessments to measure female offenders' risk of flight, reoffending, or harming the community; and
- (2) Consider factors important to women when considering their risks of reoffending and their treatment needs.

Your Committee received written comments in support of this measure from the Hawaii Substance Abuse Coalition, Women's Prison Project, and four individuals.

Your Committee received written comments on this measure from the Department of Public Safety.

Your Committee finds that more individualized identification of women inmates' risk factors and needs would result in the provision of more effective interventions and services for these offenders and help to reduce recidivism.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2771, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2771, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2710 Ways and Means on S.B. No. 3046

The purpose and intent of this measure is to make an emergency appropriation to the Department of the Attorney General for the retention of expert witnesses and counsel in major litigation against the State of Hawaii.

Your Committee received written comments in support of this measure from the Department of the Attorney General.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the emergency appropriation provided by this measure is necessary and appropriate because the State is involved in major litigation that requires a vigorous defense, including the retention of expert witnesses and specialized legal counsel.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion on the measure.

Your Committee notes that the written comments submitted by the Department of the Attorney General in support of this measure included a request to amend this measure by increasing the amount of the emergency appropriation from \$1,000,000 to \$4,000,000 and including a provision specifying that the appropriated funds shall not lapse prior to June 30, 2023. Your Committee respectfully requests that subsequent committees consider this request as the measure moves through the legislative process.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3046, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3046, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2711 Ways and Means on S.B. No. 3075

The purpose and intent of this measure is to ensure that \$2,000,000 is deposited annually into the Department of Commerce and Consumer Affairs' compliance resolution fund, which is currently funded by franchise tax revenues.

Specifically, this measure requires that, in years where franchise tax revenues are insufficient, the difference shall be made up by a deposit of income tax revenues.

Your Committee received written comments in support of this measure from the Department of Commerce and Consumer Affairs, Division of Financial Institutions; Department of Taxation; and Hawaii Bankers Association.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Article III, section 14, of the Hawaii State Constitution provides that “[e]ach law shall embrace but one subject, which shall be expressed in its title.” A title must include a distinct reference to the subject matter to which it relates and also cover only one subject. Thus, the scope of the title cannot be narrower than the scope of the subject matter of the bill. Your Committee notes that the title of this measure is “A Bill for an Act Relating to Franchise Tax.” In the context of this measure, the term “franchise tax” refers to the franchise tax imposed on banks and other financial corporations pursuant to Chapter 241, Hawaii Revised Statutes. Your Committee also finds that the intent of this measure is to address a shortfall in the \$2,000,000 earmarked from the franchise tax collections to be deposited into the compliance resolution fund. Accordingly, the measure requires the deposit of income tax revenues, collected pursuant to Chapter 235, Hawaii Revised Statutes, into the compliance resolution fund to make up the shortfall. Your Committee notes concerns that, by amending the income tax law, the contents of this measure may exceed the scope of its title.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure;
- (2) Clarifying the taxable years to which the provisions of the measure that amend the income tax law shall apply; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3075, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3075, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2712 Ways and Means on S.B. No. 3094

The purpose and intent of this measure is to make an emergency appropriation to the Department of Education to establish a virtual school.

More specifically, to ensure the continued availability of multiple learning options necessitated by the adverse impacts of the COVID-19 pandemic, the measure:

- (1) Makes an emergency appropriation to the Department of Education to build a virtual school to allow for distance learning; and
- (2) Authorizes the issuance of general obligation bonds for the purpose of renovations and electrical upgrades for the virtual school.

Your Committee received written comments in support of this measure from the Department of Education.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the disruption caused by the COVID-19 pandemic and resulting adoption of distance learning methods have made it clear that certain students should have an option to attend school virtually.

Your Committee has amended this measure by:

- (1) Changing the appropriation and general obligation bond amounts to unspecified amounts;
- (2) Inserting an effective date of July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3094, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3094, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2713 Ways and Means on S.B. No. 3095

The purpose and intent of this measure is to authorize the issuance of general obligation bonds and to appropriate the funds derived therefrom for fiscal year 2021-2022 for a Department of Education maintenance base yard.

Your Committee received written comments in support of this measure from the Department of Education.

Your Committee finds that the maintenance base yard funded by this measure will allow the Department of Education to provide maintenance services more efficiently and to allocate storage space for other departments.

Your Committee has amended this measure by:

- (1) Changing the amount of general obligation bonds authorized and moneys appropriated to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3095, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3095, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2714 Ways and Means on S.B. No. 3098

The purpose and intent of this measure is to make an emergency appropriation for lead abatement measures at Department of Education elementary schools.

Your Committee received written comments in support of this measure from the Department of Education, Department of Health, and International Association of Plumbing and Mechanical Officials.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that there is an urgent need to protect the health and safety of vulnerable students by repairing or replacing state elementary school plumbing fixtures associated with elevated lead levels.

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 facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3098, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3098, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2715 Ways and Means on S.B. No. 3130

The purpose and intent of this measure is to authorize state small boat harbor mooring permit holders to transfer the holders' respective mooring permits, subject to certain conditions.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and five individuals.

Your Committee finds that applicants for state small boat harbor mooring permits often must wait many years to receive a mooring permit, despite having no place to moor the applicant's vessel in the meantime. Consequently, many vessel owners are unable to sell their respective vessels. Your Committee believes that this measure will help to facilitate the sale and purchase of previously owned vessels.

Your Committee has amended this measure by:

- (1) Reorganizing certain provisions for purposes of clarity and consistency;
- (2) Clarifying that failure to comply with the law while selling a vessel or transferring a mooring permit will result in the automatic termination of the applicable mooring permit;
- (3) Changing the effective date to upon approval; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3130, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3130, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2716 Ways and Means on S.B. No. 3134

The purpose and intent of this measure is to streamline the process for completing the Department of Land and Natural Resources' required annual payment of debt service on the reimbursable general obligation bonds that financed the Turtle Bay conservation easement.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that section 173A-13, Hawaii Revised Statutes, currently requires the Department of Land and Natural Resources to complete a cumbersome annual grant application and award process before the Department can make its required annual debt service payment. Your Committee further finds that this measure would allow the Department to process the required annual payment without having to undergo this prolonged process.

Your Committee has amended this measure by:

- (1) Amending the savings clause to clarify that the measure does not affect penalties that were incurred before its effective date; and
- (2) Correcting a drafting error.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3134, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3134, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2717 Judiciary on S.B. No. 2114

The purpose and intent of this measure is to update the purpose of the Children's Justice Program to include investigation and management of cases involving suspected or confirmed child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and child witnesses to crime or violence.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Department of the Attorney General, Department of Education, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Office of the Prosecuting Attorney of the County of Hawai'i, Hawai'i Police Department, County of Kauai Victim/Witness Program, Sex Abuse Treatment Center, Friends of the Children's Justice Center of Oahu, YWCA of Kaua'i, Hale Kipa, Neighborhood Place of Kona, Catholic Charities Hawai'i, Parents and Children Together, Hawai'i Exploitation and Trafficking Unit, and five individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the Children's Justice Program currently plays a vital role in providing support for the special needs of child victims and witnesses of child sex abuse and serious physical child abuse. Victims of child sex trafficking, commercial sexual exploitation of children, and other child maltreatment and child witnesses to crime or violence are also vulnerable and experience various forms of complex trauma, and would benefit from the support of the Children's Justice Program. Expanding the purpose of the Children's Justice Program to include these additional victim populations aligns with the mission of the Children's Justice Program and will help reduce and prevent unnecessary trauma while ensuring justice for children and their families.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2114 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, 7. Noes, none. Excused, none.

SCRep. 2718 Judiciary on S.B. No. 2741

The purpose and intent of this measure is to provide a limited exemption for the Hawaii Commission to Promote Uniform Legislation from certain requirements of part I of chapter 92, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawaii's Commission to Promote Uniform Legislation, and five individuals. Your Committee received comments on this measure from the Office of Information Practices and Common Cause Hawaii.

Your Committee finds that the Hawaii Commission to Promote Uniform Legislation was created by law in 1911 and is Hawai'i's delegation to the National Conference of Commissioners on Uniform State Laws (now commonly referred to as the "Uniform Law Commission"). One of the primary duties of the Hawaii Commission to Promote Uniform Legislation is to represent the State during the annual meeting of the Uniform Law Commission. The Hawaii Commission to Promote Uniform Legislation works on an annual basis with the Uniform Law Commission to select, draft, consider, and amend various legislation to be adopted by the Uniform Law Commission as uniform laws. Uniform laws have been used extensively by most state legislatures, including Hawai'i. This measure would allow all Hawaii Commission to Promote Uniform Legislation members to actively work towards the goal of promoting uniformity of legislation in the State, without any limitation on the number of participating members.

As affirmed by the record of votes of 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. 2741 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, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2719 Judiciary on S.B. No. 2082

The purpose and intent of this measure is to add abuse of a family or household member to those felonies that qualify for repeat offender sentencing.

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, Honolulu Police Department, and one individual.

Your Committee finds that section 706-606.5, Hawaii Revised Statutes, was first enacted in 1976 to provide specialized sentencing provisions for repeat felony offenses and has been amended a number of times to include various class C felonies. Although this list covers a range of very serious crimes, one violent class C felony which is not on this list is felony-level abuse of a family or household member under sections 707-906(8), (9), and (10), Hawaii Revised Statutes. Given that class C felony offenses have been added to this section piecemeal over the years, your Committee believes that it was not intentional to leave felony-level abuse of a family or

household member off of the list, but rather an oversight, as the three class C felony subsections were created long after the sentencing for repeat offenders statute was enacted in 1976, and also long after the abuse of a family or household member was enacted in 1973. Until 1999, abuse of a family or household member was only classified as a misdemeanor offense. This measure will more accurately reflect the seriousness of these types of offenses in today's society by placing abuse of a family or household member on the same level as all other violent class C felonies.

As affirmed by the record of votes of 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. 2082 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, 7. Noes, none. Excused, none.

SCRep. 2720 Judiciary on S.B. No. 2163

The purpose and intent of this measure is to elevate the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the County of Maui, Hawai'i Police Department, Honolulu Police Department, Maui Police Department, Mothers Against Drunk Driving Hawaii, and five individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that drivers who operate a vehicle with a suspended or revoked license show a pattern of poor decision making, leading to hazardous behavior. Providing a twenty year look back into an individual's driving record allows agencies to determine if a driver has already been convicted for operating a vehicle under the influence of an intoxicant. This information will help show a pattern of disregarding the orders of the court, which are intended to protect the community.

Your Committee further finds that any driver who operates a vehicle as a "highly intoxicated driver" poses a serious danger to anyone on or near a roadway. Most fatal crashes in the State involve drivers impaired by intoxicating substances. For example, the County of Hawaii had twenty-six people who were killed in fatal crashes, twenty-one of them involved an impaired driver, with many of the most tragic crashes involving drivers who were highly intoxicated at that time. This measure will deter would-be offenders from driving impaired by elevating the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2163 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, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2721 Judiciary on S.B. No. 2092

The purpose and intent of this measure is to establish the Class A felony offense of child torture.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Family Advocacy Team, 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 tragically, child abuse is an all-too-common occurrence across our nation, which spans all races and genders. Out of all cases involving child maltreatment, it is estimated that one to two percent fall into the category of "child torture". Currently, the only relevant references to torture found in Hawaii's Penal Code are in section 706-657, Hawaii Revised Statutes, as a sentencing enhancement for second degree murder, or section 711-1100, Hawaii Revised Statutes, in relation to the offense of cruelty to animals in the first degree. Despite these references, and despite the fact that at least thirty-three states across the nation have criminal codes addressing both the physical and mental aspects of child torture, Hawaii continues to be without any child torture statute. Your Committee further finds that many cases of child torture do not result in severe physical injury to the child, but rather the long-term developmental, psychological, and behavioral ramifications in these cases can be devastating. This measure will help close any gaps in the current laws that may allow perpetrators to sometimes receive lenient sentences for these horrific and inhumane abuses by establishing the class A felony offense of child torture.

Your Committee has amended this measure by:

- (1) Clarifying that the factfinder shall apply a reasonable person standard, and that a finding of guilt would be based on a gross deviation from that standard of providing necessities to a minor;
- (2) Clarifying that the factfinder shall apply a reasonable person standard, and that a finding of guilt would be based on a gross deviation from that standard in situations where minors are being unreasonably restrained;
- (3) Adding a definition for "mental anguish"; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2092, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2722 Judiciary on S.B. No. 2747

The purpose and intent of this measure is to repeal and replace the Uniform Parentage Act of 1973 with the Uniform Parentage Act of 2017.

Your Committee received testimony in support of this measure from the Judiciary, Stonewall Caucus of the Democratic Party of Hawai'i, Commission to Promote Uniform Laws, Hawai'i Women Lawyers, and two individuals. Your Committee received testimony in opposition to this measure from Truth in Adoption and four individuals. Your Committee received comments on this measure from the Department of the Attorney General, Donor Sibling Registry, and one individual.

Your Committee finds that existing parentage laws reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. Under existing law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. As a result, non-male LGBTQ+ parents are subject to a "queer parent penalty". That is, female, non-binary, and queer partners are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's parent. This measure amends the Hawaii Revised Statutes to update existing paternity laws to reflect modern concepts of family, parenthood, and parental rights.

Your Committee notes that the task force to recommend updates to existing parentage laws needs more time to resolve various issues and concerns identified in its reports to the 2022 Legislature.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have enacted the new Uniform Parentage Act;
- (2) Deleting language that would have repealed the current Uniform Parentage Act;
- (3) Inserting language that amends Act 201, Session Laws of Hawaii 2021, which established a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights, as follows:
 - (A) Clarifying that the Department of the Attorney General shall be a joint convener with the Department of Health;
 - (B) Clarifying that a representative from the Department of the Attorney General shall be a co-chairperson with the Director of Health;
 - (C) Specifying that the task shall 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 2023; and
 - (D) Specifying that the task force shall be dissolved on December 31, 2022;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the 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. 2747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2747, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2723 (Majority) Judiciary on S.B. No. 2755

The purpose and intent of this measure is to require the Board of Land and Natural Resources to approve all revoked, limited, condemned, removed, or shortened public land leases or revocable permits.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that in order to effectively manage public lands, oversight of land usage is necessary. The Department of Land and Natural Resources Land Division has significant discretion to revoke, limit, remove, or shorten leases granted by the Department, issue condemnations, and rescind revocable permits without prior approval from the Board of Land and Natural Resources. This measure will ensure a more thorough review of public land leases and revocable permits by both the Department of Land and Natural Resources and the Board of Land and Natural Resources for the benefit of the State's people.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2755, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2755, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio). Noes, 1 (Fevella). Excused, none.

SCRep. 2724 Commerce and Consumer Protection on S.B. No. 3084

The purpose and intent of this measure is to amend the composition of the Elevator Mechanics Licensing Board to replace the ex-officio Department of Labor and Industrial Relations member with a licensed elevator mechanic member.

Your Committee received testimony in support of this measure from the Elevator Mechanics Licensing Board.

Your Committee finds that the Elevator Mechanics Licensing Board (Board) has experienced difficulties meeting quorum requirements. This measure will relieve the Director of the Department of Labor and Industrial Relations of the need to dedicate personnel resources to Board meetings and will grant the Board more flexibility to address Board vacancies (which has further created challenges to meet quorum requirements) to ensure appropriate decisions on applications and that scope of practice issues are discussed and decided in a timely manner.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3084 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, 6. Noes, none. Excused, 1 (Fevella).

SCRep. 2725 Commerce and Consumer Protection on S.B. No. 3083

The purpose and intent of this measure is to authorize the Commissioner of Financial Institutions to modify or waive requirements in chapter 454M, Hawaii Revised Statutes, to implement changes and improvements made to the National Multi-State Licensing System and Registry (NMLS).

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that most states' agencies have adopted the process of streamlining and standardizing the filing of electronic surety bonds through NMLS. Hawaii remains one of the few states that has not adopted this modernized process and requires applicants and licensees to physically submit a surety bond with the Commissioner of Financial Institutions before the license becomes effective. If there is any error in the surety bond, for example, a typo in the name or address, the Division of Financial Institutions is required to mail the surety bond back to the insurer and request a new surety bond. This physical transfer process can add significant delays. Accordingly, this measure will allow the Commissioner of Financial Institutions to implement modern features through NMLS to streamline the licensing process for mortgage servicers, similar to the existing licensing process for mortgage loan originators and money transmitters.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3083 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, 6. Noes, none. Excused, 1 (Fevella).

SCRep. 2726 Commerce and Consumer Protection on S.B. No. 3080

The purpose and intent of this measure is to amend various sections of article 4A of chapter 431, Hawaii Revised Statutes, in order for the State to maintain accreditation with the National Association of Insurance Commissioners.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Reinsurance Association of America, American Property Casualty Insurance Association, and American Council of Life Insurers.

Your Committee finds that the National Association of Insurance Commissioners (NAIC) adopted amendments to its Credit for Reinsurance Model Law in 2019 to make it consistent with bilateral agreements between the United States and the European Union and between the United States and the United Kingdom. The NAIC accreditation standard requires states to adopt the 2019 amendments to the model law. Accordingly, this measure is necessary for the State to maintain its NAIC accreditation and ensure that the Insurance Commissioner of the Department of Commerce and Consumer Affairs has the information necessary to regulate the ability and willingness of reinsurers to pay their claims as they become due.

Your Committee has amended this measure by:

- (1) Adopting certain amendments proposed by the Department of Commerce and Consumer Affairs to conform the measure to the NAIC model law; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3080, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3080, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2727 Commerce and Consumer Protection on S.B. No. 2329

The purpose and intent of this measure is to establish that charging shipping and delivery charges that exceed the actual cost to ship or deliver a commodity to a consumer in Hawaii constitutes an unfair and deceptive practice.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from Matson Navigation Company, Inc.

Your Committee finds that many Hawaii consumers are often treated unfairly compared to mainland consumers who more commonly benefit from free or reduced-rate shipping. Some consumers in the State are assessed arbitrary shipping surcharges or costs that do not correlate to the actual costs of shipping items to the consumer. This measure will require merchants to apply the actual shipping cost to facilitate transparency in consumer transactions and will help ensure that Hawaii consumers are not victims to arbitrary shipping costs or fees.

Your Committee has amended this measure by:

- (1) Clarifying that, if a seller imposes a separate charge for shipping or delivery to a consumer, that charge shall not exceed the actual cost charged to the seller to ship or deliver the commodity to a consumer in this State; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2329, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2329, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2728 Commerce and Consumer Protection on S.B. No. 2382

The purpose and intent of this measure is to prohibit the issuance of cabaret licenses to premises located within the apartment mixed use subprecinct of the Waikiki special district.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that certain establishments holding class 11 cabaret licenses issued by county liquor authorities have created public safety and noise issues for residents and visitors, especially in resort areas where cabarets are permitted to transact business until 4:00 a.m. throughout the entire week. This measure would restrict the issuance of cabaret licenses within the apartment mixed use subprecinct of the Waikiki special district to assist with reducing noise and crime and promote increased public safety and wellness.

Your Committee has heard the concerns raised in testimony that this measure does not apply uniformly throughout all political subdivisions of the State. Accordingly, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by uniformly applying the restriction on cabaret license issuance to all county mixed use subprecincts in which the economy is primarily based on tourism.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2382, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2729 Commerce and Consumer Protection on S.B. No. 2730

The purpose and intent of this measure is to:

- (1) Require that the fees for attorneys retained by a condominium association be paid from an association's funds or reserves;
- (2) Limit the total and final legal fees to twenty-five percent of the original debt amount;
- (3) Require attorneys retained by a condominium association to confine their communications to the condominium board, except when the attorneys must request and require materials and responses directly from owners for each matter; and
- (4) Prohibit attorneys retained by a condominium association from billing unit owners directly.

Your Committee received testimony in support of this measure from the Kokua Council, Hui 'Oia'i'o, and four individuals. Your Committee received testimony in opposition to this measure from the Legislative Action Committee of the Community Associations Institute, Hawaii Chapter; Hawaii Council of Community Associations; Associa; Palehua Townhouse Association; Law Offices of Mark K. McKellar, LLC; Country Club Village, Phase 2; and seventeen individuals.

Your Committee finds that associations have a fiduciary duty to, for example, collect delinquent maintenance fees. However, associations generally engage attorneys to do the collection even for de minimis fines, which can at times triple any original amounts owed. Accordingly, there should be additional protections in place to deter associations from assessing inflated legal fees against individual unit owners.

Your Committee has amended this measure by:

- (1) Clarifying that the association shall not assess, demand, or seek reimbursement for its total and final legal fees in any matter in an amount exceeding twenty-five percent of the original debt amount sought by the association unless approved by the majority of unit owners at a regular meeting of the association; provided that, for the collection of debt totaling less than \$2,000, the total and final legal fees the board seeks to recover from a unit owner for the matter shall not exceed twenty-five percent of the claimed debt;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2730, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2730, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2730 Commerce and Consumer Protection on S.B. No. 2852

The purpose and intent of this measure is to:

- (1) Require condominium associations to allow members or their proxies to vote by mail and attend and cast votes in association meetings through the Internet, teleconference, or other electronic transmission technology; and
- (2) Ensure the provision of copies of printed audit trails.

Your Committee received testimony in support of this measure from the Hawaii Council of Community Associations, Hawai'i Public Health Institute, Hui 'Oia'i'o, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Community Associations Institute; Country Club Village AOA; Honolulu Tower AOA; Hawai'i State Association of Parliamentarians Legislative Committee; Country Club Village Phase 2 AOA; Law Offices of Mark K. McKeller, LLC; Kipuka at Hoakalei AOUO; and eight individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that a certain percentage of members are required to vote in the affirmative for an association to adopt or amend its rules. If a member is not present, an absent vote will translate to a "no" vote. Due to a countless number of reasons, it can be a challenge for two-thirds of the members of an association to physically be present to vote at a meeting to adopt certain rules or amendments to rules. With the progression of technologies and increased abilities to conduct business remotely, this measure will remove outdated barriers and increase opportunities for member participation in the voting process.

Your Committee has amended this measure by:

- (1) Clarifying that members of the association or proxies of members shall be allowed to vote by mail and participate in any association meeting by means of the Internet, teleconference, or other electronic transmission technology, if authorized by the board of directors in its sole discretion;
- (2) Inserting language that provides a member of the association or proxy of a member participating in a meeting by means of Internet, teleconference, or other electronic transmission technology shall be deemed to be present at the meeting, and requiring the association to implement reasonable measures to verify that each person deemed present and permitted to vote at the meeting is a member of the association or proxy of a member; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2852, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2852, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2731 Commerce and Consumer Protection on S.B. No. 2876

The purpose and intent of this measure is to prohibit planned community associations, condominium associations, or their boards of directors from expending association funds to enforce de minimis violations of association rules or regulations that do not pose risks to the health and safety of other members, units, or unit owners.

Your Committee received testimony in support of this measure from Hui 'Oia'i'o and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Legislative Action Committee of the Community Associations Institute; Hawaii Council of Community Associations; Associa; Honolulu Tower AOA; Sunset Kahili AOA; CCV2 Board; Law Offices of Mark K. McKeller, LLC; Kipuka at Hoakalei AOUO; and eight individuals.

Your Committee finds that it is not uncommon for certain planned community or condominium unit owners to be saddled with unreasonable legal fees, or for them to feel they are being unfairly targeted and "bullied" by specific individuals on a board of directors, for seemingly minor violations of bylaws or house rules. This measure would prohibit an association from using association funds to enforce minor violations, ameliorate the problem of alleged harassment perpetrated by single individuals on association boards, and discourage associations from turning day-to-day minor issues over to expensive attorneys.

Your Committee has heard the concerns raised in testimony that the existing definition of "de minimis infraction" as presently drafted is subjective and could be open to various interpretations. Accordingly, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by clarifying that a "de minimis infraction" means a technical violation of a bylaw, rule, or regulation that results in not more than three complaints from separate units within a calendar year or does not result in a fine of more than \$500 per violation pursuant to the bylaws, rules, or regulations of the association.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2876, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2876, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2732 Commerce and Consumer Protection on S.B. No. 3077

The purpose and intent of this measure is to:

- (1) Add and update definitions to satisfy current industry practice needs;
- (2) Align and remedy inconsistencies between chapter 438 and chapter 439, Hawaii Revised Statutes;
- (3) Remove the five-year license requirement for barber and beauty operator Board of Barbering and Cosmetology member seats;
- (4) Raise fees for penalties and disciplinary actions; and
- (5) Remove medical clearance tests, which under existing law, the Board may require.

Your Committee received testimony in support of this measure from the Board of Barbering and Cosmetology.

Your Committee finds that there are inconsistent provisions in existing state law that add undue complexities to the regulation of the barbering and cosmetology industries. This measure will repeal existing law and establish a new, comprehensive licensing and regulatory structure to protect consumers and address evolving industry concerns and needs.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3077, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3077, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2733 Commerce and Consumer Protection on S.B. No. 3078

The purpose and intent of this measure is to apply the existing advance warning requirements to excavators operating on residential properties and clarify various excavation requirements and reporting procedures.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Hawaiian Electric, Hawai'i Gas, Hawaiian Telcom, and Hawaii Pest Control Association.

Your Committee finds that most excavators are required to call the One Call Center to provide the opportunity to check for pipelines or similar infrastructure prior to commencing excavation. Existing law, however, does not require excavators operating on residential properties to contact the One Call Center prior to excavating. Consequently, in 2020, approximately sixty-eight percent of subsurface utility infrastructure strikes occurred on residential properties. This exemption poses significant risk for homeowners and community members who use shared infrastructure. This measure extends the advance warning requirements to residential properties to reduce avoidable infrastructure damage and the risks of outages and other injuries to excavators.

Your Committee has amended this measure by:

- (1) Deleting certain language in the definition of "excavation" to clarify excavators are exempt from the advance warning requirements when their activities on residential properties do not involve excavation of more than twelve inches below the surface of the ground; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3078, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3078, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2734 Commerce and Consumer Protection on S.B. No. 3082

The purpose and intent of this measure is to amend the definitions of "distressed property consultant" and "mortgage assistance relief service" in section 480E-2, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that, when the State enacted its Mortgage Rescue Fraud Prevention Act in 2008, the federal government had not yet enacted legislation designed to protect consumers from mortgage rescue scams. In 2010, the Federal Trade Commission's Mortgage Assistance Relief Services Rule was enacted. As a result, existing state law provides exemptions that do not exist in federal law. Accordingly, the protections these exemptions offer under state law is illusory, as anyone engaged in wrongdoing can be sued in federal court under the federal law. However, the inconsistencies remaining between state and federal law may unnecessarily cause confusion in determining how the law should be interpreted. This measure is therefore necessary to take the unique protections of the federal law and combine and reconcile those with the protection provisions in existing state law.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3082, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3082, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2735 (Joint) Government Operations and Judiciary and Ways and Means on S.B. No. 2930

The purpose and intent of this measure is to establish and fund two new units within the Department of the Attorney General:

- (1) The Special Investigation and Prosecution Unit; and
- (2) The Sex and Human Trafficking Unit.

Your Committees received testimony in support of this measure from the Department of the Attorney General, The Kupuna Caucus of the Democratic Party of Hawai'i, and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance and the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committees find that recent events have illustrated the critical need to bolster the investigation, enforcement, and prosecution of incidents of fraud, white collar crime, and public corruption. Your Committees further find that there is an urgent need for more proactive law enforcement of sex and human trafficking crimes.

Your Committees additionally find that there are no specialized units within the Department of the Attorney General dedicated solely to the investigation and prosecution of the types of crimes within the purview of the units proposed by this measure. As noted in testimony, including that of Honolulu First Deputy Prosecuting Attorney Thomas Brady, dedicated units are key to the effective investigation and prosecution of these crimes, as these cases are lengthy, highly complex, and often involve emotionally or politically sensitive issues.

Your Committees note the testimony of Daniel Hanagami, Chief Special Investigator with the Department of the Attorney General, regarding cases that were investigated but did not result in charges. While Mr. Hanagami testified in opposition to the measure, your Committees find that this measure will actually address some of the issues raised in his testimony by forming dedicated units focused solely on the investigation and successful prosecution of crimes within the purview of the units. Your Committees also recognize the mutual interest and experience of the counties in attacking fraud, white collar crime, public corruption, and sex and human trafficking and thus encourage the units to collaborate with county law enforcement agencies.

Accordingly, your Committees find that this measure will promote the delivery of justice to victims and represents the best use of funds by creating units that are highly focused in scope and comprised of investigators, forensic analysts, attorneys, and other support staff with the expertise necessary to collaborate and concentrate efforts on the prevention and prosecution of fraud, white collar crime, public corruption, and sex and human trafficking crimes.

Your Committees have amended this measure by:

- (1) Adding a three-year annual reporting requirement; 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 Government Operations, Judiciary, and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2930, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2930, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).
Judiciary: Ayes, 5. Noes, none. Excused, 2 (Gabbard, Lee).
Ways and Means: Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Taniguchi).

SCRep. 2736 Judiciary on S.B. No. 2331

The purpose and intent of this measure is to expand the definition of "beer" to specify an alcohol by volume of no less than 0.5 per cent and to include alcohol seltzer beverages.

Your Committee received testimony in support of this measure from Lanikai Brewing Company, Maui Brewing Co., and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that the existing statutory definition of "beer" is limited and does not reflect the public's perception of beer in the current marketplace, or adequately represent the unique aspects of craft beer ingredients that brewers use to develop new products and new offerings, such as gluten-free beer or beer with alternative grain ingredients, which are becoming more popular across the United States. Furthermore, the State's definition is not the same as the federal definition, which includes a broader range of substitutes or additions to malted barley and fermentable sugars. This measure will help foster the creation of new and unique styles of beer that are well-suited for the inclusion of Hawaii-grown products and will have a significant benefit for local, small, independent craft breweries across 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 S.B. No. 2331 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, 7. Noes, none. Excused, none.

SCRep. 2737 Judiciary on S.B. No. 2136

The purpose and intent of this measure is to prohibit juror exclusion based on gender identity or expression.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawaii Rainbow Chamber of Commerce, and four individuals.

Your Committee finds that an individual's gender identity or expression is not currently protected from discrimination for service on a jury. Individuals should not be discriminated against based on their gender identity or expression in the State's laws. This measure disallows arbitrary discrimination for service on a jury so that all individuals may participate in performing their civic duties.

As affirmed by the record of votes of 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. 2136 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, 7. Noes, none. Excused, none.

SCRep. 2738 Judiciary on S.B. No. 2048

The purpose and intent of this measure is to establish the criminal offense of unlawful chop shop activity in the first and second degrees and to provide for the forfeiture of property connected with chop shop activity.

Your Committee received testimony in support of this measure from the Maui County Council. 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 there is currently no state statute covering the criminal misconduct of chop shop activity, despite numerous auto theft investigations showing that chop shop activity is a central part of the criminal misconduct. Your Committee further finds that the Crime in the U.S. 2019 report by the Federal Bureau of Investigation's Criminal Justice Information Services Division listed Hawaii as having the third highest motor vehicle theft rate in the nation. Furthermore, in 2019 alone, the Maui Police Department reported six hundred and sixty-one motor vehicle theft offenses and \$4,421,246 in stolen motor vehicle property. This measure will protect public safety and deter motor vehicle theft by establishing the criminal offense of unlawful chop shop activity and providing for the forfeiture of property connected with unlawful chop shop activity.

Your Committee has amended this measure by:

- (1) Establishing the offense of unlawful chop shop activity as a misdemeanor;
- (2) Deleting language that would have created the offenses of illegal chop shop activity in the first and second degrees;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2048, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2739 Judiciary on S.B. No. 2091

The purpose and intent of this measure is to establish a comprehensive process regarding executive pardons.

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, and two individuals. Your Committee received comments on this measure from the Department of Public Safety, Hawaii Paroling Authority, Hawaii Firearms Coalition, and ACLU of Hawai'i.

Your Committee finds that county prosecutors and crime victims in Hawaii do not receive advance notice of applications for executive pardons and are only notified at the time that pardons are granted. This creates a situation where neither prosecutors nor the victims are able to provide any input for the Governor's consideration, as they do for furlough and parole prior to an offender's conviction or sentencing. Under existing law, only the Department of Public Safety is mandated to consider every application for pardon, which is referred by the Governor. Your Committee further finds that there is very little guidance or requirements regarding the process before a pardon is granted. This measure will establish a consistent and reliable means for prosecutors and victims to be able to provide meaningful input on all applications for pardon so that the Governor can make more informed decisions.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2091, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2740 (Majority) Judiciary on S.B. No. 2096

The purpose and intent of this measure is to lower the threshold of blood alcohol content 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; Department of the Prosecuting Attorney, County of Maui; Hawai'i Police Department; Honolulu Police Department; Maui Police Department; Maui County Council; Hawai'i State Association of Counties; Mothers Against Drunk Driving Hawaii; National Safety Council; and eighteen individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, American Beverage Institute, Wine Institute, and one individual.

Your Committee finds that in 2013, the National Transportation Safety Board (NTSB) recommended that all fifty states adopt a blood alcohol concentration cutoff of 0.05 compared to the 0.08 standard. According to the NTSB, lowering the rate to 0.05 would save approximately five hundred to eight hundred lives annually. The NTSB reports that a driver with a blood alcohol concentration of 0.05 would be affected by exaggerated behavior, loss of small-muscle control and eye focus, impaired judgment, lowered alertness, and release of inhibition. This would result in reduced coordination, reduced ability to track moving objects, difficulty steering, and reduced response to emergency driving situations. This measure will save lives, prevent catastrophic injuries, and decrease medical costs by lowering the threshold of blood alcohol content for the offense of operating a vehicle while under the influence of an intoxicant.

Your Committee has amended this measure by:

- (1) Conforming other relevant sections to the lowered blood alcohol content threshold; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2096, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, 2 (Kim, Fevella). Excused, none.

SCRep. 2741 Judiciary on S.B. No. 2642

The purpose and intent of this measure is to:

- (1) Establish an exemption from mediation in paternity proceedings where there are allegations of domestic abuse; and
- (2) Amend the exemption from mediation in divorce proceedings by disallowing mediation when there are allegations of domestic violence.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center, Hawaii State Democratic Women's Caucus, and two individuals. Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that the waiver of the requirement to participate in mediation was included in the divorce statute many years ago. Your Committee further finds that many partners do not marry but rather cohabit and have children in common. If abuse occurs in the household, the issue of custody must be resolved when the relationship ends. Mediation is not the appropriate intervention for resolving custody and visitation issues when there has been domestic violence. This measure amends the paternity statute so that it excludes the mediation requirement when there has been domestic violence similar to the mediation exclusion under the divorce statute.

Your Committee has amended this measure by:

- (1) Adopting changes recommended by the Judiciary as follows:
 - (A) Clarifying that in contested paternity proceedings where there are allegations of domestic abuse, the court shall not require a party alleging the domestic abuse to participate in any component of any mediation program against the wishes of that party;
 - (B) Prohibiting a mediator from engaging in mediation in paternity proceedings where there are allegations of domestic violence unless certain requisites are met;
 - (C) Specifying that in paternity proceedings if there is a temporary restraining or protective order in effect, the court shall not require a party alleging domestic abuse to participate in any component of any mediation program against the wishes of that party;
 - (D) Specifying that the court may order mediation in paternity proceedings where there are allegations of domestic abuse if there is no temporary restraining or protective order under certain circumstances;

- (E) Clarifying that in contested divorce proceedings where there are allegations of domestic abuse, the court shall not require a party alleging the domestic abuse to participate in any component of any mediation program against the wishes of that party;
 - (F) Prohibiting a mediator from engaging in mediation in divorce proceedings where there are allegations of domestic violence unless certain requisites are met;
 - (G) Specifying that in divorce proceedings, if there is a temporary restraining or protective order in effect, the court shall not require a party alleging domestic abuse to participate in any component of any mediation program against the wishes of that party; and
 - (H) Specifying that the court may order mediation in divorce proceedings where there are allegations of domestic abuse if there is no temporary restraining or protective order under certain circumstances;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
 - (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2642, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2642, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2742 Judiciary on S.B. No. 2916

The purpose and intent of this measure is to prohibit the Governor or a Mayor from suspending requests for public records or vital statistics during a declared state of emergency.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Kokua Council, Hawaii Chapter of the Society of Professional Journalists, For Our Rights, and three individuals. Your Committee received comments on this measure from the Department of Human Services, Office of Information Practices, Grassroot Institute of Hawaii, and Common Cause Hawaii.

Your Committee finds that the Governor's twenty-first proclamation relating to the coronavirus disease 2019 (COVID-19) emergency included a suspension of the Uniform Information Practices Act to the extent that it contains any deadlines for agencies or the Office of Information Practices, relating to requests for government records or complaints to the Office of Information Practices, subject to minimum requirements. One requirement is that the completion of the request must directly impair the agency's COVID-19 response effort. This requirement lets government agencies freely deny access to public information for an indefinite time period even as COVID-19 vaccination rates increase and the economy begins to reopen. This measure prevents future suspensions of the acquisition of critical public records.

Your Committee has amended this measure by:

- (1) Clarifying that the Governor or a Mayor shall not, through any proclamation or declaration of emergency or any rule or order, suspend agency response deadlines for requests to public records, or vital records or statistics;
- (2) Specifying that due to extenuating circumstances, there may be a reasonable delay in an agency's response to a request; provided that an agency shall not reject a request at any time, regardless of whether an emergency has been declared; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2916, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2916, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2743 Judiciary on S.B. No. 2869

The purpose and intent of this measure is to allow obligees under an order solely for spousal support to elect to enforce the order pursuant to chapters 651, 652, and 653, Hawaii Revised Statutes, rather than through the clerk of the court or the Child Support Enforcement Agency.

Your Committee received testimony in support of this measure from the Health Committee of the Democratic Party of Hawai'i and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that currently spousal support orders are enforced by the clerk of the court and the Child Support Enforcement Agency in cases where there is an order for both spousal and child support. These entities are often overburdened by spousal and child support orders and at times collection is complicated and slow. This measure will make it easier and faster for the obligee to receive spousal support by garnishment through the obligor's employer.

Your Committee has amended this measure by:

- (1) Adopting the recommendations proposed by the Department of the Attorney General as follows:

- (A) Clarifying that for orders solely for the support or maintenance of a spouse or former spouse, the spouse or former spouse may elect to enforce the order pursuant to chapters 651, 652, or 653, Hawaii Revised Statutes, in which case no assignment shall be made to the clerk of the court;
 - (B) Specifying that the assignment of the amounts shall be to the clerk of the court where the order is entered if for the support or maintenance of a spouse or former spouse, unless the spouse or former spouse elects to enforce the order pursuant to chapters 651, 652, or 653, Hawaii Revised Statutes;
 - (C) Clarifying that for each payment made pursuant to an assignment order solely for the support or maintenance of a spouse or former spouse may be enforced directly pursuant to chapters 651, 652, and 653, Hawaii Revised Statutes, if elected by the spouse or former spouse, and payments shall not be assigned to the clerk of the court; and
 - (D) Deleting section 2 of this measure amending section 576E-16, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2869, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2869, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2744 Judiciary on S.B. No. 3309

The purpose and intent 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 or omissions or to repeal obsolete laws.

Your Committee has amended this measure by:

- (1) Deleting section 3 of this measure and the amendment to section 107-27, Hawaii Revised Statutes;
- (2) Deleting section 11 of this measure and the amendment to section 302A-1151.1(a) and (d), Hawaii Revised Statutes;
- (3) Deleting section 13 of this measure and the amendment to section 445-111, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3309, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3309, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2745 Judiciary on S.B. No. 2291

The purpose and intent of this measure is to:

- (1) Amend provisions relating to electronic eavesdropping;
- (2) Require law enforcement entities to obtain a search warrant before accessing a person's electronic communications in certain circumstances; and
- (3) Amend notification requirements of a law enforcement entity's access to electronic communications to allow for discovery in criminal cases.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Fellow of Information Privacy, and one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General.

Your Committee finds that Hawai'i law permits law enforcement to obtain access to electronically stored data using one of three forms of legal process: a subpoena, a court order, and a search warrant. The evidentiary burden to use a subpoena and court order is lower than the burden imposed by a search warrant. The burden to use a subpoena and court order is materiality and relevance, whereas the burden to obtain a search warrant requires that law enforcement establish probable cause that the data to be seized constitutes evidence of a crime. Probable cause is a higher burden of proof that requires specificity and invokes all of the constitutional protections that attach to a search warrant. Requiring that law enforcement use a search warrant to obtain access to electronically stored data will provide greater protection to Hawai'i residents who are the subject of a law enforcement investigation.

As affirmed by the record of votes of 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. 2291 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, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2746 Judiciary on S.B. No. 2300

The purpose and intent of this measure is to allow candidates seeking election to use campaign funds for child care and vital household dependent care costs under certain conditions.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Common Cause Hawaii, Hawaii State Democratic Women's Caucus, Vote Mama Foundation, Great Wāhine Run, Pono Hawai'i Initiative, AAUW of Hawaii, Hawai'i Children's Action Network Speaks!, and ten individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party and one individual. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that parenthood and care for one's dependents should not be a barrier to political office. One solution to this unnecessary obstacle is to allow candidates for elected office to use campaign funds to defray the expensive costs of a candidate's child care or dependent family care. Your Committee also finds that a growing number of candidates and good governance organizations are pushing state legislatures and elections commissions to adopt similar proposals in an effort to encourage more women and low-income candidates to run for public office by addressing a financial barrier for parents and caregivers. Accordingly, your Committee finds that this measure will reduce that cost barrier by allowing candidates more flexibility in how they use campaign funds.

As affirmed by the record of votes of 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. 2300 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, 7. Noes, none. Excused, none.

SCRep. 2747 Judiciary on S.B. No. 2040

The purpose and intent of this measure is to:

- (1) Exempt candidates who are either unsuccessful or elected to office in a primary election from the requirement to file preliminary general reports; and
- (2) Clarify the aggregate contribution and expenditure amounts that trigger the requirement for a candidate or noncandidate committee to file only the final election period report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual.

Your Committee finds that reporting requirements under campaign finance laws are important to maintain transparency and fairness in elections. However, candidates who are either unsuccessful or who have been elected to office in a primary election will not appear on the ballot in the general election. Therefore, your Committee finds that requiring these candidates to file preliminary reports between the primary and general elections is unnecessary.

As affirmed by the record of votes of 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. 2040 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, 7. Noes, none. Excused, none.

SCRep. 2748 Judiciary on S.B. No. 2043

The purpose and intent of this measure is to repeal references in sections 11-322(b) and 11-323(b), Hawaii Revised Statutes, to paragraphs in subsection (a) of those statutes that have been repealed.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and one individual.

Your Committee finds that this housekeeping measure updates Hawaii's campaign spending laws to remove obsolete references to subsections that were repealed by Acts 80 and 81, Session Laws of Hawaii 2018.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2043 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, 7. Noes, none. Excused, none.

SCRep. 2749 Commerce and Consumer Protection on S.B. No. 3079

The purpose and intent of this measure is to amend various portions of title 24 of the Hawaii Revised Statutes to update and improve existing provisions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; American Insurance Group, Inc.; National Association of Insurance and Financial Advisors Hawaii; and American Council of Life Insurers.

Your Committee finds that, under existing law, the limited lines producer license does not cover general travel insurance products, such as trip interruption or cancellation, damages to accommodations or rental vehicles, emergency evacuations, or repatriation of

remains. There are also certain products covered in the insurance code that are outdated and obsolete. This measure will cover gaps in limited lines product offerings and remove existing products that are outdated.

Your Committee further finds that this measure excludes dental insurers and dental service corporations from third party administrator regulation to address a drafting oversight from the previous legislative session and will promote financial stability of these entities and increase consumer protection.

Lastly, your Committee finds that, in 2020, the National Association of Insurance Commissioners adopted a revised Suitability in Annuity Transactions Model Regulation that requires insurance producers making annuity recommendations to act in the best interest of a consumer when making annuity recommendations, rather than apply the existing suitability standard. This measure adopts this model regulation to better protect consumers and ensure that their insurance and financial objectives are effectively considered and brings Hawaii into parity with nineteen other states that have also enacted this legislation.

Your Committee has amended this measure by:

- (1) Clarifying that an administrator shall maintain a surety bond of at least \$100,000 for the first two years of licensure, and at least \$300,000 from the third year of licensure;
- (2) Clarifying at the third annual report filing, and each subsequent annual report filing, the surety bond amount shall be at least \$300,000 and filed in accordance with section 431:9J-112, Hawaii Revised Statutes;
- (3) Specifying that a producer who engages in the sale of annuity products shall complete a one-time four-credit training course approved by the Insurance Commissioner and that a producer who is authorized to sell annuity products on or before December 31, 2022, shall complete by July 1, 2023, a one-time training course on annuity products meeting certain requirements;
- (4) Clarifying a producer who obtains a life or variable life and variable annuity products line of authority after December 31, 2022, shall not engage in the sale of annuities until the insurance producer has completed certain training by July 1, 2023;
- (5) Inserting language granting the Insurance Commissioner the authority to enforce certain provisions of this measure until March 31, 2023, in the event the electronic platform for online renewals do not provide sufficient time to comply with new audited financial filing requirements;
- (6) Inserting an effective date of July 1, 2022, for sections 4, 5, and 7 of this measure, and inserting an effective date of December 31, 2022, for sections 2, 3, and 6 of this measure; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency with legislative drafting conventions.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3079, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3079, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2750 Ways and Means on S.B. No. 1048

The purpose and intent of this measure is to clarify the Hawaii Criminal Justice Data Center's authority to set and collect fees for its services.

Specifically, this measure:

- (1) Deletes statutorily established fees for services provided by the Hawaii Criminal Justice Data Center and instead authorizes the Center to establish or adjust fees by administrative rules adopted pursuant to Chapter 91, Hawaii Revised Statutes; and
- (2) Repeals a provision that exempts county agencies from paying fees for employment background checks.

Your Committee received written comments in support of this measure from the Department of the Attorney General.

Your Committee finds that providing the Hawaii Criminal Justice Data Center with the flexibility to adjust the fees charged for its services will help the Center to sustain its operations and minimize its use of general funds. Your Committee further finds that removing the county fee exemption for employment background checks will increase the annual revenue collected by the Hawaii Criminal Justice Data Center by approximately \$30,000 and will provide a fair and consistent process for all non-criminal justice agencies that submit fingerprints to the Center for processing.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1048, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

SCRep. 2751 Ways and Means on S.B. No. 2376

The purpose and intent of this measure is to amend the cigarette tax and tobacco tax law.

Specifically, this measure:

- (1) Repeals and eliminates the deferred payment purchase option for cigarette tax stamps; and

(2) Requires licensees to pay for stamps at the time of purchase using cash, certified check, or bank transfer.

Your Committee received written comments in support of this measure from the Department of Taxation.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure amends Chapter 245, Hawaii Revised Statutes, by repealing all provisions related to the "deferred payment purchase" of required cigarette tax stamps. Your Committee also finds that, according to the Department of Taxation, the deferred payment purchase of cigarette tax stamps is no longer necessary, and requiring that taxpayers pay for cigarette tax stamps upon purchase is the most efficient way to administer this program.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2376, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2752 Ways and Means on S.B. No. 3248

The purpose and intent of this measure is to appropriate moneys to purchase one advanced life support ambulance and related equipment for use on the island of Molokai and to pay state-certified emergency medical services personnel.

Your Committee received written comments in support of this measure from a member of the Maui County Council, Queen's Health Systems, and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the advanced life support ambulance, equipment, and medical staff funded by this measure will help reduce death and disability among residents of and visitors to Molokai by facilitating timely responses to calls for emergency medical services.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3248, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2753 Ways and Means on S.B. No. 2597

The purpose and intent of this measure is to appropriate moneys to the Department of Health to fund the Hawaii State Loan Repayment Program.

More specifically, the measure appropriates moneys to provide student loan repayment for physicians, nurse practitioners, physician assistants, psychologists, licensed clinical social workers, psychiatric nurse specialists, licensed professional counselors, marriage and family therapists, registered nurses, and certified alcohol and substance abuse counselors who agree to work in a federally-designated health professional shortage area.

Your Committee received written comments in support of this measure from the Department of Health, University of Hawaii, Department of Labor and Industrial Relations, Healthcare Association of Hawaii, Hawaii Medical Association, Hawaii Primary Care Association, Hawaii American Nurses Association, Hawaii State Center for Nursing, Hawaii Pacific Health, Hawaii Psychiatric Medical Association, Queen's Health Systems, and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the loan repayment program funded by this measure will help to address the State's severe shortage of health care professionals, especially in rural areas. Your Committee recognizes that health care professionals who have benefitted from the program currently serve on all islands and in the communities of Waimea, Kihei, Waianae, Hilo, and Wailuku; at health clinics in Kalihi-Palama and Kokua Kalihi Valley; and in public institutional settings at the federal detention center in Honolulu, the Halawa correctional facility, and the Maui County correctional center.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2597, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2754 Ways and Means on S.B. No. 2862

The purpose and intent of this measure is to appropriate moneys to install air conditioning units in the State's public school classrooms.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii State Teachers Association, and Democratic Party of Hawaii Education Caucus.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that studies have shown evidence of significant achievement gaps between cooled and non-cooled classroom environments. Providing air conditioning units for those public school classrooms that still lack cooling systems will help the students in those classrooms focus on learning, thereby leading to fewer disciplinary problems and more sustained academic achievement.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2862, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2755 Ways and Means on S.B. No. 3090

The purpose and intent of this measure is to provide greater fiscal transparency by making the reimbursement provisions in section 302A-1405, Hawaii Revised Statutes, applicable to all federal grants received by the Department of Education, State Public Charter School Commission, or a charter school authorizer.

Your Committee received written comments in support of this measure from the Department of Education.

Your Committee finds that amending the reimbursement provisions of the federal grants revolving fund and making the indirect costs from all federal grants available for deposit into the fund will facilitate better, more intentional, and more transparent use of the fund.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3090, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2756 Ways and Means on S.B. No. 3125

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health for coronavirus disease 2019 (COVID-19) vaccinations.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Medical Service Association, and Hawaii Primary Care Association.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that currently, residents of many communities, including rural and marginalized communities, remain unvaccinated and thus more vulnerable to COVID-19. Accordingly, your Committee further finds that the moneys appropriated by this measure will help protect the health of state residents by allowing wider dissemination of COVID-19 vaccines.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3125, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2757 Commerce and Consumer Protection on S.B. No. 2280

The purpose and intent of this measure is to allow dental assistants to perform limited duties under the general supervision of a dentist in public health settings.

Your Committee received testimony in support of this measure from the Department of Health; Board of Dentistry; Hawai'i Oral Health Coalition; Hui No Ke Ola Pono, Inc.; AlohaCare; Hawaii Dental Association; Hawaii Dental Hygienists' Association; and one individual.

Your Committee finds that incidences of tooth decay and poor oral hygiene in children across the State is alarmingly high. Untreated cavities can lead to significant pain and increase the risk of more serious infections in the mouth and body.

Your Committee further finds that the State lacks adequate and accessible dental public health infrastructure, especially on the neighbor islands. While existing law permits dental assistants to practice under the general supervision of a dentist in public health settings, dental assistants are prohibited from providing auxiliary support except under direct supervision.

Your Committee additionally finds that permitting dental assistants to provide limited, but essential, auxiliary support under general supervision while in public health settings would contribute to the development and sustainable implementation of community-based dental disease prevention programs. It would also expand providers' ability to offer adequate and accessible oral health services to rural communities and the State's most vulnerable residents, such as expanding the provision of teledentistry services.

Accordingly, your Committee finds that this measure will promote equitable access to critically needed dental services in communities across the State by expanding the permissible duties of dental assistants.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2280, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2280, S.D. 2.

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

SCRep. 2758 Judiciary on S.B. No. 2030

The purpose and intent of this measure is to;

- (1) Require a prescriber to offer a prescription of certain drugs under certain circumstances related to opioid overdose;
- (2) Require a prescriber to offer patient education under certain circumstances related to opioid overdose;
- (3) Exempt veterinarians or prescriptions for animals;
- (4) Require a pharmacist who dispenses a prescription order for an opioid to notify the individual of the potential dangers of a high dose of an opioid and to offer to dispense to the individual an opioid antagonist; provided that the individual is prescribed specific opioids at specified doses;
- (5) Exempt patients in hospice or palliative care, residents of veterans community living centers, and patients in inpatient or outpatient care; and
- (6) Require a pharmacist to notify an individual receiving an opioid antagonist of the availability of generic and brand-name opiate antagonists.

Your Committee received testimony in support of this measure from Kaiser Permanente and one individual. Your Committee received comments on this measure from the Department of Health and State of Hawaii Board of Pharmacy.

Your Committee finds that there is an opioid abuse crisis in the State. Prevention and access to treatment for opioid addiction and overdose reversal drugs are critical to fighting the opioid epidemic. This measure will require prescribers and pharmacists to offer life-saving medication and education on opioid overdose prevention and help combat the opioid abuse crisis in the State.

Your Committee notes that there is concern from the State of Hawaii Board of Pharmacy that not all pharmacists have completed or elected to complete the required training program related to prescribing opioid antagonists, including Naloxone.

Your Committee has amended this measure by deleting a sedative drug and gabapentin from the list of controlled substances.

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

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

SCRep. 2759 Judiciary on S.B. No. 2277

The purpose and intent of this measure is to:

- (1) Prohibit contractors from offering to pay or rebate, or promising to pay or rebate, an insured's property or casualty insurance deductible;
- (2) Prohibit contractors from representing or negotiating, or offering or advertising to do so, on behalf of an insured in an insurance claim;
- (3) Specify violations are unfair methods of competition and unfair or deceptive acts or practices;
- (4) Allow insureds to rescind contracts with the contractors within five business days after the date the contract is executed; and
- (5) Require contractors to provide certain forms to an insured, prior to entering into a contract.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council and National Insurance Crime Bureau. Your Committee received testimony in opposition to this measure from the Contractors License Board and Subcontractors Association of Hawaii. Your Committee received comments on this measure from State Farm Mutual Automobile Insurance Company.

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. If an insured is convinced into signing a contract with the contractor, they could be liable for repairs that are unnecessary or uninsured. This measure seeks to prohibit or remedy these types of actions and prevent consumers from being scammed into entering into deceptive repair contracts.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2277, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2277, S.D. 2.

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

SCRep. 2760 Judiciary on S.B. No. 2180

The purpose and intent of this measure is to:

- (1) Require the Governor to nominate members for reappointment to the Board of Education at least one hundred fifty days before the expiration of the member's term;
- (2) Require the Senate to consider the reconfirmation of the Board of Education member at least sixty days before the member's term expires;
- (3) Clarify that holdover members shall not serve as members of the Board of Education beyond the end of the first Regular Session of the Legislature following the expiration of the member's term unless duly appointed by the Governor and confirmed by the Senate;
- (4) Immediately disqualify from service any Board of Education holdover member whose nomination is withdrawn by the Governor prior to the holdover member's confirmation by the Senate; and
- (5) Require the Governor to submit to the Senate, no later than twenty days prior to the convening of each Regular Session of the Legislature, a list of the names of any vacancies filled by interim appointment and the number of any vacancies on the Board of Education.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the existing nomination, appointment, and confirmation procedures for Board of Education members could be improved and this measure will make changes to those procedures.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2180, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2180, S.D. 1.

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

SCRep. 2761 Ways and Means on S.B. No. 3096

The purpose and intent of this measure is to make an emergency appropriation to the Department of Education to build an agriculture innovation center and create an agricultural program on the island of Kauai.

Your Committee received written comments in support of this measure from the Department of Agriculture, Department of Education, Hawaii Farm Bureau, and Hawaii Cattlemen's Council.

Your Committee finds that agricultural education is critical to ensuring the longevity and resilience of Hawaii's agriculture industry. The agriculture innovation center supported by this measure will give students the opportunity to learn about local food production and may motivate them to pursue careers in agriculture.

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 facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3096, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3096, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2762 Commerce and Consumer Protection on S.B. No. 2635

The purpose and intent of this measure is to require insurers and mutual benefit societies to cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Association, and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that preventative health care services such as mammograms allow Hawaii's people to take proactive choices for their personal health. Currently, a mammogram is the best way to find breast cancer for most women at the screening age of fifty to seventy-four years old. Despite the recommendation of an annual mammogram, some women delay crucial screenings because of high out-of-pocket expenses, leading to delays in diagnoses that may result in serious adverse health outcomes.

To align with the Hawaii Cancer Plan 2030, increasing breast cancer screening rates is a priority for both the Center for Disease Control and Prevention-funded programs, Hawaii Breast and Cervical Cancer Control Program, and Hawaii Comprehensive Cancer Control Program within the Department of Health. The Hawaii Breast and Cervical Cancer Control Program is a crucial program that provides critical screening and early detection services to high risk, uninsured, and underinsured, and rarely or never-before screened women between the ages of fifty and sixty-four.

Your Committee also notes the comments from the Insurance Commissioner of the Department of Commerce and Consumer Affairs' Insurance Division that this measure, as drafted, will ensure a base level of coverage for breast cancer screening under current insurance mandates consistent with coverage for other radiological exams.

Your Committee has amended this measure by inserting an effective date of January 1, 2023.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2635, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2635, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2763 Commerce and Consumer Protection on S.B. No. 3382

The purpose and intent of this measure is to allow the utilization of post office boxes for controlled substances prescriptions by amending the definition of "address" under chapter 329, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii and one individual. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that, under existing requirements, if a patient with a controlled substance prescription has a post office box address, before dispensing, pharmacists must verify the patient's identification, note the identification number on the prescription, and change the address on file. This measure eliminates unnecessary burdens and increases workflow efficiencies by eliminating these steps if the physical address is already on file, saving pharmacists time and making good use of technology. The volume of prescriptions received with post office box addresses is significant, especially on the neighbor islands. This measure will therefore enable pharmacists to address other patient care responsibilities and reduce administrative burdens.

Your Committee has amended this measure by:

- (1) Expanding the definition of "address" to also include rural route boxes and highway contract route boxes;
- (2) Inserting an effective date of January 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3382, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3382, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2764 Commerce and Consumer Protection on S.B. No. 2073

The purpose and intent of this measure is to allow for standard telephone contacts for telehealth purposes.

Your Committee received testimony in support of this measure from the Department of Health State Council on Mental Health; University of Hawai'i System; AARP Hawai'i; Healthcare Association of Hawaii; Hawaii Substance Abuse Coalition; Hawaii Psychiatric Medical Association; Hawaii Primary Care Association; Waianae Coast Comprehensive Health Center; Hawai'i Pacific Health; Clinical Psychology Services, LLC; American Cancer Society Cancer Action Network; Hawai'i Public Health Institute; Hawaii Medical Association; Hawai'i Family Caregiver Coalition; Hawai'i Psychological Association; National Association of Social Workers, Hawai'i Chapter; Hawaiian Islands Association of Marriage and Family Therapy; and five individuals. Your Committee received testimony in opposition to this measure from Hawaii Medical Service Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Kaiser Permanente Hawaii, and The Queen's Health Systems.

Your Committee finds that the coronavirus disease 2019 pandemic greatly changed the way primary care is delivered to the most vulnerable populations among the State. Telehealth rapidly expanded as a means to ensure the provision of proper continuing care to patients, perform necessary counseling, and maintain surveillance and therapy. However, not everyone has access to smart phones and broadband service to utilize telehealth as it was intended, especially in underserved areas and rural or remote areas of the State. According to testimony received by your Committee, a certain health care facility on Oahu reported that over forty percent of its patients were not able to maintain a televideo encounter due to poor internet connectivity.

Your Committee notes that, even when face-to-face visual components may be lacking, a telephonic encounter still employs all the powerful aspects of the Electronic Medical Record, provided by a certified and knowledgeable health care provider using the standard visit protocols. Accordingly, a telephonic encounter is much more than a casual conversation, but rather, has the essential components of a normal medical visit, and therefore merits full reimbursement according to the prevailing standards. Behavioral health, in particular, has shown the most benefit from the expansion of telehealth over the past two years, and many of these encounters have been audio-only, standard telephone contacts.

Your Committee further finds that the Centers for Medicare and Medicaid Services (CMS) recently released its 2022 Medicare Physician Fee Schedule Final Rule, which permanently added certain services to the Medicare telehealth services list that were temporarily provided throughout the duration of the federal public health emergency. CMS amended its definition of "interactive telecommunications system" to include audio-only communications technology when used for telehealth services for the diagnosis, evaluation, or treatment of mental health disorders furnished to patients in their homes under certain circumstances. Your Committee finds that this policy should be consistent for health plans across the State and should provide pay parity for telephonic and telehealth services in these circumstances.

Your Committee additionally finds that allowing for the use of standard telephone contacts for telehealth purposes related to certain services is not a new mandate that would trigger an Auditor's assessment under section 23-51, Hawaii Revised Statutes, but is simply an additional telehealth modality to further support existing coverage requirements, and establishes parity with the services covered under Medicare and Medicaid. However, your Committee finds that inserting a sunset date will provide the opportunity to review any impacts to patient care, including whether there is any increase in services to rural areas, an increase or decrease in provider productivity, or other measurable impacts to the quality of care.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that reimbursement for services provided through telehealth by way of an interactive telecommunications system shall be equivalent to reimbursement for the same services provided via face-to-face contact;
- (2) Inserting a definition for the term "interactive telecommunications system" to include audio and video equipment; provided that, for services furnished for purposes of diagnosis, evaluation, or treatment of a mental health disorder, interactive telecommunications may include audio-only communication technology in certain circumstances;
- (3) Clarifying that, except as otherwise provided in this measure, standard telephone contacts do not constitute a telehealth service;
- (4) Inserting a repeal date of July 1, 2027; and
- (5) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2073, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2073, S.D. 2.

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

SCRep. 2765 Ways and Means on S.B. No. 3235

The purpose and intent of this measure is to improve the response of state and county agencies to the unmet needs of homeless youth in the State.

More specifically, the measure:

- (1) Establishes within the Department of Human Services a Safe Spaces for Youth Pilot Program that requires:
 - (A) Inter-agency collaboration among all departments of the State and counties that offer certain services to youth to provide safe spaces in each county for youth experiencing homelessness; and
 - (B) The Department of Human Services to enter into contracts with nonprofit organizations for placement of homeless youth in shelters that provide overnight lodging, supervision, and support services;
- (2) Requires the Department of Human Services to submit a report to the Legislature on pilot program activities, accomplishments, and other specified information; and
- (3) Appropriates moneys for the pilot program.

Your Committee received written comments in support of this measure from the Hawaii Youth Services Network, Stonewall Caucus of the Democratic Party of Hawaii, Rainbow Family 808, Opportunity Youth Action Hui, and two individuals.

Your Committee received written comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that the pilot program established by this measure will provide an additional means of addressing the unmet needs of homeless youth through a coordinated inter-agency effort involving the state and county agencies responsible for the State's child welfare, education, health, human services, and juvenile justice systems.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3235, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3235, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2766 Ways and Means on S.B. No. 3267

The purpose and intent of this measure is to clarify the role of the Research Corporation of the University of Hawaii.

Specifically, this measure:

- (1) Clarifies that the University of Hawaii may use moneys appropriated by the Legislature to contract with the Research Corporation of the University of Hawaii for purposes of supporting or facilitating sponsored research and training activities and advancing innovation and entrepreneurship in the State;
- (2) Authorizes the University of Hawaii to contract with the Research Corporation of the University of Hawaii for invasive species control and eradication; and
- (3) Requires the University of Hawaii to consult with employee unions to review the conformance of positions having exceptions to collective bargaining that involve state programs or state employees.

Your Committee received written comments in opposition to this measure from the Research Corporation of the University of Hawaii.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that the Research Corporation of the University of Hawaii was established in 1965 to promote, encourage, investigate, develop, and conduct scientific research and investigation in all branches of learning and disseminating the benefits of that research to the public. Your Committee further finds that this measure will foster the Research Corporation of the University of Hawaii's continued pursuit of sponsored research activities, training activities, and activities that promote innovation and entrepreneurship in the State.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3267, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3267, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2767 Ways and Means on S.B. No. 3284

The purpose and intent of this measure is to establish the technology services consolidation working group.

More specifically, this measure:

- (1) Establishes the technology services consolidation working group to:
 - (A) Develop a plan for the phased consolidation of certain state executive branch information technology services and staff within five years; and
 - (B) Make recommendations to attract high quality information technology professionals to the State;
- (2) Requires the Office of Enterprise Technology Services to provide administrative support to the working group; and
- (3) Requires the working group to submit a report to the Legislature of its findings and recommendations.

Your Committee received written comments in support of this measure from the Office of Enterprise Technology Services and Transform Hawaii Government.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs and Department of Transportation.

Your Committee finds that consolidating information technology resources will allow the State to achieve economies of scale and provide the State with more efficient and secure uses of technology and information management. Your Committee believes that this measure will help to achieve the State's information technology vision of having a "transformative information and technology-enriched government that serves all the people of Hawaii and the aina."

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3284, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3284, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2768 Ways and Means on S.B. No. 915

The purpose and intent of this measure is to allow the counties to issue special motor vehicle number plates to commemorate Duke Kahanamoku.

More specifically, this measure:

- (1) Authorizes the Director of Finance of each county to issue special motor vehicle number plates to commemorate Duke Kahanamoku;

- (2) Requires the Director of Finance of the City and County of Honolulu to design the special number plates, based on certain guidelines;
- (3) Requires the Director of Finance of each county to charge a special number plate fee and fundraising fee, and authorizes the Director to charge an additional fundraising fee for renewal of the special number plate; and
- (4) Provides that the revenue generated by the fundraising fees be deposited in the name of the Outrigger Duke Kahanamoku Foundation in separate county budget accounts.

Your Committee received written comments in support of this measure from the City and County of Honolulu, Department of Customer Services; Outrigger Duke Kahanamoku Foundation; and one individual.

Your Committee finds that the issuance of special number plates commemorating Duke Kahanamoku is an appropriate way to honor and remember Duke Kahanamoku while helping to promote water safety and swim education throughout the State.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 915, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 915, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2769 Ways and Means on S.B. No. 2024

The purpose and intent of this measure is to ensure children who are deaf or hard-of-hearing receive early intervention services to support their communication development.

More specifically, the measure requires that diagnostic audiologic evaluations results for:

- (1) Newborns who did not pass newborn hearing screening; and
- (2) Infants whose hearing status changes,

be provided to the Department of Health.

Your Committee received written comments in support of this measure from the Department of Health, State Council on Developmental Disabilities, Executive Office on Early Learning, Disability and Communication Access Board, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, Hawaii Medical Association, Special Education Advisory Council, and one individual.

Your Committee believes that consistent reporting of diagnostic audiologic evaluation results to the Department of Health would allow the newborn hearing screening program to ensure that any infant who does not pass a hearing screening would receive a diagnostic audiologic evaluation, appropriate follow-up, and support. Your Committee also believes that timely diagnostic audiologic evaluation results would facilitate referrals of deaf and hard-of-hearing infants to early intervention services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2024, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2024, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2770 Ways and Means on S.B. No. 2077

The purpose and intent of this measure is to update chapter 201B, Hawaii Revised Statutes, to reflect the Hawaii Tourism Authority's updated mission to focus on visitor and destination management.

Specifically, this measure:

- (1) Adds the heads of the Department of Business, Economic Development, and Tourism; Department of Transportation; Department of Land and Natural Resources; Department of Agriculture; and State Foundation on Culture and the Arts as ex officio, nonvoting members of the Hawaii Tourism Authority board of directors;
- (2) Amends the powers and responsibilities of the Hawaii Tourism Authority;
- (3) Renames the Hawaii Tourism Authority's tourism marketing plan as the tourism branding plan; and
- (4) Repeals the Hawaii Tourism Authority advisory group.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority, Department of Transportation, and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism; State Foundation on Culture and the Arts; and Department of Land and Natural Resources.

Your Committee finds that the amendments in this measure will better align the Hawaii Tourism Authority with its focus on destination management, by acknowledging its statutory responsibilities with respect to the State's long-range strategic plan and island destination management actions plans. Your Committee further finds that this measure will facilitate the Hawaii Tourism Authority's ability to partner with other state and county agencies to resolve issues and effectuate change.

Your Committee has amended this measure by:

- (1) Providing that the Director of Business, Economic Development, and Tourism shall serve as an ex officio, voting member of the Hawaii Tourism Authority board of directors, rather than a nonvoting member;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2077, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2077, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

SCRep. 2771 Ways and Means on S.B. No. 2087

The purpose and intent of this measure is to appropriate moneys to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the Department's victim witness assistance program.

Your Committee received written comments in support of this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the financial assistance provided by this measure will allow the Department of the Prosecuting Attorney of the City and County of Honolulu to continue providing support and guidance to crime victims, trial witnesses, and surviving family members of crime victims in navigating the criminal justice system.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$371,722 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2087, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2087, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2772 Ways and Means on S.B. No. 2088

The purpose and intent of this measure is to appropriate moneys to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the Department's career criminal prosecution unit.

Your Committee received written comments in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the financial assistance provided by this measure will improve public safety by allowing the Department of the Prosecuting Attorney of the City and County of Honolulu to continue its vigorous prosecution of career criminals, who commit a disproportionate number of serious crimes in the State.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$653,360 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2088, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2088, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2773 Ways and Means on S.B. No. 2387

The purpose and intent of this measure is to increase transparency in state procurement.

Specifically, this measure requires departments to publicly post, on an electronic notification system for a minimum of ten days, the justification for cancelling an invitation for bids or request for proposals.

Your Committee received written comments in support of this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee received written comments on this measure from the State Procurement Office.

Your Committee finds that offerors devote considerable time and resources to prepare and submit bids and proposals for public contracts. Accordingly, your Committee finds that potential vendors have the right to know the reason that a purchasing agency has cancelled a contract solicitation.

Your Committee has amended this measure by:

- (1) Clarifying that the reasons for the cancellation shall be posted on a purchasing agency or provider internet site or by any other method the procurement officer deems effective for publicizing the cancellation notice;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2387, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2387, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2774 Ways and Means on S.B. No. 2459

The purpose and intent of this measure is to ensure that individuals with limited proficiency in English have access to public services.

Specifically, the measure:

- (1) Requires the Office of Language Access to submit an annual report to the Governor and Legislature on compliance, complaints, resolution of complaints, and recommendations to enhance and promote language access; and
- (2) Appropriates moneys to establish limited English proficiency language coordinator positions in the Department of Commerce and Consumer Affairs, Department of Health, Department of Agriculture, and Hawaii Emergency Management Agency.

Your Committee received written comments in support of this measure from the Department of Health, Department of Human Services, Department of Agriculture, Department of Labor and Industrial Relations, Common Cause Hawaii, Hawaii Friends of Civil Rights, The Legal Clinic, Hawaii Public Health Institute, Hawaii Children's Action Network Speaks!, Hawaii Coalition for Immigrant Rights, Catholic Charities Hawaii, and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Office of Language Access, and Hawaii Emergency Management Agency.

Your Committee finds that many Hawaii residents have limited proficiency in English, which often impedes access to important public benefits and services. By requiring the Office of Language Access to submit annual reports and appropriating moneys for limited English proficiency language coordinator positions, this measure will help ensure compliance with state and federal language access laws.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2459, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2459, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2775 Judiciary on S.B. No. 2138

The purpose and intent of this measure is to subject interns who work for the State to the provisions of chapter 84, Hawaii Revised Statutes, otherwise known as the State Ethics Code, by defining and including the term "intern" in the definition of "employees" under the Code.

Your Committee did not receive any testimony on this measure.

Your Committee finds that existing law is unclear with respect to the applicability of the State Ethics Code to individuals classified as interns. Your Committee further finds that, although the State Ethics Commission interprets the State Ethics Code to apply to interns working for the State, this interpretation is not codified and as a result, may be subject to inconsistent interpretation and application. Accordingly, this measure clarifies, in statute, that the State Ethics Code applies to interns working for 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 S.B. No. 2138, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2776 Commerce and Consumer Protection on S.B. No. 3038

The purpose and intent of this measure is to allow for each member of the Information Privacy and Security Council to designate a person from the member's agency to act on the member's behalf in order to ensure quorum.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that, due to competing work priorities, the members of the Information Privacy and Security Council are often unable to attend meetings, resulting in the delay of important discussions and decision-making by the Council due to a lack of quorum. Your Committee further finds that, for the sake of efficiency and flexibility, it is in the best interest of the public to allow each member of the Information Privacy and Security Council to appoint a designee to act on the member's behalf to ensure quorum.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3038 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (San Buenaventura, Fevella).

SCRep. 2777 Ways and Means on S.B. No. 2481

The purpose and intent of this measure is to establish the Youth Crisis Branch and the position of Administrator of the Youth Crisis Branch within the Office of Youth Services.

Your Committee received written comments in support of this measure from the Governor's Coordinator on Homelessness, Office of Youth Services, Hawaii Health and Harm Reduction Center, Opportunity Youth Action Hui, and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that interaction with the legal system has been shown to have adverse effects on youth. Accordingly, your Committee notes that this measure's inclusion of a thirty-day limit on the provision of temporary shelter per person is solely intended to avoid the necessity of youth interacting with the legal system. Your Committee does not intend that this thirty-day limit will prevent the inclusion of legal system supports when those supports are advantageous or necessary.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2481, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2481, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2778 Ways and Means on S.B. No. 2657

The purpose and intent of this measure is to address the State's shortage of health care providers by providing moneys to support medical education and training in Hawaii.

More specifically, the measure:

- (1) Reestablishes the Hawaii medical education special fund to enable the John A. Burns School of Medicine, in consultation with the Hawaii Medical Education Council, to provide funding for medical education and training in Hawaii;
- (2) Appropriates moneys to the John A. Burns School of Medicine to expand medical education and training in Hawaii, with an emphasis on supporting residency training on the neighbor islands and in medically underserved areas throughout the State; and
- (3) Appropriates moneys to the John A. Burns School of Medicine to create further medical residency and training opportunities through a partnership with the United States Department of Veterans Affairs.

Your Committee received written comments in support of this measure from the University of Hawaii, Healthcare Association of Hawaii, Hawaii Medical Association, Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Psychiatric Medical Association, Queen's Health Systems, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that, according to the John A. Burns School of Medicine, eighty percent of graduates who complete medical school and residency training in Hawaii remain in the State to practice medicine. The moneys appropriated by this measure will help address the State's physician shortage, especially in medically underserved areas, by supporting a partnership with the United States Department of Veterans Affairs and creating residency and training programs on the neighbor islands.

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

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

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2779 Ways and Means on S.B. No. 2863

The purpose and intent of this measure is to increase access to necessary health resources by exempting the sale of feminine hygiene products from the general excise tax.

Your Committee received written comments in support of this measure from the Department of Human Services, Rainbow Family 808, Common Cause Hawaii, Planned Parenthood Alliance Advocates—Hawaii, Health Committee of the Democratic Party of Hawaii, Ilima Intermediate School Activist Club and Rainbow Royales Gender Sexuality Alliance Club, Hawaii Women Lawyers, Ma'i Movement Hawai'i, Hawaii Food Industry Association, Hawaii Public Health Institute, and fourteen individuals.

Your Committee received written comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that 288,348 women and girls between the ages of twelve and forty-four reside in the State, and that one in eight of those persons lives below the federal poverty line. Your Committee further finds that exempting feminine hygiene products from the general excise tax would alleviate an unequal tax burden on women and improve accessibility to these products.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2863, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2863, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Taniguchi). Noes, none. Excused, none.

SCRep. 2780 Ways and Means on S.B. No. 2917

The purpose and intent of this measure is to ensure that all residents of the State receive comprehensive quality coverage for sexual reproductive health care services.

More specifically, this measure:

- (1) Requires certain insurance policies and individual and group hospital or medical service plan contracts to include benefits for outpatient expenses arising from oocyte cryopreservation procedures, under certain conditions;
- (2) Removes the one-time benefit limitation for in vitro fertilization procedures; and
- (3) Reduces from five to two the number of years of infertility that a patient or patient's spouse is required to experience before becoming eligible for in vitro fertilization.

Your Committee received written comments in support of this measure from Hawaii Women Lawyers.

Your Committee received written comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Association of Health Plans, Hawaii Medical Service Association, and Kaiser Permanente.

Your Committee finds that this measure will provide important benefits to many families in the State that are currently unable to afford prohibitively expensive fertility treatments and procedures.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 2917, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2781 (Joint) Ways and Means and Water and Land on S.B. No. 2922

The purpose and intent of this measure is to facilitate the use of rural district lands.

Specifically, the measure:

- (1) Authorizes each county to determine the propriety of allowing a dwelling house on each quarter-acre, rather than each half-acre, of land in rural districts, under certain circumstances; and
- (2) Requires and appropriates moneys for the Office of Planning and Sustainable Development to perform a study to assess the rural district framework within the land use law and make recommendations for revisions to rural district policies and permissible uses within the rural district.

Your Committees received written comments in support of this measure from the Office of Planning and Sustainable Development, Hawaii Association of REALTORS, and Land Use Research Foundation of Hawaii.

Your Committees received written comments in opposition to this measure from Kupuna for the Moopuna and four individuals.

Your Committees received written comments on this measure from the Department of Agriculture, Department of Budget and Finance, and Grassroot Institute of Hawaii.

Your Committees find that as state residents are faced with a severe housing shortage, authorizing higher population density in the rural district may increase the supply of housing and reduce the overall cost of housing. Your Committees also find that the measure's proposed study regarding the rural district may prove helpful, as the redefinition and expansion of the rural district may promote better land use management of existing rural settlements, rural centers, and residential dwellings engaged in subsistence or family agriculture, which are not explicitly permitted in the agricultural district.

Your Committees have amended this measure by:

- (1) Changing the appropriation for the study from \$250,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2922, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2922, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Moriwaki, Shimabukuro, Wakai).

Water and Land: Ayes, 5; Ayes with Reservations (Riviere). Noes, none. Excused, none.

SCRep. 2782 Ways and Means on S.B. No. 3087

The purpose and intent of this measure is to move the chapter of the Hawaii Revised Statutes that contains the Emergency Management Assistance Compact from Chapter 128F to the 127 series of chapters.

Your Committee received written comments in support of this measure from the Hawaii Emergency Management Agency and Department of Defense.

Your Committee received written comments in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that moving the Emergency Management Assistance Compact from Chapter 128F to the 127 series of chapters will facilitate the administration of emergency management within the State, help the Hawaii Emergency Management Agency align with other states' emergency management practices, and improve the organization of the State's emergency management laws.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3087, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3087, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2783 Ways and Means on S.B. No. 3168

The purpose and intent of this measure is to ensure the continued provision of housing and critical services to the State's homeless population.

More specifically, the measure:

- (1) Extends the Ohana Zones Pilot Program's sunset date by five years, to June 30, 2028;
- (2) Establishes an Ohana Zones Program within the Hawaii Public Housing Authority upon the pilot program's June 30, 2028, expiration date, and requires that the Authority's program be substantially similar to the pilot program; and
- (3) Appropriates moneys for the extension of the Ohana Zones Pilot Program and expenses related to facility construction, renovation, and maintenance; provision of services and staffing; and administrative costs.

Your Committee received written comments in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Hawaii Health and Harm Reduction Center, Catholic Charities Hawaii, Women in Need, Partners in Care, Opportunity Youth Action Hui, and four individuals.

Your Committee received written comments on this measure from the Department of Human Services, Department of the Attorney General, and Department of Budget and Finance.

Your Committee finds that the extension of the Ohana Zones Pilot Program will provide additional resources to address homelessness and housing instability across the State.

Your Committee has amended this measure by:

- (1) Adding a new section to the measure that would allow a person receiving accommodations or services from an Ohana Zone Pilot Program site to request a ninety-day extension of the person's receipt of accommodations or services;
- (2) Inserting language in the measure's appropriation section to provide that all moneys from the appropriation that are unencumbered as of June 30, 2025, shall lapse as of that date, and deleting language that would have permitted transfer of funds unused by June 30, 2028, to the Hawaii Public Housing Authority;
- (3) Changing the appropriation from \$15,000,000 to an unspecified amount;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3168, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3168, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2784 Ways and Means on S.B. No. 3184

The purpose and intent of this measure is to increase access to post-secondary education for Hawaii's high school students and recent high school graduates.

Specifically, this measure expands the criteria for students to qualify for resident tuition fees at University of Hawaii campuses to include persons enrolled in a high school in the State, and recent graduates of high schools in the State.

Your Committee received written comments in support of this measure from the Department of Education, University of Hawaii, and Kamehameha Schools.

Your Committee finds that the current statutory requirements for determining residency for tuition purposes pose challenges for some graduates of Hawaii high schools. For example, students experiencing homelessness or having complex family situations may have difficulty providing evidence of bona fide residency. Your Committee further finds that recognizing local high school graduates and those who complete high school equivalences locally as residents for tuition purposes would facilitate the enrollment of these individuals at University of Hawaii campuses.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3184, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3184, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2785 Ways and Means on S.B. No. 3190

The purpose and intent of this measure is to establish a native fish hatchery pilot program at Waianae High School.

More specifically, this measure:

- (1) Requires the Department of Education to establish a native fish hatchery pilot program at Waianae High School;
- (2) Establishes requirements for teachers participating in the pilot program;
- (3) Requires the Department of Education to submit a report to the Legislature on the progress of the pilot program;
- (4) Appropriates moneys to the Department of Education to establish the pilot program, including establishing three full-time equivalent (3.0 FTE) positions and construction, operation, and maintenance of a hatchery; and
- (5) Dissolves the pilot program on June 30, 2025.

Your Committee received testimony in support of this measure from the Department of Education, Department of Land and Natural Resources, Waianae High School, Environmental Caucus of the Democratic Party of Hawaii, Kuaaina Ulu Auamo, Malama Pupukea-Waimea, Maunaloa Fishpond Heritage Center, and numerous individuals.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the native fish hatchery pilot program will provide students with hands-on and real-world experiences that the students may use in the future to promote community-based food cultivation activities. Accordingly, your Committee believes that the pilot program will support the State's food sustainability and security efforts.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3190, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3190, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2786 Ways and Means on S.B. No. 3195

The purpose and intent of this measure is to appropriate start-up funding for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Energy Office, Environmental Caucus of the Democratic Party of Hawaii, Sustainable Energy Hawaii, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the exploration geothermal resources can be used for the generation, transmission, or production of hydrogen, other renewable energy resources, and electricity. Accordingly, your Committee finds that efforts to investigate, explore, and identify these resources on Hawaiian home lands should be supported.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3195, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3195, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2787 Ways and Means on S.B. No. 3209

The purpose and intent of this measure is to appropriate funds for each Department of Education teacher to be paid for twenty-one hours of professional development without students.

Your Committee received written comments in support of this measure from the Hawaii State Public Charter School Commission, Department of Education, Hawaii State Teachers Association, and eleven individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure will reinstate the funding for twenty-one hours of professional development for each teacher that expired on June 30, 2021, due to a lack of funds. These funds will help to build staff capacity through professional development, recruit new teachers, and retain the current experienced teachers.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$16,600,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3209, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3209, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2788 Judiciary on S.B. No. 2334

The purpose and intent of this measure is to:

- (1) Require the Board of Education to include an open forum for public comments on non-agenda items at the end of board meetings;
- (2) Require the Board of Education to hold not less than six community forums annually, with at least one forum in each county; and
- (3) Require a report to the Legislature on implementing the open forums mandate.

Your Committee received testimony in support of this measure from the Office of Information Practices and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that community forums improve the public's access to the Board of Education and provide the Board with more information to assist in its decision-making and priority setting. Your Committee further finds that the Board of Education should receive public input at its noticed regular public meetings and by reaching out to the public through community forums. This measure seeks to increase communication between the community-at-large and the Board of Education.

Your Committee has amended this measure by:

- (1) Inserting language into chapter 302A, Hawaii Revised Statutes, requiring the Board of Education to include an open forum at the end of its meeting agenda to afford all interested persons an opportunity to present oral testimony on any matter not on the agenda; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2334, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2334, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Lee).

SCRep. 2789 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2882

The purpose and intent of this measure is to:

- (1) Establish the Community Health Worker Certification Program within the Department of Commerce and Consumer Affairs; and
- (2) Establish the Community Health Worker Certification Special Subaccount of the Compliance Resolution Fund.

Your Committees received testimony in support of this measure from the Hawai'i Primary Care Association, Ka'u Rural Health Community Association, Hawai'i Community Health Worker Association, and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, University of Hawai'i System, Department of Budget and Finance, Department of Health, Papa Ola Lōkahi, Hawaii Substance Abuse Coalition, Hawai'i Public Health Institute, and one individual.

Your Committees find that community health workers have long been active health care providers in rural and underserved communities throughout the State. However, because this profession is not regulated, licensed, or certified in accordance with state law, their services are not reimbursable under private or public insurance. Accordingly, this measure establishes the necessary framework for the professional recognition and certification of community health workers in the State to provide more accessibility to services in the public health and social service fields. Your Committees additionally note that this measure is subject to a sunrise analysis to be conducted by the Auditor pursuant to section 26H-6, Hawaii Revised Statutes.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2882, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2882, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2790 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 3272

The purpose and intent of this measure is to:

- (1) Establish the Air Noise and Safety Task Force; and
- (2) Require the Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis.

Your Committees received testimony in support of this measure from the Department of Transportation, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, and one individual. Your Committees received comments on this measure from the Hawaii Association for Justice and Jack Harter Helicopters.

Your Committees find that excessive noise from tour aircrafts, including helicopters flying over residential areas is a serious detriment to the health and quality of life of those residents. Federal regulations have established rules to mitigate this problem, but it is in the interest of the State to monitor and ensure that these rules and regulations are being followed. This measure forms the Air Noise and Safety Task Force and requires tour aircraft operators to file appropriate reports and disclosures when renewing their licenses so that the State can monitor their compliance with Federal rules and regulations.

Your Committees have amended this measure by:

- (1) Requiring the Air Noise and Safety Task Force to recommend a minimum general liability coverage amount for tour aircraft operators to be considered for enactment during the 2023 Regular Session of the Legislature; 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3272, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3272, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2791 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2695

The purpose and intent of this measure is to establish a Blockchain and Cryptocurrency Task Force.

Your Committees received testimony in support of this measure from one individual. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committees find that, despite the emerging growth and popularity of digital currency, there is little regulation of the industry. Accordingly, as there is vast potential for both the use and regulation of blockchain technology and cryptocurrency, it is in the interests of the State and its consumers to determine whether or how to regulate and provide oversight to the cryptocurrency industry. This measure establishes a task force to create a master plan to explore the use and regulation of blockchain and cryptocurrency.

Your Committees have amended this measure by:

- (1) Clarifying that meetings of the task force may be conducted via interactive conference technology;
- (2) Clarifying the task force shall review data and other aspects of the blockchain and cryptocurrency industry throughout the country, including but not limited to the development of a plan to expand blockchain adoption in both the private and public sectors, to be regulated within the jurisdiction and purview of the Department of Commerce and Consumer Affairs' Division of Financial Institutions;
- (3) Requiring the task force to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024, at which point the task force shall dissolve; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2695, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2695, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2792 Commerce and Consumer Protection on S.B. No. 3034

The purpose and intent of this measure is to clarify the listing of contractors and subcontractors required for construction bids under section 103D-302, Hawaii Revised Statutes, to facilitate the implementation of competitive sealed bidding procurements of public works construction projects.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and General Contractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that existing law, which requires bidders to list joint contractors and specialty subcontractors, including those that are not subject to licensing under chapter 444, Hawaii Revised Statutes, for all public works construction projects may result in unnecessary bid protests, award delays, and increased project costs. This measure, in part, intends to reduce the number of subcontractors that must be listed in a bid for the award of a public works construction project, thereby reducing the number of challenges by unsuccessful bidders based on subcontractor listing errors, and increasing the efficiency of the competitive sealed bidding process.

According to testimony from the General Contractors Association of Hawaii (GCAH), requiring that the specialties or administrative subclassifications of licensed contractors and subcontractors be included in a competitive sealed bid for a public works construction project, instead of exempting contractors and subcontractors that are not required to be licensed in the performance of the contract, will ensure that there is no unintended consequence if the contractor's license board adds a new profession under chapter 444, Hawaii Revised Statutes, that is not meant to be included in the subcontractor listing. Your Committee notes GCAH's testimony also states that the joint contractor listing requirement is confusing and unnecessary, even for joint venture bidders with subcontractors as the prime contractors.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have exempted information concerning certain contractors and subcontractors who are not required to be licensed pursuant to chapter 444, Hawaii Revised Statutes, from inclusion in a competitive sealed bid and replacing it with a requirement that the specialty or specialties of a licensed contractor or subcontractor be included in the bid, along with the nature and scope of the work to be performed; and
- (2) Removing references to "joint contractor" to avoid confusion.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3034, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3034, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (San Buenaventura, Fevella).

SCRep. 2793 Ways and Means on S.B. No. 2564

The purpose and intent of this measure is to appropriate funds for the Department of Education's Resources for Enrichment, Athletics, Culture, and Health Program.

Your Committee received written comments in support of this measure from the Department of Education; Department of Human Services; American Academy of Pediatrics, Hawaii Chapter; HEE Coalition; Early Childhood Action Strategy; Hawaii State Teachers Association; Hawaii Children's Action Network Speaks!; Hawaii Afterschool Alliance; Parents And Children Together; Special Education Advisory Council; CARE Arts and Recreation Education Services; and four individuals.

Your Committee received written comments from the Department of Budget and Finance.

Your Committee finds that the funds appropriated by the measure will allow the State to obtain matching federal funds through the federal Nita M. Lowey 21st Century Community Learning Centers Grant Program, which will help to expand after-school programs.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2564, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2564, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2794 Ways and Means on S.B. No. 2567

The purpose and intent of this measure is to require the Department of Hawaiian Home Lands to digitize its applicant, beneficiary, and lessee records through the creation of an interactive digital database software program, which shall be completed and available for use by July 1, 2023.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that although basic Department of Hawaiian Home Lands applicant waiting lists are readily available, access to more detailed information can require weeks of work. Accordingly, your Committee believes that steps must be taken to ensure that the Department of Hawaiian Home Lands has access to and compiles relevant lease information in a more efficient manner.

Your Committee has amended this measure by:

- (1) Inserting an unspecified appropriation from general revenues for the creation of an interactive digital database software program of the Department of Hawaiian Home Lands' applicant, beneficiary, and lessee records;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2567, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2567, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2795 (Joint) Ways and Means and Water and Land on S.B. No. 2581

The purpose and intent of this measure is to prioritize for the provision of affordable housing the use of lands previously used by the federal government.

Specifically, this measure establishes, as a priority guideline for the provision of affordable housing, that state lands that are leased by or under the control of the federal government and that are to be returned to the State, including lands formerly used for military facilities, be prioritized for the provision of affordable housing.

Your Committees received written comments in support of this measure from the Office of Planning and Sustainable Development, Partners in Care, and one individual.

Your Committees find that the scarcity of available land has been a major challenge in addressing the State's critical shortage of affordable housing. Your Committees further find that the use of lands that were formerly leased to or used by the federal government will help to alleviate this shortage of available land for affordable housing.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and

- (2) Making technical nonsubstantive amendments for purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2581, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2581, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Moriwaki, Shimabukuro, Wakai).

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 2796 Ways and Means on S.B. No. 2627

The purpose and intent of this measure is to make an emergency appropriation to the Department of Transportation to replace the perimeter fence around Kahului airport in the County of Maui.

Your Committee received written comments in support of this measure from the Department of Transportation and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the airport fence funded by this measure is needed to prevent axis deer from entering the runway area and threatening the safety of airport passengers and operators.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum to facilitate further discussion; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2627, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2627, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2797 Ways and Means on S.B. No. 2637

The purpose and intent of this measure is to help improve post-incarceration outcomes for female offenders in the State.

More specifically, the measure:

- (1) Requires that a community-based work furlough program be among the gender-responsive, community-based programs developed by the Department of Public Safety and made available to female offenders, and that these programs be made available to all female offenders; and
- (2) Appropriates moneys to the Department of Public Safety to ensure the continuation and expansion of community-based work furlough for all incarcerated women.

Your Committee received written comments in support of this measure from the Department of Public Safety, Hawaii Health and Harm Reduction Center, YWCA Oahu, Community Alliance on Prisons, Institute for Human Services, Women's Prison Project, Hawaii Women Lawyers, ACLU of Hawaii, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the funding provided by this measure will allow a greater number of women to participate in community-based work furlough programs, which help to reduce recidivism by providing reentry support and transitional training in areas such as job readiness and job retention.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2637, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2637, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2798 Ways and Means on S.B. No. 2701

The purpose and intent of this measure is to provide support for early child care workers and early education programs.

More specifically, this measure:

- (1) Requires the Department of Human Services to:
 - (A) Establish and implement a one-year early child care worker subsidy pilot program;

- (B) Develop standards and qualifications for participation in the pilot program;
 - (C) Establish best practices to bring all early childhood educators' wages to a certain amount; and
 - (D) Submit a report to the Legislature on the pilot program;
- (2) Appropriates moneys to the Department of Human Services for the pilot program; and
 - (3) Appropriates moneys to be deposited into the early learning special fund for the Executive Office on Early Learning to expend on the Hawaii early childhood educator stipend program.

Your Committee received written comments in support of this measure from the Early Learning Board; Executive Office on Early Learning; AAUW of Hawaii, AF3IRM Hawaii, Aloha United Way, Inc.; American Academy of Pediatrics, Hawaii Chapter; Early Childhood Action Strategy; Hawaii Association for the Education of Young Children; Hawaii Children's Action Network Speaks!; Hawaii State Commission on the Status of Women; Neighborhood Place of Kona; Save Medicaid Hawaii; Special Education Advisory Council; and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that this measure will help to improve the recruitment and retention of child care workers in the State and facilitate access to high-quality child care by working families.

Your Committee has amended this measure by:

- (1) Renaming the early child care worker subsidy pilot program the child care worker subsidy pilot program;
- (2) Clarifying that the scope of the pilot program is to serve child care workers;
- (3) Requiring the Department of Human Services to submit interim and final reports on the pilot program;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

Your Committee notes that, in its written comments, the Department of Human Services requested that the measure be amended to remove references to "early" when referencing child care and child care workers. Although your Committee accepted the Department of Human Services' amendments, it acknowledges that this change of focus from "early child care" and "early child care workers" to the more general categories of "child care" and "child care worker" could cause the amended contents of the measure to exceed the scope of the measure's title. Therefore, as the measure moves through the legislative process, your Committee requests that the Department of Human Services consult with the Attorney General to address this potential conflict.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2701, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2701, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2799 Ways and Means on S.B. No. 2808

The purpose and intent of this measure is to appropriate moneys for the State Small Business Credit Initiative program to provide financial support to Hawaii's small businesses.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation; Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii Food Industry Association; Chamber of Commerce Hawaii; and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the moneys appropriated by this measure will help expand access to capital, in the form of loans and investments, for small businesses statewide.

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 facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2808, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2808, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2800 Ways and Means on S.B. No. 2907

The purpose and intent of this measure is to require the Hawaii Invasive Species Council to amend its administrative rules to classify coffee leaf rust as an invasive species.

The measure further requires the Council to expend any moneys available for that purpose on mitigation efforts, research, and prevention or control actions for coffee leaf rust.

Your Committee received written comments in support of this measure from a member of the Hawaii County Council, Hawaii Coffee Association, Hawaii Farm Bureau, and two individuals.

Your Committee received written comments on this measure from the Department of Land and Natural Resources and Department of Agriculture.

Your Committee finds that efforts to control coffee leaf rust are critical to sustaining the State's coffee industry. The long-term impact of a coffee leaf rust outbreak could cause a thirty to eighty per cent loss of Hawaii's annual coffee yield if not properly treated. This measure's requirement that the Hawaii Invasive Species Council classify coffee leaf rust as an invasive species will help focus additional coordination and resources on mitigation and prevention efforts.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2907, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2907, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2801 Ways and Means on S.B. No. 3041

The purpose and intent of this measure is to make appropriations and approve payments for claims against the State, its officers, and its employees.

Your Committee received written comments in support of this measure from the Department of the Attorney General, Department of Education, and Earthjustice.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, and one individual.

Your Committee notes that the following updated settlement amounts have been provided through written comments on the measure:

- (1) In Part III of the measure, the \$145,000.00 settlement in the case of Kaupiko et al. v. Department of Land and Natural Resources, State of Hawaii, should include an additional \$736.28; and
- (2) Since the introduction of the measure, a settlement in the amount of \$550,000.00 was reached in the case of HELG Administrative Services, LLC, as Special Administrator of the Estate of Daisy L. Kasitati, deceased, et al. v. Department of Public Safety.

Your Committee finds that this measure serves as the vehicle by which payments of claims against the State are authorized and funded by an appropriation of general and special funds, and that timely passage of this measure will minimize the State's obligation to pay interest that accrues on claim amounts.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated to unspecified amounts; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3041, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3041, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2802 Ways and Means on S.B. No. 3129

The purpose and intent of this measure is to address the depletion of moneys in the unemployment compensation trust fund.

Specifically, this measure deposits an unspecified amount of moneys into the unemployment compensation trust fund.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Hawaii Food Industry Association, and Kohala Coast Resort Association.

Your Committee received written comments in opposition to this measure from UNITE HERE Local 5.

Your Committee received written comments on this measure from the Department of Budget and Finance and Parents and Children Together.

Your Committee finds that the coronavirus disease 2019 pandemic created an unprecedented period of unemployment in the State, which resulted in the depletion of moneys in the unemployment compensation trust fund. Your Committee further finds that depositing moneys into the unemployment compensation trust fund may help to reduce unemployment insurance tax rates for employers.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3129, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3129, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2803 Commerce and Consumer Protection on S.B. No. 2439

The purpose and intent of this measure is to require health insurance policies and contracts issued after December 31, 2022, to provide coverage for purchases of medically necessary hearing aid models, including analog, digital, and digitally programmable, with standard features, per hearing impaired ear, every thirty-six months.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, AARP Hawai'i and nine individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Medical Service Association and Hawai'i Association of Health Plans. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Kaiser Permanente Hawai'i, and one individual.

Your Committee finds that many health insurance companies have inconsistent coverage for hearing aids and that federal Medicare coverage is very limited, causing enrollees to often face large out-of-pocket costs. As a result, it is not unusual for people with hearing loss to choose to delay or forgo purchasing hearing aids because they are cost prohibitive. This can further result in residents not being able to attend work or school, resulting in lost income, and less participation and engagement in their communities. Your Committee additionally finds that the Auditor has already conducted an assessment of the impact of mandates for hearing aid insurance coverage and that amendments to this measure are necessary to specify minimum dollar amounts to conform to the Auditor's report.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the hearing aid coverage required by this measure shall be subject to a minimum benefit of \$1,500 per hearing-impaired ear every thirty-six months;
- (2) Clarifying that any literature or correspondence an insurer sends to insureds, including annual information that is made available to insureds, shall include information concerning the coverage required by this measure, provided that the information concerning the coverage shall also be posted on the insurer's website;
- (3) Inserting an effective date of January 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2439, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2439, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2804 Commerce and Consumer Protection on S.B. No. 2645

The purpose and intent of this measure is to allow for standard telephone contacts for telehealth purposes related to behavioral health services.

Your Committee received testimony in support of this measure from the Hawai'i State Council on Mental Health; University of Hawai'i System; Disability and Communication Access Board; Hawai'i Substance Abuse Coalition; Hawai'i Psychiatric Medical Association; Hawai'i Primary Care Association; Hawai'i Public Health Association; AARP Hawai'i; Center for Healing & Transformation; Clinical Psychology Services, LLC; Hawai'i Medical Association; Hawai'i Family Caregiver Coalition; Hawai'i Psychological Association; The Hawaiian Islands Association for Marriage and Family Therapy; National Association of Social Workers - Hawai'i Chapter; and three individuals. Your Committee received testimony in opposition to this measure from Hawai'i Medical Service Association and Hawai'i Association of Health Plans. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Healthcare Association of Hawai'i, The Queen's Health Systems, Kaiser Permanente Hawai'i, and Hawai'i Pacific Health.

Your Committee finds that many high-risk patients reside in medically underserved areas or in federally designated health professional shortage areas. It is also not uncommon for patients in these areas to lack access to, or proficiency with, sufficient technology for video telehealth. The use of audio-only telehealth services during the pandemic proved extremely helpful for many patients who could not receive services due to restrictions. Patients with certain behavioral health issues are especially vulnerable and require immediate attention and care. Accordingly, this measure recognizes the value of telephonic health care services and reduces unnecessary barriers to promote greater access to care.

Your Committee additionally finds that, under the 2022 Physician Fee Schedule, telephone services are an integral part of Medicaid and Medicare, which allow audio-only telecommunications for the diagnosis, evaluation, or treatment of a mental health disorder to a

patient in their home if the patient is not capable of, or does not consent to, the use of video technology. Accordingly, the provisions of this measure do not constitute a new insurance mandate that would trigger an impact assessment report by the Auditor, but simply allows for an additional modality in existing telehealth coverage requirements.

Your Committee has amended this measure by:

- (1) Amending section 1 to clarify that this measure is consistent with existing benefits offered under Medicare and Medicaid and that an impact assessment report under section 23-51, Hawaii Revised Statutes, is not required; and
- (2) Making a technical, nonsubstantive amendment for the purpose of clarity and consistency.

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

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

SCRep. 2805 Commerce and Consumer Protection on S.B. No. 2443

The purpose and intent of this measure is to:

- (1) Address and define pharmacy benefit manager practices;
- (2) Create enforcement authority by the Insurance Commissioner to suspend and revoke a pharmacy benefit manager's registration and impose fines; and
- (3) Repeal section 328-106, Hawaii Revised Statutes, which requires the Department of Health to enforce the terms of private contacts pertaining to pharmacy benefit managers.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Primacy Care Association, Hawai'i Medical 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 Department of Commerce and Consumer Affairs, CVS Health, and American Cancer Society Cancer Action Network.

Your Committee finds that pharmacy benefit manager practices, including the practice of limiting a pharmacy or pharmacist from disclosing certain information and requiring consumers to pay more than the cash price for prescriptions, have considerable impacts on the pricing of prescription drugs. Many residents in the State struggle to afford the medications they need and, accordingly, should have access to any information that would increase price transparency. Additionally, and particularly for cancer patients, certain drugs do not yet have a modestly-priced generic equivalent or other alternative to drug treatment. This measure prohibits certain pharmacy benefit manager practices to increase price transparency and require that any amounts paid by a covered person be attributable toward any deductible or out-of-pocket maximums under the covered person's health benefit plan. This measure is therefore necessary to establish a framework to prevent over-reaching pharmacy benefit managers from creating barriers to life-saving treatments and access to new drugs, especially for cancer care.

Your Committee has amended this measure by:

- (1) Clarifying the ability of the Insurance Commissioner, law enforcement, or state and federal government officials to access certain information;
- (2) Prohibiting a pharmacy benefit manager from reimbursing a 340B pharmacy differently than any other network pharmacy based on its status as a 340B pharmacy;
- (3) Extending certain penalties under chapter 480, Hawaii Revised Statutes;
- (4) Clarifying the Insurance Commissioner's ability to suspend or revoke the registration of a pharmacy benefit manager, including requiring the Insurance Commissioner to conduct a hearing in accordance with Chapter 91, Hawaii Revised Statutes;
- (5) Increasing the fine for failing to register as a pharmacy benefit manager from \$500 to \$1,000 for each violation;
- (6) Inserting language prohibiting a contract for managed care to contain a provision that authorizes pharmacy benefit managers to reimburse a contracting pharmacy on a maximum allowable cost basis after December 31, 2022;
- (7) Amending section 1 to reflect its amended purpose; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2443, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2443, S.D. 2.

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

SCRep. 2806 Commerce and Consumer Protection on S.B. No. 2275

The purpose and intent of this measure is to:

- (1) Establish requirements and permitting procedures for transportation network companies and transportation network drivers; and

- (2) Create permanent motor vehicle insurance requirements for transportation network companies and transportation network company drivers.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, and Uber Technologies. Your Committee received comments from the Hawaii Transportation Association.

Your Committee finds that Act 236, Session Laws of Hawaii 2016, served as the first step to close the insurance gaps associated with transportation network companies by establishing motor vehicle insurance requirements for transportation network companies and transportation network company drivers. Since their inception, transportation network companies have provided thousands of trips for Hawaii residents and tourists on various platforms. Despite the popularity of transportation network companies, only the City and County of Honolulu requires a form of driver screening and other operating requirements. Expanding the regulation of transportation network companies across the State will not only create uniform, permanent law, but regulation will also better protect both drivers and passengers who utilize transportation network company services.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2275, S.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.

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

SCRep. 2807 Commerce and Consumer Protection on S.B. No. 2829

The purpose and intent of this measure is to:

- (1) Establish provisional or associate level licensure requirements for marriage and family therapists, mental health counselors, and psychologists, and authorize insurance reimbursement in certain circumstances; and
- (2) Allow psychologist license applicants to sit for the licensing examination before completing other requirements.

Your Committee received testimony in support of this measure from the Hawai'i Psychological Association; Hawaiian Islands Association for Marriage and Family Therapy; National Association of Social Workers, Hawai'i Chapter; Center for Healing & Transformation; and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Psychiatric Medical Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Hawaii Board of Psychology.

Your Committee finds that the coronavirus disease 2019 pandemic has had immeasurable impacts on public behavioral health and has further intensified the critical shortage of mental health professionals in the State, particularly in rural areas. Over twenty other states provide associate-level licensure for mental health care providers, which not only expands patient access to providers, but also creates a viable career path for those working toward full licensure. This measure will expand access to much-needed, high-quality mental health services provided by local practitioners and will significantly increase the speed with which trained, qualified, credentialed, and culturally-competent practitioners can enter the workforce to meet the increasing needs of the State's residents.

Your Committee has amended this measure by:

- (1) Clarifying that the Board of Psychology, rather than the Director of the Department of Commerce and Consumer Affairs, is authorized to approve organized health service training programs;
- (2) Clarifying that a licensed associate psychologist may only practice psychology under the direct supervision of a licensed psychologist; provided that:
 - (A) The supervising licensed psychologist holds a current, active, and unencumbered license with the Board of Psychology; and
 - (B) The supervising licensed psychologist shall notify the Board within ten days of the termination or completion of the supervision;
- (3) Clarifying that a provisional license shall be valid for one year to fulfill the requirements for full licensure as a psychologist under section 465-7, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2829, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2829, S.D. 2.

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

SCRep. 2808 Commerce and Consumer Protection on S.B. No. 2187

The purpose and intent of this measure is to:

- (1) Include advanced practice registered nurses with prescriptive authority in the list of health care professionals authorized to administer medication to public school students; and

- (2) Require the administration of the medication to be approved by the Department of Health or other on-campus, school-based, health care provider pursuant to a written agreement with the Department of Education.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i at Mānoa Nancy Atmospera-Walch School of Nursing, State Council on Developmental Disabilities, Hawai'i--American Nurses Association, Hawai'i Primary Care Association, Hawai'i State Center for Nursing, 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 Education.

Your Committee finds that this measure enables advanced practice registered nurses with prescriptive authority to provide care to school-aged children, which helps reduce the impact of health issues that are otherwise barriers to learning. Your Committee recognizes that the assistance provided by school-based licensed health care professionals, including advanced practice registered nurses with prescriptive authority, in the administration of medicine to students helps to decrease absenteeism and facilitate better self-management of chronic health conditions; increase parents' and guardians' time at work; and increase teachers' instructional time.

Your Committee has amended this measure by:

- (1) Amending language to reflect that some schools, through a written agreement with the Department of Education, have specialized licensed health care providers at the complex-area level; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2187, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2187, S.D. 2.

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

SCRep. 2809 Commerce and Consumer Protection on S.B. No. 2445

The purpose and intent of this measure is to expand the authorized scope of practice for physician assistants.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i Medical Board, Hawai'i Public Health Association, Hawai'i Academy of Physician Assistants, Hawai'i Public Health, Kaiser Permanente Hawai'i, The Queen's Health Systems, Occupational Therapy Association of Hawai'i, and twenty-two individuals.

Your Committee finds that many residents of the State lack sufficient access to timely, high-quality health care due in part to a shortage of qualified physicians. By some estimates, the State has an unmet need for seven hundred thirty-two full time physicians, with the most severe shortages reaching almost forty percent in Maui County and Hawai'i County. Studies suggest this shortage will continue to worsen over time.

Your Committee further finds that physician assistants serve a critical role in addressing the most acute impacts of Hawai'i's physician shortage. Fortunately, the practice of physician assistants is rapidly growing in the State. However, because Hawai'i has some of the nation's most restrictive scope of practice laws for physician assistants, these providers are prevented from meeting many of their patients' needs, such as certifying the need for temporary disability insurance, disability parking permits, and provider orders for life-sustaining treatment forms.

Your Committee additionally finds that there is a disconnect between the skills and qualifications of physician assistants and the permissible scope of practice provided under existing law. Because of their rigorous medical training, physician assistants are skilled health care providers who routinely take medical histories, perform physical examinations, order and interpret laboratory tests, diagnose illnesses, develop and manage treatment plans, prescribe medications, and assist in surgery. Moreover, these professionals can work in a multitude of clinical settings, locations, and specialties, and because physician assistants can work off-site from their collaborating physician as long as the physician remains available via telecommunication, physician assistants have been helping to fill Hawai'i's rural health care gap with high quality care.

Accordingly, your Committee finds that this measure will improve patient access to health care services and provide optimal care for Hawai'i patients, especially those in rural and underserved areas, by expanding the permissible scope of practice in which physician assistants may engage.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2445, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2445, S.D. 2.

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

SCRep. 2810 Commerce and Consumer Protection on S.B. No. 2444

The purpose and intent of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, American Property Casualty Insurance Association, and Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Turo Inc.

Your Committee finds that peer-to-peer car-sharing provides a number of benefits for individuals who do not own a car due to ownership costs or for other reasons. It also allows individuals to access a new solution to long-standing mobility needs, while also allowing car owners to earn passive income through sharing their unused vehicles. Peer-to-peer car-sharing is a relatively new activity that has grown exponentially in recent years, but lacks an appropriate insurance regulatory framework. Many consumers may be unaware that motor vehicle insurance coverage may not be in place for peer-to-peer car-sharing under their personal insurance policies. Accordingly, this measure bridges certain gaps in insurance by establishing minimum insurance requirements for peer-to-peer car sharing.

Your Committee has amended this measure by:

- (1) Clarifying the definition of “car-sharing start time” to mean when the shared car becomes subject to the control of the shared car driver at or after the time the reservation of a shared car is scheduled to begin, as documented in the records of a peer-to-peer car-sharing program;
- (2) Clarifying the definition of “car-sharing termination time” to mean the earliest of certain specified events and eliminating duplicative language;
- (3) Clarifying that the term “peer-to-peer car-sharing” means the authorized operation, use, or control of a motor vehicle by an individual other than the shared car’s owner through a peer-to-peer car-sharing program, and further clarifying the term does not mean the business of a “lessor” as defined in section 437D-3, Hawaii Revised Statutes;
- (4) Clarifying the definition of “peer-to-peer car-sharing program” does not include a “lessor” as that term is defined in section 251-1 or section 437D-3, Hawaii Revised Statutes;
- (5) Clarifying the definition of “shared car” does not mean a rental motor vehicle as that term is used in sections 251-2 and 251-3, Hawaii Revised Statutes;
- (6) Specifying the primary insurance coverage requirement for each shared car available and used through a peer-to-peer car-sharing program to be in an amount not less than \$1,000,000 for death, bodily injury, and property damage per accident, in addition to other certain requirements of section 431:10C-103.5, Hawaii Revised Statutes, and further requiring insurers to offer certain optional coverages, which any shared car driver may elect or reject to purchase; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2444, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2444, S.D. 2.

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

SCRep. 2811 Commerce and Consumer Protection on S.B. No. 2709

The purpose and intent of this measure is to clarify that a licensed specialty contractor may perform incidental and supplemental work in crafts or trades other than in which the specialty contractor is licensed; provided that, when measured by the cost and extent of work involved in executing the specialty contractor’s work, the performance of the unlicensed work is substantially less than and only incidental and supplemental to the performance of the work in the craft for which the specialty contractor is licensed.

Your Committee received testimony in support of this measure from the Iron Workers Stabilization Fund. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Planning and Permitting. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Contractors License Board, and Subcontractors Association of Hawaii.

Your Committee finds that it is in the interest of public health and safety to prohibit specialty contractors from performing work for which they are not licensed. Your Committee notes that general contractors are already prohibited from using the “incidental and supplemental” exception to take on work in a specialty for which they are not licensed, and this measure will extend the same restriction to specialty contractors. Your Committee further notes the concerns raised in testimony that some of the standards used in the measure, as presently drafted, may be considered vague. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by clarifying that specialty contractors may take and execute a contract involving the use of two or more crafts or trades when there are more than two specialty contractors involved; provided that the performance of the work in the crafts or trades, other than in which the specialty contractor is licensed, is incidental and supplemental and does not exceed five percent of the specialty contractor’s total work performed in the craft for which the specialty contractor is licensed.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2709, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2709, S.D. 2.

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

SCRep. 2812 Commerce and Consumer Protection on S.B. No. 2467

The purpose and intent of this measure is to require that one annual mental health screening be included in health insurance coverage for diagnosis of mental disorders.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawai'i Public Health Institute, and five individuals. Your Committee received comments on this measure from the Department of Consumer and Commerce Affairs and Hawaii Medical Service Association.

Your Committee finds that mental health care is a critical tool in addressing chronic disease. Though mental health has conventionally been approached as separate and secondary to physical health, research has shown that mental illness is integral to overall health and has been linked to chronic diseases such as diabetes, cardiovascular disease, and cancer. Overall health conditions could be mitigated by early detection of mental illness, as the majority of lifetime mental health conditions begin before the age of twenty-five.

Your Committee also notes that while this measure is not a new mandate, it provides clarification of current practice and continuum of care. Assessment of mental health is a critical tool in addressing chronic diseases, especially in a post-pandemic world. For individuals with disabilities, mental health screenings can ensure better care by identifying situations of dual diagnoses in which an individual with a disability also suffers from a mental health disorder.

Your Committee has amended this measure by inserting an effective date of January 1, 2023.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2467, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2467, S.D. 2.

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

SCRep. 2813 Commerce and Consumer Protection on S.B. No. 2828

The purpose and intent of this measure is to:

- (1) Include the use of traditional native Hawaiian burial practices in the treatment and disposal of human remains, including the use of water cremation or alkaline hydrolysis;
- (2) Require alkaline hydrolysis facilities to be licensed by the Department of Health; and
- (3) Require alkaline hydrolysis facility operators to be licensed and undergo alkaline hydrolysis operator training.

Your Committee received testimony in support of this measure from Fisher & Associates, LLC; Ken Ordenstein Funerals; Aloha Mortuary; and ten individuals. Your Committee received comments on this measure from the Department of Health; Department of Commerce and Consumer Affairs; and Hawaii Funeral & Cemetery Association, Inc.

Your Committee finds that, traditionally, native Hawaiian burial practices were undertaken by the steaming of the deceased's body in an imu until the flesh could be easily removed from the bones, which were then wrapped and returned to the family of the deceased. For over a century, native Hawaiians have had no culturally appropriate way to bury their loved ones other than a full body burial in a casket in a plot of earth or by flame cremation with ashes and bone fragments. Water cremation is a water-based dissolution process for human remains that uses alkaline chemicals, heat, agitation, and pressure to gently accelerate natural decomposition. The liquid is considered a sterile wastewater, with no remaining DNA and is discharged with the permission of the local wastewater treatment authority, in accordance with federal, state, and local laws. There are also significant environmental benefits in comparison to traditional flame cremation. This measure, therefore, provides native Hawaiians and consumers in Hawaii with an option for burial that is culturally appropriate, clean, and environmentally responsible.

Your Committee has amended this measure by:

- (1) Requiring hydrolysis facilities to be subject to certification, rather than licensure, by the Department of Health;
- (2) Clarifying that the sterile wastewater shall be discharged into the sewer system as approved by the appropriate county;
- (3) Requiring operators of a hydrolysis facilities to undergo training and comply with Title 11, Chapter 22, Hawaii Administrative Rules, as adopted by the Department of Health regarding mortuaries, cemeteries, embalmers, undertakers, and mortuary authorities; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection 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 Third Reading in the form attached hereto as S.B. No. 2828, S.D. 2.

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

SCRep. 2814 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2076

The purpose and intent of this measure is to:

- (1) Define broadband equity;

- (2) Clarify the Hawaii Broadband and Digital Equity Office's duties to promote and support digital equity and broadband deployment; and
- (3) Appropriate funds to the Hawaii Broadband and Digital Equity Office for five FTE positions.

Your Committees received testimony in support of this measure from the Department of Health; Department of Business, Economic Development, and Tourism; State Council on Developmental Disabilities; State Council on Mental Health; Common Cause Hawaii; League of Women Voters of Hawaii; members of the Broadband Hui; Hawai'i Primary Care Association; Maui Chamber of Commerce; and one individual. Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that there is an emerging digital divide between those with access to the Internet and those without. Even where sufficient broadband infrastructure is available, many individuals with disabilities face obstacles to digital access. It is important for the State to ensure equal access to those individuals. This measure supports the Hawaii Broadband and Digital Equity Office's efforts by defining broadband equity and appropriating funds for additional full-time positions.

Your Committees have amended this measure by:

- (1) Inserting a blank appropriation amount for an unspecified number of full-time positions;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2076, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2076, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2815 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2720

The purpose and intent of this measure is to:

- (1) Allow for new electric vehicle charging stations and certain upgrades having a single port to qualify for a rebate;
- (2) Increase flexibility of the Public Utilities Commission to administer the electric vehicle charging station rebate program; and
- (3) Allow for marketing and outreach expenses to be included within allowable administration costs of the electric vehicle charging station rebate program.

Your Committees received testimony in support of this measure from Hawaii State Energy Office; Public Utilities Commission; Department of Design and Construction of the City and County of Honolulu; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Ulupono Initiative; Big Island Electric Vehicle Association; Hawaiian Electric Company; Hawaii Electric Vehicle Association; Alliance for Automotive Innovation; Kaua'i Island Utility Cooperative; Blue Planet Foundation; 350Hawaii.org; and five individuals. Your Committees received comments on this measure from Hawai'i Energy and Practical Policy Institute of Hawaii.

Your Committees find that the decarbonization of the ground transportation sector is essential to achieving a net-negative carbon economy as soon as practicable, but no later than Hawaii's 2045 energy goals. One foundational strategy to decarbonize the transportation sector is the adoption of zero-emission vehicles, such as electric vehicles; however, one significant barrier to the adoption of zero-emission vehicles is fueling stations. Currently, the Electric Vehicle Charging Station Rebate Program serves as a critical catalyst for infrastructure development within the State to provide eighty-nine stations across the State, which account for one-quarter of the State's total public charging stations. However, continued support and promotion of zero-emission transportation and infrastructure is critical to the growth of the EVCS Rebate Program and a net-zero carbon economy. As the lack of enough fueling stations remains as the most significant barrier to the adoption of zero-emission vehicles, providing an updated program for electric vehicle charging station rebates allows the State to achieve its net-negative carbon economy in compliance with 2045 energy goals.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2720, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2720, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2816 Commerce and Consumer Protection on S.B. No. 2745

The purpose and intent of this measure is to require the Director of Transportation to adopt rules that require tour aircraft operators to verify that they have aircraft liability insurance coverage for an unspecified amount per person per incident.

Your Committee received testimony in support of this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from Blue Hawaiian.

Your Committee finds that tour aircraft crashes resulting in both non-fatal and fatal injuries have increased in recent years. These crashes, especially in dense residential areas, are a serious problem that will only increase with the growing aircraft tours industry. Therefore, the tour aircraft permit process should require that each tour aircraft operator has adequate insurance to cover any loss of life and damage to property in the event of an accident.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2745, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2817 Ways and Means on S.B. No. 3283

The purpose and intent of this measure is to increase the efficiency of tax administration and protect state revenues.

More specifically, this measure reorganizes certain functions and offices of the Department of Taxation to address aging accounts receivable and quality control.

Your Committee received testimony in support of this measure from the Department of Taxation.

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, Department of Human Resources Development, and Tax Foundation of Hawaii.

Your Committee finds that having an efficient and effective tax department is essential to keeping up with the fast-paced changes in our economy and the tax administration landscape.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3283, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3283, S.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, none.

SCRep. 2818 Ways and Means on S.B. No. 2020

The purpose and intent of this measure is to clarify that sales to a licensed retail merchant, jobber, or other licensed seller for resale, and certain sales of tangible personal property, are only eligible for the wholesale tax rate if the resale will be subject to the highest general excise tax rate.

Your Committee received testimony in support of this measure from the Department of Taxation.

Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii, Hawaii Pacific Health, Queens Health System, and Walgreens.

Your Committee received comments on this measure from the Hawaii Health Systems Corporation, Tax Foundation of Hawaii, and Healthcare Association of Hawaii.

Your Committee recognizes that the wholesale rate for the general excise tax was adopted to relieve taxpayers from the pyramid effect of the tax. Your Committee notes the application of the wholesale rate contemplated that a subsequent sale taxed at the highest rate of tax would occur. Accordingly, your Committee believes that this measure will restore the intent behind the implementation of the wholesale rate and help ensure the orderly administration of taxes.

Your Committee has amended this measure by making the measure effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2020, S.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, none.

SCRep. 2819 Ways and Means on S.B. No. 2654

The purpose and intent of this measure is to establish an income tax credit for water rationing systems.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Honolulu Board of Water Supply.

Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that, with the challenges facing the State over the supply of clean water, the State must pursue all means to protect the environment and water resources. Accordingly, your Committee believes innovative solutions are needed to incentivize behaviors that conserve and protect water resources.

Your Committee has amended this measure by:

- (1) Inserting definitions of “alternate water sources for nonpotable applications”, “nonpotable rainwater catchment system”, and “potable rainwater catchment system” into the new statutory section established by the measure;
- (2) Deleting language that makes the tax credit refundable for certain taxpayers;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2654, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2654, S.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, none.

SCRep. 2820 Ways and Means on S.B. No. 3074

The purpose and intent of this measure is to appropriate moneys into the emergency and budget reserve fund.

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, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that recapitalizing the emergency and budget reserve fund is necessary to help enable the State to withstand unforeseen economic downturns and natural disasters in the future.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$1,000,000,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3074, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3074, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2821 Ways and Means on S.B. No. 3099

The purpose and intent of this measure is to extend the availability of the state earned income tax credit.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, the Department of Human Services, the Department of Taxation, Americans for Democratic Action, Catholic Charities Hawaii, Chamber of Commerce Hawaii, Hawaii Children’s Action Network Speaks!, Hawaii Health and Harm Reduction Center, Planned Parenthood Alliance Advocates, Pono Hawaii Initiative, 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 Appleseed Center for Law and Economic Justice, Parents And Children Together, and Tax Foundation of Hawaii.

Your Committee finds that the state earned income tax credit, codified as section 235-55.75, Hawaii Revised Statutes, provides an incentive for taxpayers to work, while also reducing the tax burden on low- and moderate-income families. Your Committee also finds that, under present law, the state earned income tax credit shall not apply to taxable years beginning after December 31, 2022. Your Committee further finds that this measure would extend the availability of the state earned income tax credit by an additional six years.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3099, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3099, S.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, none.

SCRep. 2822 Ways and Means on S.B. No. 3205

The purpose and intent of this measure is to temporarily re-establish and appropriate moneys for the Hawaii Office of Naval Research grant program.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Hawaii State Energy Office; Oceanit Laboratories, Inc.; Makai Ocean Engineering, Inc.; and one individual.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the grant program re-established by this measure will help further the State's commitment to promote renewable energy, support local businesses, and keep high-paying and high-skill jobs in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated into and out of the alternative energy research and development revolving fund to unspecified sums;
- (2) Clarifying that the moneys appropriated by the measure shall not lapse at the end of the 2022-2023 fiscal year;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3205, S.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, none.

SCRep. 2823 Ways and Means on S.B. No. 2303

The purpose and intent of this measure is to amend the state general excise tax filing requirements for certain taxpayers.

More specifically, this measure authorizes the Director of Taxation to exempt from monthly, quarterly, or semiannual general excise tax filing requirements a taxpayer whose annual general excise tax liability does not exceed \$100; provided that the taxpayer files an annual return.

Your Committee received testimony in support of this measure from the Department of Taxation and one individual.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that, under current state law, periodic returns are required semiannually for taxpayers reporting less than \$2,000 in annual general excise tax liability; quarterly for taxpayers reporting more than \$2,000 and less than \$4,000; and monthly for taxpayers reporting more than \$4,000. Your Committee believes that this measure may ease the burden both for taxpayers, who must file periodic returns, and the Department of Taxation, which must process the returns.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2303 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, none.

SCRep. 2824 Judiciary on S.B. No. 3219

The purpose and intent of this measure is to amend the Sunshine Law to exempt minors from being required to state their presence in public meetings.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority. Your Committee received comments on this measure from the Office of Information Practices and one individual.

Your Committee finds that the Sunshine Law's newly effective remote meetings provision requires a board member participating from a nonpublic location to state who, if anyone, is present at the same location. This provides the public with information as to who the board member is with. However, there are times when a board member may have their minor children with them during a remote board meeting. Your Committee further finds that children's privacy rights prevail over the public's right to know. This measure will protect the privacy and identity of minors that are with a board member during a meeting.

As affirmed by the record of votes of 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. 3219 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, 7. Noes, none. Excused, none.

SCRep. 2825 Judiciary on S.B. No. 2872

The purpose and intent of this measure is to require that the sexual orientation and gender identity of persons processed for crimes be included in the systems of identification.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Health & Harm Reduction Center, AF3IRM Hawai'i, Rainbow Family 808, and seven individuals. Your Committee received comments on this measure from the Department of the Attorney General and Judiciary.

Your Committee finds that sexual and gender minorities are disproportionately represented in the criminal legal system, including higher rates of arrest, incarceration, and community supervision. Transgender people and other sexual and gender minorities have historically been the target of enforcement actions. Your Committee further finds that currently, the Honolulu Police Department and Maui Police Department only offer male and female categories for gender. Therefore, it is difficult to measure the problem of violence

against sexual and gender minorities. This measure will help to standardize data collection on gender across the State and acknowledge transgender and non-binary categories in data reporting.

Your Committee has amended this measure by:

- (1) Adopting the recommendations proposed by the Hawai'i State Commission on the Status of Women as follows:
 - (A) Deleting language that included sexual orientation as information to be included in the systems of identification; and
 - (B) Specifying that the data center shall collect the following gender identity designations and terminologies: male, female, transgender women/female, transgender man/male, and non-binary;
- (2) Specifying that gender identity information collected shall remain confidential and shall be used strictly for statistical research and data analysis;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2872, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2826 Judiciary on S.B. No. 2856

The purpose and intent of this measure is to require the court to extend the duration of a restraining order or protective order issued against a pretrial detainee if the detainee is granted a motion for pretrial release.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Judiciary and Office of the Public Defender. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that many inmates are being released or diverted away from Hawai'i prisons and jails to reduce overcrowding and prevent the spread of coronavirus disease 2019. Many of these defendants are being released into the communities where they were arrested and may pose a danger to the complaining witness in the case against the defendant. Prosecutors routinely request "no contact" orders to protect their complainants and witnesses and courts routinely grant these requests for "no contact" orders, as a condition of bail or release, that the defendant have no contact, either verbal or in person, with the complainant or any other witness in the case. Additionally, the court can also place conditions on where the defendant resides and where a defendant is able to travel. However, these "no contact" orders are not mandatory and are ordered at the discretion of the court pursuant to section 804-7.1, Hawaii Revised Statutes. This measure will protect the safety and well-being of complaining witnesses by requiring the court to issue a "no contact" order against a pretrial detainee if the pretrial detainee is granted a motion for pretrial release for the pendency of the case; provided that the crime the pretrial detainee is charged with pertains to the complaining witness, the complaining witness has a protective order against the pretrial detainee, and the court is aware of the protective order.

Your Committee has amended this measure by:

- (1) Deleting language that would have required the court to extend the duration of a restraining order or protective order issued against a pretrial detainee if the detainee is granted a motion for pretrial release;
- (2) Adding language that requires the court to issue a no contact order against a pretrial detainee if the pretrial detainee is granted a motion for pretrial release; provided that the charged crime pertains to the complaining witness, the complaining witness has a protective order against the pretrial detainee, and the court is aware of the protective order; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2856, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2856, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2827 Judiciary on S.B. No. 166

The purpose and intent of this measure is to:

- (1) Prohibit foreign nationals and foreign corporations from making independent expenditures;
- (2) Require every corporation that contributes or expends funds in a state election to file a statement of certification regarding its limited foreign influence; and
- (3) Require 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, Americans for Democratic Action Hawai'i, Campaign Legal Center, Center for American Progress, Free Speech for People, and three individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 retained certain contents of this measure and also inserted provisions that:

- (1) Prohibit foreign nationals and foreign-influenced corporations from making independent expenditures, electioneering communications, or contributions to candidates or committees; and
- (2) Require recipients of corporate donations from expending funds for certain purposes unless the contributing corporation has certified that the corporation is not foreign-influenced.

Your Committee received testimony in support of the proposed S.D. 1 from the Center for American Progress and two individuals. Your Committee received comments on the proposed S.D. 1 from the Campaign Spending Commission, Common Cause Hawaii, and Free Speech for People.

Your Committee finds that that the State has a compelling interest in securing its democratic self-governance from foreign influence. Your Committee further finds that former President Barack Obama warned of foreign corporate spending in state elections and that Ellen Weintraub, commissioner of the Federal Election Commission, and Ann Ravel, former commissioner of the Federal Election Commission, specifically called on states to enact legislation to limit the influence of foreign corporate spending on American elections. This measure limits foreign-influenced corporate political spending to protect the integrity of the State's elections from foreign corporate influence.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending this measure by:

- (1) Clarifying that every corporation that contributes to or makes an expenditure of more than \$1,000 in an election cycle on behalf of a candidate, candidate committee, or noncandidate committee, including an independent expenditure or electioneering communication, shall file with the Campaign Spending Commission a statement of certification;
- (2) Clarifying that if a noncandidate committee does not receive a statement of certification from a top contributor, then the noncandidate committee shall return the contribution to the top contributor; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 166, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 166, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2828 Judiciary on S.B. No. 3164

The purpose and intent of this measure is to:

- (1) Require the maintenance of transfer records relating to certain campaign contributions and transfers;
- (2) Require certain covered persons to seek permission from contributors to use transfer contributed funds for independent campaign spending;
- (3) Require certain major contributors to disclose and maintain relevant records relating to the identities of other contributors;
- (4) Require certain covered persons to file disclosure reports with the Campaign Spending Commission;
- (5) Facilitate the identification of certain top contributors of funds for certain political advertisements; and
- (6) Prohibit structured transactions.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Campaign Legal Center, League of Women Voters of Hawaii, and two individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that transparency is an important factor for a healthy and strong democracy, as it allows voters to have accurate information they need to evaluate candidates for public office and to hold those candidates accountable if they are elected. Your Committee further finds that existing law does not prevent some people and corporations from transferring their money to other entities and hiding their true identities when purchasing campaign advertisements. This measure will require the maintenance of transfer records relating to certain campaign contributions and transfers to inform voters of the identities of those who attempt to influence elections through the purchase of campaign advertisements.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3164, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3164, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2829 Ways and Means on S.B. No. 2618

The purpose and intent of this measure is to establish and appropriate moneys for a Molokai-centered environmental investigative hotline pilot project, which the Department of the Attorney General, Investigations Division, shall implement and manage.

Your Committee received written comments in support of this measure from a member of the Maui County Council.

Your Committee received written comments in opposition to this measure from the Department of the Attorney General.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that many state departments do not have the capacity to investigate environmental concerns in remote rural areas. Your Committee believes that the implementation of a temporary hotline program that uses the services of trained investigators who are familiar with rural matters will help protect the State's natural environment.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2618, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2830 Ways and Means on S.B. No. 2626

The purpose and intent of this measure is to appropriate moneys to the Department of Land and Natural Resources Division of State Parks to purchase all-terrain vehicles for use on the island of Maui.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the aging vehicles currently used by the Maui Branch of the Division of State Parks require frequent maintenance and costly repairs. The vehicles funded by this measure are therefore necessary for the Division of State Parks to perform its duties safely and efficiently.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2626, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2831 Ways and Means on S.B. No. 2659

The purpose and intent of this measure is to appropriate moneys to the Department of Land and Natural Resources for equipment, training, and the establishment of twenty full-time positions for the Division of Conservation and Resources Enforcement.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Kuaaina Ulu Auamo, Surf Rider Foundation, Malama Pupukeya-Waimea, Nature Conservancy Hawaii, and six individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the resources provided by this measure will facilitate the creation of a dedicated unit in each county to focus on marine patrol work. Your Committee further finds that the presence of marine patrol units on the water will help protect the State's marine resources, enhance recreational boating safety, and provide greater visibility and response capabilities for the Division's law enforcement efforts.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2659, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2832 Judiciary on S.B. No. 2126

The purpose and intent of this measure is to increase the minimum and maximum fine for violating certain provisions relating to the installation of a noisy muffler.

Your Committee received testimony in support of this measure from the Department of Transportation, Quieter & Healthier Maui, Free Access Coalition, and two individuals.

Your Committee finds that residents throughout the State have complained about increased noise pollution and disturbances from loud mufflers on motor vehicles. The noise produced by loud mufflers often disrupts residents' sleep and lowers their quality of life. While existing laws prohibit the installation of mufflers that increase the noise of the vehicle, the penalties for violations of those laws are minimal. This measure would deter violators by increasing fines for the installation of loud mufflers on motor vehicles and promote better quality of life for Hawaii's residents.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2126 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keohokalole).

SCRep. 2833 Judiciary on S.B. No. 2125

The purpose and intent of this measure is to increase the maximum allowable fine for violation of liquor control laws by a licensee from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association

Your Committee finds that the liquor Commissions or liquor control adjudication boards of each county are established to regulate the sale of liquor through the issuance of liquor licenses and the enforcement of laws and rules. Your Committee further finds that the current maximum fine allowable for violations of liquor control laws is \$2,000. Heftier fines can create a greater deterrent for license holders to avoid violation of liquor control laws and rules. This measure will increase the maximum fine, which will grant greater flexibility to the liquor commissions or liquor control adjudication boards in assessing fees.

As affirmed by the record of votes of 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. 2125 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Lee).

SCRep. 2834 Judiciary on S.B. No. 2423

The purpose and intent of this measure is to update chapter 329, Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system (EPAS).

Your Committee received testimony in support of this measure from the Department of Health and Department of Public Safety.

Your Committee finds that clarifying the authority of advanced practice registered nurses, pharmacists, and Med—QUEST staff regarding EPAS access aligns with and supports the goals of the Hawaii Opioid Initiative to combat the national opioid crisis. Your Committee further finds that allowing controlled substances prescribers, dispensers, and pharmacists employed by United States Department of Veterans Affairs facilities in Hawaii to access EPAS will make state law consistent with the VA MISSION Act, which requires that every state provide these licensed health care providers and their delegates access to their EPAS, without exception. This measure will better protect the community from prescribing and treatment practices that are of concern, especially the over-prescribing of opioids.

As affirmed by the record of votes of 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. 2423 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Lee).

SCRep. 2835 Judiciary on S.B. No. 3377

The purpose and intent of this measure is to prohibit any person from presetting commercial beach equipment on beaches encumbered with easements in favor of the public unless the customer is present.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Hawai'i Tourism Authority. Your Committee received testimony in opposition to this measure from Aloha Beach Services Waikiki.

Your Committee finds that Hawai'i's beaches and coastal areas should be accessible to all members of the public who wish to use them. In some areas of the State, beach access is frequently blocked by unrented commercial beach equipment, such as beach chairs and umbrellas. This measure will prohibit the presetting of commercial beach equipment on public beaches unless the customer is present so that people may have greater access to the State's beaches.

As affirmed by the record of votes of 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. 3377, S.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. 2836 Judiciary on S.B. No. 2974

The purpose and intent of this measure is to:

- (1) Update the membership of the Advisory Committee on Pesticides to replace representatives from the sugar and pineapple industries with representatives of the coffee and diversified agriculture industries; and
- (2) Add a representative from the Hawaii Farmers Union United to the Advisory Committee on Pesticides.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Alliance for Progressive Action, Hawaii Farmers Union United, and one individual. Your Committee received comments on this measure from the Department of Agriculture and Hawai'i Farm Bureau.

Your Committee finds that while the sugar and pineapple industries were previously the major economic drivers in the State's economy, both industries have experienced a significant decline in economic and agricultural footprint. In comparison to historical data, there are fewer growers of both sugar and pineapple, leaving crucial seats on the Advisory Committee on Pesticides vacant. Updating the Advisory Committee on Pesticides composition to include current and emerging agricultural sectors such as coffee and diversified agriculture would allow for a greater pool of experts who represent various small and large growers of fruits, vegetables, and other commodities across the State.

Your Committee further finds that invasive pests, which include but are not limited to disease, insects, and plants, threaten agricultural practices in the State. While pesticides serve as one tool to allow the agricultural sector to remain viable in Hawaii, pesticide use can also become a much larger social, health, and welfare issue. To address the current state of agricultural pesticide use, this measure replaces members to reflect modern agricultural practices in the State, including adding a member who possesses knowledge and expertise on the health effects of pesticide use who will be able to provide insight on pesticide chemistry, pesticides with respect to public health, and pesticide efficacy.

As affirmed by the record of votes of 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. 2974, S.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. 2837 Judiciary on S.B. No. 2395

The purpose and intent of this measure is to:

- (1) Add coercive control and litigation abuse by a parent of a child to the list of factors to be considered by the court in determining what constitutes the best interest of the child when awarding custody and visitation rights to individuals in actions for divorce, separation, annulment, separate maintenance, or any other proceeding where there is at issue a dispute as to the custody of a minor child; and
- (2) Define “coercive control” and “litigation abuse”.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Democratic Women’s Caucus, Hawai‘i State Coalition Against Domestic Violence, and one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that abuse between family or household members takes many forms, including coercive control which is often part of the cycle of domestic violence. Your Committee further finds that when child custody is under consideration, courts should be aware that coercive control is a tactic that has been used by persons to harm and exploit their partner and children’s wellbeing. When courts are evaluating the best and safest way to issue custody orders, acts of coercive control should be included in the analysis. This measure will add coercive control as a factor for the court to consider in custody cases to ensure that children are placed in a safe and healthy environment.

As affirmed by the record of votes of 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. 2395, S.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. 2838 Judiciary on S.B. No. 2780

The purpose and intent of this measure is to:

- (1) Update the list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting United States Citizenship and Immigration Services from the list; and
- (2) Update references to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including United States Customs and Border Protection.

Your Committee received testimony in support of this measure from the U.S. Department of Homeland Security Immigration and Customs Enforcement-Homeland Security Investigations, Department of the Attorney General, Department of Public Safety, Hawai‘i Police Department, and Honolulu Police Department.

Your Committee finds that federal law enforcement agencies greatly contribute to the safety and security of the State. Specifically, Immigration and Customs Enforcement-Homeland Security Investigations has always been a strong partner with state and county law enforcement agencies and has provided an immeasurable amount of support to enforcement in the State. This measure will promote enhanced collaboration between federal and state law enforcement counterparts and protect national security, prevent crimes of exploitation, combat financial crimes, investigate cybercrime and other threats, and ensure public safety by granting limited arrest powers, pursuant to state law, to agents of United States Immigration and Customs Enforcement-Homeland Security Investigations.

As affirmed by the record of votes of 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. 2780 and recommends that it pass Third Reading.

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

SCRep. 2839 Judiciary on S.B. No. 2777

The purpose and intent of this measure is to:

- (1) Require pat downs and searches of female inmates be conducted by a female correctional facility employee unless the prisoner presents a risk of immediate harm to herself or others or risk of escape;
- (2) Prohibit male correctional facility employees from entering areas where female inmates may be in a state of undress including but not limited to restrooms, shower areas, or medical treatment areas, unless an inmate in the area presents a risk of immediate harm to herself or others or if there is a medical emergency in the area;

- (3) Require any prohibited search, pat down, or entry by a male correctional facility employee be documented within three days of the incident, reviewed by the warden, and retained by the institution for recordkeeping purposes;
- (4) Require the Department of Public Safety to increase its recruitment and training of female adult corrections officers to satisfy the requirements of female gender specific posts; and
- (5) Require the Department of Public Safety to make every effort within the law to address the concerns of the advocates, the requirements of the Prison Rape Elimination Act, and staffing shortages of female gender specific posts, as well as the hiring and training of female adult corrections officers.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons and two individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety and one individual.

Your Committee finds that male staff touching female inmates' bodies and viewing them undress is damaging, harmful, and traumatizing for incarcerated women. At least forty percent of incarcerated women suffer from posttraumatic stress disorder symptoms and almost ninety percent of incarcerated women have suffered from sexual violence. This measure will prevent the further traumatization of female inmates by requiring pat downs and searches of female inmates be conducted by a female correctional facility unless certain conditions are met, prohibiting male correctional facility employees from entering certain areas unless certain conditions are met, requiring any prohibited search, pat down, or entry by a male correctional facility be documented, and requiring the Department of Public Safety to increase its recruitment and training of female adult corrections officers.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2777, S.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. 2840 Judiciary on S.B. No. 2944

The purpose and intent of this measure is to prohibit the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal.

Your Committee received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Corp Improvement Association, CropLife America, Biotechnology Innovation Organization, and Hawai'i Alliance for Progressive Action.

Your Committee finds that prioritizing and preserving agricultural lands for agricultural production is essential to ensure that Hawai'i can achieve its food security and sustainability goals.

As affirmed by the record of votes of 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. 2944, S.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. 2841 Judiciary on S.B. No. 3140

The purpose and intent of this measure is to:

- (1) Require the holder of a controlled substances registration to immediately make a verbal report of the theft, embezzlement, fraud, or diversion of a controlled substance from the holder's inventory;
- (2) Require the submission of a written report to the administrator of the Narcotics Enforcement Division that provides all information related to the theft, embezzlement, fraud, or diversion of controlled substances in the holder's inventory; and
- (3) Establish a misdemeanor penalty for a person who prevents another from reporting, or who knowingly fails to report and provide information as required.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that in the past, the Department of Public Safety has encountered many instances where incidents of theft, embezzlement, fraud, and diversion of controlled substances were not reported in a timely manner. Frequently, such incidents involve licensed health care workers such as physicians and nurses who work in large health care companies in Hawai'i. The Department of Public Safety has found significant reluctance in health care to report such incidents. Your Committee further finds that the Department of Public Safety has similarly experienced reluctance to provide reports and security videos related to incidents of theft, embezzlement, fraud, and diversion of controlled substances. The Department of Public Safety has also experienced many instances where incidents have occurred and the employers or company officials of the businesses involved have directed their employees and staff members not to report or cooperate in the Department of Public Safety's investigations. This measure will help the Department of Public Safety to reduce incidents of theft, fraud, embezzlement, or diversion of controlled substances by requiring the holder of a controlled substances registration to immediately issue a verbal report and a subsequent written report of any theft, embezzlement, fraud, or diversion of controlled substances and by establishing a misdemeanor penalty for a person who prevents another from reporting, or who knowingly fails to provide information as required.

As affirmed by the record of votes of 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. 3140, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2842 Judiciary on S.B. No. 3141

The purpose and intent of this measure is to update the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in federal controlled substances law as required by section 329-11, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that section 329-11, Hawaii Revised Statutes, provides that if a substance is added, deleted, or rescheduled by an emergency scheduling action taken by the Department of Public Safety or under federal law, then the Department of Public Safety shall recommend to the Legislature to make the corresponding changes in Hawaii law. In 2021, the Department of Public Safety temporarily designated many new controlled substances pursuant to section 329-11, Hawaii Revised Statutes, and those substances are listed in this measure. Your Committee further finds that this measure amends chapter 329, Hawaii Revised Statutes, to mirror recent changes to the federal Controlled Substances Act, thereby eliminating differences between federal and state law and avoiding nullification of the controlled substances that were temporarily designated in 2021. This measure will prevent the nullification of the Department of Public Safety's temporary designation of new controlled substances by updating chapter 329, Hawaii Revised Statutes, to incorporate amendments made to the federal Controlled Substances Act.

As affirmed by the record of votes of 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. 1, and recommends that it pass Third Reading.

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

SCRep. 2843 Judiciary on S.B. No. 2587

The purpose and intent of this measure is to require the Youth Commission to appoint an Executive Director.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network. Your Committee received comments on this measure from the Department of Human Services and Office of Youth Services.

Your Committee finds that Act 106, Session Laws of Hawaii 2018, established a Youth Commission to advise the Governor and Legislature on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the youth of the State. There are many commissions that appoint their own executive director. Allowing the Youth Commission to appoint an executive director will provide the Youth Commission with the autonomy to select an individual that they believe will best represent them.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2587, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2587, S.D. 1.

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

SCRep. 2844 Judiciary on S.B. No. 2343

The purpose and intent of this measure is to allow cases within the jurisdiction of the Intermediate Court of Appeals involving a judgment, order, or decree of a family court that affect the custody of a child or minor, including involuntary termination of parental rights, to be transferred to the Supreme Court.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that appeals involving the custody of children must be decided in a timely fashion. Unfortunately, there have been delays in numerous child custody cases. This measure will expedite the disposition of appeals from family court decisions by allowing appeals to the Intermediate Court of Appeals to be transferred to the Supreme Court.

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

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

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

SCRep. 2845 Judiciary on S.B. No. 2913

The purpose and intent of this measure is to:

- (1) Require a retail establishment with an employee toilet facility to allow a customer suffering from an eligible medical condition to use that restroom during normal business hours, under certain conditions;
- (2) Exempt a retail establishment and employees from civil liability in allowing an eligible customer to use an employee toilet facility; and
- (3) Establish fines.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, and one individual. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Hawaii Association for Justice.

Your Committee finds that people who suffer from certain diseases such as inflammatory bowel disease and Crohn's disease often need urgent and sudden access to a toilet facility. Irritable bowel disease is an invisible disability, but many sufferers feel housebound because of the need to be near a restroom. This measure would allow those individuals more freedom and would not create any additional costs to businesses.

Your Committee notes that a retail establishment's duty of care owed to its employees is negligence. Accordingly, your Committee has amended this measure by clarifying that a retail establishment shall not be civilly liable for damages arising from any act or omission in allowing a customer that has an eligible medical condition to use an employee toilet facility that is not a public restroom; provided that the act or omission is not negligent.

As affirmed by the record of votes of 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. 2913, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2913, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2846 Commerce and Consumer Protection on S.B. No. 2986

The purpose and intent of this measure is to:

- (1) Remove certain duplicative regulations imposed on hemp producers in the State;
- (2) Allow hemp producers to sell biomass directly to consumers; and
- (3) Require that hemp produced in the State be labeled as Hawaii produced and that hemp produced outside the State be labeled with the appropriate origin.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Kauai Hemp Company, Hawai'i Farmers Union United, UpCountry Doctor, Hawai'i Hemp Farmers Association, Hawai'i Hemp Farmers Center, Earth Matters Hemp, South Maui Gardens, Hawai'i Royal Hemp, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General; Khandro Farm; Plumeria Plantation Ag Enterprise, LLC; Omaopio Piliwale Ohana; and two individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Health.

Your Committee finds that existing law requires hemp growers in the State to be regulated by both the Hawai'i Department of Agriculture and the United States Department of Agriculture (USDA). However, the USDA already requires extensive record keeping and crop testing and covers necessary inspections. This duplicative regulation by both the State and the USDA can create undue administrative burdens, and this measure would eliminate certain costly double regulations.

Your Committee notes the concerns raised in testimony that the possession of raw hemp flower is prohibited unless the possessor is a licensed hemp producer or processor. Existing state law therefore requires hemp producers to report any transportation of raw hemp flower to the Hawai'i Department of Agriculture. Removing this requirement could be problematic for law enforcement, as there would be no way of knowing if the shipment contains legal hemp, or illegal marijuana, without having to confiscate and test the shipment. The current system was enacted to ensure hemp producers have documentation showing that the shipments are hemp. Accordingly, amendments to this measure are necessary to address this concern.

Your Committee has amended this measure by:

- (1) Reinstating certain existing statutory language in subsection 141-42(b), Hawaii Revised Statutes, to clarify that an individual or entity may transport hemp within the State to an authorized facility or to another licensed producer's grow area, provided that certain USDA testing requirements have been met and the transportation has been reported to the Hawai'i Department of Agriculture;
- (2) Inserting language to clarify that hemp producers licensed by the USDA to grow hemp shall follow all inspection and sampling rules and protocols established by the USDA and that no other inspections or sampling by the State shall be required and the State shall not issue penalties unless the hemp producer is growing hemp without a license issued by the USDA;
- (3) Amending the definition of "hemp processor" to mean a person processing hemp to manufacture a hemp product, except for a person licensed by the USDA to grow hemp in the State and produces less than six hundred pounds of dry hemp per year;
- (4) Inserting language to amend Act 14, Session Laws of Hawaii 2020, to extend the repeal date to July 1, 2027; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2986, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2986, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2847 Commerce and Consumer Protection on S.B. No. 3057

The purpose and intent of this measure is to:

- (1) Amend the definition of “renewable portfolio standard” to be a percentage of electrical energy generation, rather than sales; and
- (2) Require electric utility companies to track and annually report data and trends on customer retention and attrition to further inform the calculation of renewable portfolio standards.

Your Committee received testimony in support of this measure from the Hawai‘i State Energy Office; Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Public Utilities Commission; Climate Protectors Hawai‘i; Ulupono Initiative; Recycle Hawai‘i and Clean the Pacific; Kauai Climate Action Coalition; Hawai‘i Clean Power Alliance; Kauai Women’s Caucus; 350 Hawai‘i; and eight individuals. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company.

Your Committee finds that existing law contains a “loophole” that could allow the State to technically achieve one hundred percent renewable portfolio standards, but still have a significant contribution from fossil-fueled generation sources, due to the definition of “renewable portfolio standard”, which is based on sales rather than generation. At the time the existing law was enacted, the formula used to calculate the renewable energy percentage did not accurately capture the amount of renewable energy on the system and allows for greater use of fossil fuels than intended. Accordingly, this measure amends the calculation to be consistent with public’s understanding and addresses the increasing concerns over continued reliance on imported fossil fuels.

Your Committee notes the concerns raised in testimony that this measure may penalize an electric utility company whose customers choose to generate their own electricity through fossil fuels, as customer-sited fossil fuel generation would count towards total generation, thus making it impossible for certain electric utility companies to achieve one hundred percent renewable portfolio standards in this circumstance or other events beyond an electric utility company’s control. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Amending the definition of “renewable portfolio standard” to exclude customer-sited, grid connected generation that does not produce renewable energy;
- (2) Clarifying events or circumstances that are beyond an electric utility company’s reasonable control to include non-renewable energy generated by electric generation facilities where the electric utility otherwise does not have direct control or ownership of independent power producers, government and non-government agencies, and any persons or entities, including merchant or co-generation facilities;
- (3) Inserting language to require electric utility companies to make every reasonable effort to ensure that independent producers connected to the grid are converting to renewable resources by July 1, 2027, including but not limited to providing not more than five-year contracts for the producers to connect to the grid; provided that, if a producer cannot or will not convert to renewable resources, the electric utility company shall not renew its contract with the producer;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3057, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3057, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

SCRep. 2848 Commerce and Consumer Protection on S.B. No. 3107

The purpose and intent of this measure is to:

- (1) Allow a landlord, when processing an application to rent residential property, to charge an application screening fee up to a maximum of \$25 for the cost of requesting a tenant report or credit report for a potential tenant; and
- (2) Require landlords to refund any unused amount of the application screening fee and, upon request, provide a receipt of the fee and a copy of any report obtained via the screening process to the applicant.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Commerce and Consumer Affairs, State Council on Developmental Disabilities, Governor’s Coordinator on Homelessness, Partners in Care, Institute for Human Services, Catholic Charities Hawai‘i, HOPE Services Hawai‘i, and one individual. Your Committee received testimony in opposition to this measure from the Hawai‘i Association of REALTORS and one individual.

Your Committee finds that existing law does not specifically regulate the nature and amount of application fees that landlords may charge prospective tenants. Additionally, it is not uncommon for landlords to charge application fees that do not correlate with the actual costs to obtain background and credit checks. For certain low-income individuals or those with multigenerational households, application costs can create a significant barrier to obtaining affordable housing, with no guarantee that they will be accepted. This measure therefore provides a balance between tenants and landlords in the application process.

Your Committee has amended this measure by:

- (1) Clarifying that a landlord may charge an application fee at the time that an application is processed; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3107, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3107, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

SCRep. 2849 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2124

The purpose and intent of this measure is to:

- (1) Enhance the control of low-frequency noise emitted from establishments regulated by county liquor commissions by setting a maximum permissible noise level in dBC measurements;
- (2) Clarify that emission of noise that exceeds the maximum permissible noise level constitutes a noise violation;
- (3) Allow noise violations to be enforced by summons or citation issued by law enforcement officers;
- (4) Allow county liquor commissions to adopt rules to issue fines for noise violations; and
- (5) Allow county liquor commissions to take certain remedial actions with respect to violations of noise laws.

Your Committees received testimony in support of this measure from the Chinatown Gateway Plaza Tenant Association and five individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that all citizens have a right to a healthful and peaceful environment. Your Committees further find that quiet is an increasingly rare commodity and is constantly under siege from a wide range of sources. One source of excessive noise pollution is business establishments that serve alcohol, such as restaurants, bars, and night clubs that are in close proximity to residential areas. Accordingly, this measure will promote the health and well-being of all members of the public by establishing a comprehensive regulatory and enforcement scheme for noise pollution emitted by establishments that are subject to regulation by a county liquor commission.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2124, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2124, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Nishihara, Riviere).
Judiciary: Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2850 Ways and Means on S.B. No. 91

The purpose and intent of this measure is to increase transparency of the University of Hawaii by requiring detailed reporting about the use of special fund moneys.

Specifically, this measure:

- (1) Specifies that the annual report on the various special funds of the University of Hawaii shall contain information on the expenditures from each special fund for salaries, maintenance of buildings and grounds, utilities, general office expenses, and implementation of information technology policies, along with information on any transfers into and out of each of those special funds; and
- (2) Beginning with the 2023 Regular Session, requires the University of Hawaii to submit a new annual report to the Legislature, twenty days prior to the convening of each session, on expenditures from the Hawaii Cancer Research Special Fund for salaries, maintenance of buildings and grounds, utilities, general office expenses, and implementation of information technology policies, along with information on any transfers into and out of the special fund.

Your Committee received written comments in opposition to this measure from the University of Hawaii.

Your Committee finds that the additional information required for public disclosure by this measure will help to increase the public's understanding of how certain government funds are expended and the public's confidence in governmental functions.

Your Committee has amended this measure to clarify that the Cancer Research Center's annual reporting requirement will take effect upon the approval of the measure, rather than beginning in 2023.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 91, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 91, S.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Taniguchi). Noes, none. Excused, none.

SCRep. 2851 Ways and Means on S.B. No. 1346

The purpose and intent of this measure is to increase from \$30 to \$50 the amount of compensation paid to a juror or prospective juror for each day of court attendance.

Your Committee received written comments in support of this measure from the Judiciary and two individuals.

Your Committee finds that the last increase in juror compensation occurred in 1986, and that the increase provided by this measure is an acknowledgment of the sacrifices made by jurors and prospective jurors in the performance of their civic duty.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1346, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1346, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2852 Ways and Means on S.B. No. 2035

The purpose and intent of this measure is to help provide guidelines to balance tourism in the State with the management of the State's natural resources and the well-being of Hawaii's communities.

Specifically, this measure:

- (1) Adds various concepts of regenerative tourism to the State Planning Act; and
- (2) Requires the Hawaii Tourism Authority to prepare and update the Tourism Functional Plan.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority and Office of Planning and Sustainable Development.

Your Committee finds that incorporating regenerative tourism into the visitor industry objectives of the State Planning Act will help to emphasize the State's commitment to a sustainable economic recovery.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2035, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2035, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2853 Ways and Means on S.B. No. 2075

The purpose and intent of this measure is to require the Hawaii Tourism Authority to include performance-based incentives for certain contracts.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority and Maui Chamber of Commerce.

Your Committee finds that requiring the Hawaii Tourism Authority to include performance-based incentives in its marketing and branding contracts will help to ensure the efficient and effective use of the State's limited resources for marketing Hawaii as a visitor destination.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2075, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2075, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2854 Ways and Means on S.B. No. 2081

The purpose and intent of this measure is to establish the Department of Education Commercial Enterprises Revolving Fund to accept the deposit of revenues from commercial enterprises at public schools and to provide guidelines for the expenditure of those moneys.

Your Committee received written comments in support of this measure from the Department of Education and Chamber of Commerce Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that commercial enterprises at public schools provide students with real-world learning experiences and generate revenue for the schools. Your Committee further finds that this measure will help to remove barriers and restrictions associated with generating those revenues so that those moneys may be expended to improve student learning experiences.

Your Committee has amended this measure by:

- (1) Deleting the provision authorizing the Department of Education to transfer excess funds to the general benefit of the department;
- (2) Adding a provision authorizing the Department of Education to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, governing expenditure of the revenues deposited in the revolving fund;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2081, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2081, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2855 Ways and Means on S.B. No. 2169

The purpose and intent of this measure is to appropriate moneys to fund the operating expenses of the four Hawaii food banks contracted by the Office of Community Services to administer The Emergency Food Assistance Program in each of the State's counties.

Your Committee received written comments in support of this measure from the City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Hawaii Health and Harm Reduction Center; Hawaii Medical Service Association; Parents And Children Together; United Public Workers, AFSCME Local 646; Hawaii Primary Care Association; Hawaii Food Industry Association; Hawaii Hunger Action Network; Hawaii Foodbank; AlohaCare; Hawaii Farm Bureau; Ulupono Initiative; Kaiser Permanente; and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that one out of every six state residents, including one out of every four children, faces food insecurity. Your Committee recognizes that Hawaii's food banks provide food to the needy through donations and federal programs. However, as funding from these sources has declined, the State must ensure that there are sufficient funds to continue to meet the food security needs of its residents.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$2,000,000 to an unspecified amount to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2169, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2169, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2856 Ways and Means on S.B. No. 2188

The purpose and intent of this measure is to strengthen the State's workforce by establishing a Workforce Readiness Program.

More specifically, the measure:

- (1) Establishes a Workforce Readiness Program within the Department of Education's Community School for Adults program and requires the Department to designate schools to participate in the Workforce Readiness Program;
- (2) Authorizes the Department of Education to coordinate with the Department of Labor and Industrial Relations and the Division of Vocational Rehabilitation of the Department of Human Services, and to contract with industry employers to develop and implement the Workforce Readiness Program; and
- (3) Appropriates moneys for the Community School for Adults primary campuses and associated satellite sites to implement the Workforce Readiness Program, and for additional staffing at the primary campuses.

Your Committee received written comments in support of this measure from the Department of Education, McKinley Community School for Adults, McKinley Community School for Adults-Moanalua Campus, McKinley Community School for Adults-Maui Campus, McKinley Community School for Adults-Kauai Campus, Waipahu Community School for Adults, Waipahu Community School for Adults-Wahiawa Campus, Hawaii State Teachers Association, Workforce Development Council, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Workforce Readiness Program established by this measure will prepare more Hawaii residents to enter the workforce by providing opportunities for students to earn workforce development diplomas, pre-apprenticeship certificates, or other certificates recognized by industry employers that assess and document readiness for a wide range of jobs.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2188, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2188, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 2857 Ways and Means on S.B. No. 2478

The purpose and intent of this measure is to promote the development of renewable fuels production.

More specifically, this measure reinstates the renewable fuels production tax credit.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Alliance for Automotive Innovation, Biotechnology Innovation Organization, Hawaii Clean Power Alliance, Hawaii Gas, Simonpietri Enterprises, and six individuals.

Your Committee received written comments in opposition to this measure from the Climate Protectors Hawaii, Pet Food Institute, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

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

Your Committee further finds that Act 202, Session Laws of Hawaii 2016, established a renewable fuels production tax credit for the purpose of achieving greater energy security for Hawaii. However, the tax credit was repealed on December 31, 2021.

Your Committee has amended this measure by:

- (1) Changing all references to the "Department of Business, Economic Development, and Tourism" and the "Director of Business, Economic Development, and Tourism" to the "Hawaii State Energy Office" and the "Chief Energy Officer of the Hawaii State Energy Office", respectively;
- (2) Extending the credit period from five years to ten years;
- (3) Authorizing a taxpayer claiming the tax credit to receive a refund for excess credit amounts if the taxpayer agrees to reduce the amount of the tax credit;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2478, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2478, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2858 Ways and Means on S.B. No. 2570

The purpose and intent of this measure is to promote the use of zero-emission vehicles.

More specifically, this measure:

- (1) Renames Hawaii's Electric Vehicle Charging System Rebate Program to the Zero-Emission Vehicle Infrastructure Rebate Program;
- (2) Makes the installation and upgrade of hydrogen refueling stations eligible for participation in the Zero-Emission Vehicle Infrastructure Rebate Program;
- (3) Establishes the rebate amount for the installation or upgrade of a hydrogen refueling station at \$200,000;
- (4) Limits the rebate to hydrogen refueling stations that do not store and dispense hydrogen fuel produced using fossil fuels; and
- (5) Increases the spending cap of the Zero-Emission Vehicle Infrastructure Rebate Program from \$500,000 to \$700,000 per fiscal year.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Alliance for Automotive Innovation, Hawaii Automobile Dealers Association, Hawaii Hydrogen Alliance, Servco Pacific, Ulupono Initiative, and one individual.

Your Committee received written comments in opposition to this measure from 350Hawaii, Aloha Charge, Big Island Electric Vehicle Association, Climate Protectors Hawaii, Hawaii Electric Vehicle Association, KauaiEV, Maui Nui EV, and eighteen individuals.

Your Committee received written comments on this measure from the Public Utilities Commission and Hawaii Energy.

Your Committee finds that limited access to fueling stations is a significant barrier to the use of zero-emission vehicles. Your Committee also finds that broadening the scope of the existing Electric Vehicle Charging System Rebate Program to explicitly incorporate hydrogen refueling stations would serve to further the State's energy policy objectives.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2570, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2570, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2859 Ways and Means on S.B. No. 2588

The purpose and intent of this measure is to provide funding to assist with the care and maintenance of public housing units in the State.

More specifically, the measure appropriates moneys to the Hawaii Public Housing Authority to remodel, renovate, repair, and rehabilitate two hundred sixty-four housing units.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the appropriation made by this measure will provide the Hawaii Public Housing Authority with much-needed funds for the repair, maintenance, and modernization of its aging public housing properties and for federally mandated accessibility improvements to these properties.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$25,445,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2588, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2588, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2860 Ways and Means on S.B. No. 2641

The purpose and intent of this measure is to appropriate moneys for residential programs, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, that allow minor children to remain with their mothers.

Your Committee received written comments in support of this measure from the Judiciary, Community Alliance on Prisons, Hawaii Health and Harm Reduction Center, Women's Prison Project, and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Public Safety.

Your Committee finds that the majority of the State's incarcerated women have children. Your Committee also finds that because the incarceration of mothers results in separation from their children, there is a risk that the children will suffer from trauma and eventually become incarcerated themselves. Accordingly, your Committee believes that funding a program that allow minors to remain with their mothers during the mothers' program participation will help avoid these negative outcomes.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$200,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2641, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2641, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2861 Ways and Means on S.B. No. 2806

The purpose and intent of this measure is to make an appropriation from the State's general revenues to the Hawaii Technology Development Corporation for the Hawaii small business innovation research program.

Your Committee received written comments in support of this measure from the University of Hawaii; Hawaii Technology Development Corporation; Shifted Energy; Sweet Brown Hawaii; Small Kine Farm; Hyperspective Studios, Inc.; KYD, Inc.; Diamond Bakery Co., Ltd.; Purple Maia Foundation; Hawaii Food Industry Association; Referentia Systems, Inc.; Makai Ocean Engineering, Inc.; 3D Innovations; Experiad Solutions; Hawaii Fish Company Inc.; Nalu Scientific, LLC; Mana Up; VisSidus Technologies, Inc.; Chamber of Commerce Hawaii; Maui Chamber of Commerce; Hawaii Venture Capital Association; and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Oceanit Laboratories, Inc.

Your Committee recognizes that the Hawaii Technology Development Corporation supports initiatives that promote technology and manufacturing jobs. Your Committee finds that since 1989, the Hawaii Technology Development Corporation has been providing grants to qualifying companies through the small business innovation research program. Your Committee believes that the grant program provides positive economic development value for the State.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$1,500,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2806, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2806, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2862 Ways and Means on S.B. No. 2821

The purpose and intent of this measure is to require that menstrual products be provided to all students free of charge on all public school and public charter school campuses.

Your Committee received written comments in support of this measure from the Department of Education, Department of Human Services, Hawaii State Public Charter School Commission, AAUW of Hawaii, Achieve Zero, Alliance for Period Supplies, Community Alliance on Prisons, Democratic Party of Hawaii Education Caucus, Hawaii Children's Action Network Speaks!, Hawaii Diaper Bank, Hawaii Health and Harm Reduction Center, Hawaii Public Health Institute, Hawaii State Democratic Women's Caucus, Hawaii State Teachers Association, Hawaii Women Lawyers, Hawaii Women's Coalition, Hawaii Youth Services Network, Hoola Lahui Hawaii, Ilima Intermediate School Activist Club & Rainbow Royales GSA Club, Kamehameha Schools, Mai Movement Hawaii, Parents and Children Together, PHOCUSED, Planned Parenthood Alliance Advocates, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawaii, Zonta Club of Kauai, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Common Cause Hawaii.

Your Committee finds that chronic absenteeism due to inadequate menstruation management is an avoidable detriment to a student's success, including a student's ability to engage in instructional activities. Accordingly, your Committee believes that the provision of free menstrual products to public school and public charter school students will help these students stay in class and engage in instructional activities.

Your Committee has amended this measure by:

- (1) Including clarifying information regarding Mai Movement Hawaii's Hoohanohano Initiative;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2821, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2821, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2863 Ways and Means on S.B. No. 2834

The purpose and intent of this measure is to improve ground transportation in the State.

More specifically, this measure:

- (1) Renames the State Highway Safety Council the Transportation Safety and Modernization Council and amends the Council's duties and membership; and
- (2) Requires the Department of Transportation to provide to the Council information on ground transportation plans and projects and any other relevant information.

Your Committee received written comments in support of this measure from Hawaii Bicycling League, Hawaii Public Health Institute, Ulupono Initiative, and one individual.

Your Committee received written comments on this measure from the Department of Health, Department of Transportation, and Hawaii State Energy Office.

Your Committee finds that this measure will increase the input of relevant stakeholders, thus ensuring that the State's transportation infrastructure and investments better serve the modern transportation needs of all residents of the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Chief Energy Officer of the Hawaii State Energy Office shall serve as a member of the Transportation Safety and Modernization Council;
- (2) Clarifying that the Council shall advise the Governor, Legislature, and public on, among other things, plans of the State in the field of transportation safety and modernization; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2834, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2834, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2864 (Majority Ways and Means on S.B. No. 2070)

The purpose and intent of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist Hawaiian Legacy Reforestation Initiative, LLC.

Your Committee received written comments in support of this measure from Damien Memorial School, DLA Strategies, Menpachi Video Productions, Hawaiian Legacy Reforestation Initiative, and five individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Office of Planning and Sustainable Development.

Your Committee finds that the proposed issuance of special purpose revenue bonds are intended to assist Hawaiian Legacy Reforestation Initiative, LLC, with environmentally-friendly purposes, including the generation of a sustainable model of endemic reforestation, that constitute a project as defined in part IV, chapter 39A, Hawaii Revised Statutes. Your Committee also finds that this project is in the public interest and for the public health, safety, and general welfare.

Your Committee has amended this measure by:

- (1) Changing the amount of the bond authorization from \$50,000,000 to an unspecified amount;
- (2) Correcting a reference to the business structure of Hawaiian Legacy Reforestation Initiative, LLC;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2070, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2070, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2865 Ways and Means on S.B. No. 2357

The purpose and intent of this measure is to extend an authorization to issue special purpose revenues bonds to assist MauiGrown, Inc. with its expanded operation of a coffee farm and mill.

Your Committee received written comments in support of this measure from the Department of Agriculture; Hawaii Coffee Association; MauiGrown Coffee, Inc; Hawaii Farm Bureau; and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that Act 116, Session Laws of Hawaii 2017, initially authorized the issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc., a Hawaii corporation, with the expanded operation of its coffee farm and mill in Puukolii, Maui. Your Committee notes that this authorization is scheduled to lapse on June 30, 2022. Your Committee believes that with the

threat of the coffee berry borer and coffee leaf rust plaguing the coffee industry, extending the bond issuance authorization will help MauiGrown Coffee, Inc., incorporate best management practices to protect its valuable crop.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 29, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2357, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2357, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2866 Ways and Means on S.B. No. 2377

The purpose and intent of this measure is to establish a civil penalty for a failure to respond or reply within a timely manner to the Department of Taxation's correspondence or inquiry during an official inspection or examination of records.

Your Committee received written comments in support of this measure from the Department of Taxation.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that, during a state tax examination, auditors of the Department of Taxation will typically request that a taxpayer provide information and documents. If this information is not provided in a timely manner, the auditors may need to make assessments based on the best available information, which may result in the use of arbitrary or inaccurate assumptions. Your Committee believes that this measure will provide the Department of Taxation with tools and resources to help promote taxpayer compliance and efficient tax administration.

Your Committee has amended this measure by:

- (1) Adding a savings clause; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2377, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2377, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2867 Ways and Means on S.B. No. 2390

The purpose and intent of this measure is to provide funding to the Judiciary for one additional Intermediate Court of Appeals associate judge position and for additional support staff positions.

Your Committee received written comments in support of this measure from the Judiciary, Hawaii State Bar Association, Appellate Section of the Hawaii State Bar Association, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure's provision of funding for an additional associate judge and support staff for the additional judge will allow the Intermediate Court of Appeals to resolve a greater number of appeals within a shorter time frame and significantly assist the court's efforts to reduce its backlog of appeals.

Your Committee has amended this measure by:

- (1) Changing all appropriation amounts to unspecified amounts; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2390, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2390, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Kidani). Noes, none. Excused, none.

SCRep. 2868 Ways and Means on S.B. No. 2510

The purpose and intent of this measure is to facilitate the use of renewable energy within the State.

Specifically, the measure:

- (1) Appropriates moneys for the Office of Planning and Sustainable Development to update the state energy plan;

- (2) Establishes a state energy policy that requires at least fifty-five percent of renewable energy to be generated by firm renewable energy and for renewable energy to replace fossil fuel energy and achieve one hundred percent renewable energy generation;
- (3) Requires the State to maintain a diversified renewable energy portfolio;
- (4) Amends various statutory provisions to achieve at least fifty-five percent firm renewable energy generation for each island; and
- (5) Appropriates moneys for the Hawaii Natural Energy Institute to conduct a study to update the minimum percentage of firm renewable generation for each island and the maximum proportion of any one renewable energy source on each island.

Your Committee received written comments in support of this measure from Pacific Biodiesel Technologies, Hawaii Clean Power Alliance, and fifty-eight individuals.

Your Committee received written comments in opposition to this measure from the Hawaii State Energy Office; Climate Protectors Hawaii; Tawhiri Power, LLC; 350Hawaii; and two individuals.

Your Committee received written comments on this measure from the University of Hawaii, Department of Budget and Finance, Office of Planning and Sustainable Development, Hawaiian Electric, and two individuals.

Your Committee finds that as the State is committed to achieving its goal of using one hundred percent renewable energy by 2045, the State needs to take steps to implement climate-friendly clean energy, self-sufficiency, and sustainability. Your Committee therefore believes that it is vital for the State to pursue a diverse array of renewable energy sources.

Your Committee has amended this measure by:

- (1) Replacing the definition of the term “intermittent renewable energy”, which does not appear in the new statutory language proposed by the measure, with a definition of the term “intermittent renewable generation”;
- (2) Clarifying the deadline for the Hawaii Natural Energy Institute’s study; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2510, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2510, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2869 Ways and Means on S.B. No. 2615

The purpose and intent of this measure is to include representatives of the islands of Molokai and Lanai on the Board of Agriculture.

Your Committee received written comments in support of this measure from the Department of Agriculture, a member of the Maui County Council, and one individual.

Your Committee recognizes that each of the State’s islands has different water resources, and therefore faces different agricultural issues. Accordingly, your Committee believes that the interest of the respective agricultural communities on Molokai and Lanai would be best served by representation on the Board of Agriculture.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2615, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2615, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2870 Ways and Means on S.B. No. 2996

The purpose and intent of this measure is to appropriate moneys to the Department of Land and Natural Resources for the research, extension, and control of the little fire ant and other harmful ant species.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Daifukuji Soto Mission; Wakefield and Sons, Inc.; Stop LFA Kohala; Manowaiopae Excellent Adventure Farm; Hawaii Farm Bureau; Coordinating Group on Alien Pest Species; Mauna Kea Cacao, LLC; Hawaii Pest Control Association; and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that providing funding to control little fire ants and other invasive ant species is critical to mitigating the negative impacts of the species on the State’s agriculture, environment, and economy.

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 facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2996, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2996, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Taniguchi).

SCRep. 2871 Ways and Means on S.B. No. 3004

The purpose and intent of this measure is to promote the use of compost in the State, and thus reduce food waste, by establishing a permanent compost reimbursement program.

More specifically, the measure:

- (1) Establishes within the Department of Agriculture a compost reimbursement program to provide cost reimbursements to farming operations for up to fifty percent of the costs incurred for the purchase of compost;
- (2) Establishes a full-time, permanent compost reimbursement program manager position;
- (3) Requires the Department of Agriculture to submit an annual report to the Legislature; and
- (4) Appropriates moneys for establishment of the compost reimbursement program and program manager position.

Your Committee received written comments in support of this measure from the Department of Agriculture, Kauai Climate Action Coalition, Malama Kauai, Hawaii Farmers Union United, Hawaii Farm Bureau, Climate Protectors Hawaii, Hawaii Alliance for Progressive Action, Green Party Hawaii, Hawaii Food+ Policy, Pele Lani Farm LLC, and more than twenty individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the financial assistance provided through the compost reimbursement program established by this measure will support local agriculture by helping to defray operational costs incurred by farmers and ranchers and, at the same time, encourage the environmentally friendly practice of composting.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3004, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3004, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Taniguchi).

SCRep. 2872 Ways and Means on S.B. No. 3121

The purpose and intent of this measure is to establish within the disability and communication access board special fund an accessible parking special account.

More specifically, this measure:

- (1) Establishes within the disability and communication access board special fund the accessible parking special account;
- (2) Requires that all costs associated with the statewide parking program for persons with disabilities be paid using moneys appropriated from the accessible parking special account of the disability and communication access board special fund;
- (3) Requires the disability and communication access board to administer the special account;
- (4) Requires that \$1 from each annual motor vehicle registration fee be deposited into the special account; and
- (5) Increases from \$45 to \$46 the annual vehicle registration fee.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that an accessible parking special account within the disability and communication access board special fund is an appropriate funding mechanism for the parking program for persons with disabilities. Your Committee also finds that the special account will enable the program to be more self-sufficient.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3121, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3121, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2873 Ways and Means on S.B. No. 3194

The purpose and intent of this measure is to facilitate the enforcement of fireworks laws.

Specifically, the measure:

- (1) Establishes and appropriates moneys for an adjudication system for processing fireworks infractions citations;
- (2) Increases fines and other penalties for certain fireworks violations;
- (3) Clarifies the elements that constitute a separate fireworks violation;
- (4) Authorizes the Sheriff Division of the Department of Public Safety to enforce the fireworks control law;
- (5) Requires the Attorney General to establish an explosion detection technology working group; and
- (6) Requires and appropriates moneys for the Department of Public Safety to develop and implement a web-based reporting tool for illegal fireworks.

Your Committee received written comments in support of this measure from the Hawaii State Fire Council, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Fire Department, Maui Fire and Public Safety Department, Hawaiian Humane Society, and three individuals.

Your Committee received written comments in opposition to this measure from the Honolulu Police Department and one individual.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and Judiciary.

Your Committee finds that the illegal fireworks task force, established pursuant to Act 170, Session Laws of Hawaii 2010, recommended that the Legislature consider increasing fireworks permit fees and violation fines to deter the use of illegal fireworks, decrease the supply of illegal fireworks in the State, and increase funding for prevention and enforcement efforts. Your Committee also finds that the State should pursue the use of certain technologies that have shown the potential to assist police departments in enforcing fireworks laws. Your Committee further finds that an alternative enforcement mechanism for fireworks infractions, similar to the system for processing traffic infractions, may expedite adjudication of fireworks offenses.

Your Committee has amended this measure by:

- (1) Correcting a statutory reference;
- (2) Authorizing designees of the Attorney General, the Chief of Police of Honolulu, and the Prosecuting Attorney of Honolulu to serve on the explosion detection technology working group, in lieu of their respective designators; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3194, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3194, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2874 Ways and Means on S.B. No. 3294

The purpose and intent of this measure is to provide transitional support for female offenders leaving prison.

More specifically, the measure appropriates moneys to the Department of Public Safety to fund participation in reentry planning circles for at least fifty incarcerated women.

Your Committee received written comments in support of this measure from the Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Women's Prison Project, Hawaii Health and Harm Reduction Center, and one individual.

Your Committee received written comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that offenders who participate in reentry planning circles before leaving prison have significantly lower rates of re-offending, and that the funding provided by this measure will allow a greater number of female inmates, their families, and prison staff to discuss and develop written transition plans for obtaining housing, employment, and other necessities after the inmates' release from incarceration.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$200,000 to an unspecified amount to facilitate further discussion on the measure; and
- (2) Making a technical nonsubstantive amendment for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3294, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3294, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2875 Ways and Means on S.B. No. 3357

The purpose and intent of this measure is to support the efforts of nonprofit organizations that serve Native Hawaiians.

Specifically, this measure appropriates funds to certain state departments to provide grants to nonprofit organizations that address issues facing the Native Hawaiian community.

Your Committee received written comments in support of this measure from the Hawaii Tourism Authority, Friends of Iolani Palace, Oahu Economic Development Board, Council for Native Hawaiian Advancement, and five individuals.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; and Department of Land and Natural Resources.

Your Committee finds that the grants provided under this measure address a broad range of issues faced by the Native Hawaiian community, including food sustainability, economic development, mitigation of tourism impacts, cultural training, repatriation and reburial of Native Hawaiians, and historic preservation.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3357, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3357, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2876 Ways and Means on S.B. No. 3379

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture for a ports-of-entry biosecurity program.

Your Committee received written comments in support of this measure from the Department of Agriculture, Department of Health, Department of Land and Natural Resources, Pacific Cooperative Studies Unit of the University of Hawaii's Coordinating Group on Alien Pest Species, Hawaii Farm Bureau, The Outdoor Circle, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that appropriating moneys for the continued operation of the ports-of-entry biosecurity program will help to prevent the introduction of invasive species into the State and protect the State's economy, natural resources, and public health.

Your Committee has amended this measure by:

- (1) Clarifying that the moneys are being appropriated out of the general revenues of the State that are appropriated for native resources and fire protection programs (LNR 402);
- (2) Changing the appropriation and allocation amounts to unspecified sums;
- (3) Changing the expending agency from the Department of Agriculture to the Department of Land and Natural Resources;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3379, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3379, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2877 Commerce and Consumer Protection on S.B. No. 2281

The purpose and intent of this measure is to:

- (1) Establish licensure requirements for school psychologists to be administered by the Board of Psychology;
- (2) Require all school psychologists to be licensed by July 1, 2025; and
- (3) Increase the composition of the Board of Psychology to include two school psychologists.

Your Committee received testimony in support of this measure from the Hawai'i Association of School Psychologists, Hawai'i State Teachers Association, Hui for Excellence in Education Coalition, and thirteen individuals. Your Committee received comments on this measure from the Department of Education, Board of Psychology, and the Hawai'i Psychological Association.

Your Committee finds that Hawai'i is the only state in the country without credentialing requirements for school psychologists. Statistically, students with special learning needs are at a higher risk for a number of negative outcomes. Your Committee therefore finds that licensure is important for all professionals who are entrusted to care for students and that specialized training and expertise should be required in the practice of psychology to ensure protection of the public.

Your Committee notes the concerns raised in testimony that school psychologists may benefit from having a separate regulatory board rather than being incorporated into the Board of Psychology. Amendments to this measure are therefore necessary to establish an interim framework for licensure, but to also provide an opportunity for the Department of Education to collaborate with the Board of Psychology to develop a permanent licensing scheme appropriate for school psychologists.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that, beginning January 1, 2023, no person shall engage in the practice of school psychology without having first obtained an interim license from the Board of Psychology;
- (2) Clarifying that a school psychologist shall meet the continuing education requirements by obtaining twenty-five credit hours, with not less than ten of those hours accredited by the National Association of School Psychologists annually;
- (3) Requiring the Board of Psychology and the Department of Education to collaborate to develop a permanent licensing scheme for school psychologists in the State and to submit a report to the Legislature of their findings and recommendations no later than twenty days prior to the convening of the regular session of 2023;
- (4) Inserting an effective date of July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection 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 Third Reading in the form attached hereto as S.B. No. 2281, S.D. 2.

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

SCRep. 2878 Ways and Means on S.B. No. 2621

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture to control the spread of bovine tuberculosis among livestock and feral ungulates on the island of Molokai.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and Hawaii Farm Bureau - Molokai Chapter.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that funding for the detection, containment, and suppression of bovine tuberculosis is essential to the State's food security efforts and for the survival of the State's cattle industry.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$500,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2621, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2621, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2879 Ways and Means on S.B. No. 2663

The purpose and intent of this measure is to alter the filing fee schedule for paternity actions by establishing an initial filing fee of \$100 and eliminating fees to file motions.

Your Committee received written comments in support of this measure from the Health Committee of the Democratic Party of Hawaii and one individual.

Your Committee finds that simplifying the filing fee schedule for paternity actions will help make the courtroom process more financially predictable and therefore less stressful for litigants.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2663, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2663, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2880 Ways and Means on S.B. No. 2740

The purpose and intent of this measure is to allow the Judiciary to compensate guardians ad litem for involuntary hospitalization and assisted community treatment petitions at a rate higher than provided for in existing statutory guidelines.

Your Committee received written comments in support of this measure from the Judiciary, Institute for Human Services, and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that guardians ad litem have an important role in supporting vulnerable persons during judicial proceedings. Allowing the Judiciary to compensate guardians ad litem at a higher rate will help the courts secure more representatives for persons being considered for involuntary hospitalization or assisted community treatment.

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 facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2740, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2740, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2881 (Majority) Ways and Means on S.B. No. 2752

The purpose and intent of this measure is to protect state ground water resources.

More specifically, this measure:

- (1) Establishes an income tax credit for taxpayers who are required to seal abandoned wells on their real property;
- (2) Requires sellers of real property to disclose the existence of wells on the property;
- (3) Requires an owner or prior owner of an abandoned well to repair or seal the well at their own expense; and
- (4) Appropriates funds for three full-time equivalent ground surveyor positions in the Commission on Water Resource Management.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee received written comments in opposition to this measure from the Hawaii Association of REALTORS.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that wells in a state of disuse or disrepair can become conduits for contaminants to be introduced into ground water. Abandoned wells can also become receptacles for the disposal of waste, potentially resulting in additional contamination and associated risk to public health and the environment. Your Committee further finds that the Commission on Water Resource Management has developed minimum standards relating to water wells, including their sealing and abandonment, in order to protect the quality and quantity of the State's ground water resources.

Your Committee has amended this measure by:

- (1) Adding a definition for the term "well";
- (2) Amending the appropriation by removing the language referring to ground surveyor positions and replacing it with language to fund the following positions in the Commission on Water Resource Management:
 - (A) Either:
 - (i) Two full-time equivalent (2.0 FTE) engineering technician positions; or
 - (ii) Two full-time equivalent (2.0 FTE) environmental health specialist positions; and
 - (B) One full-time equivalent (1.0 FTE) clerical position; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee notes the recommendation of your Committee on Water and Land that, should this measure continue to move through the Legislative process, the amount of the income tax credit be set at twenty-five percent of the qualified compliance costs incurred by the taxpayer, up to a maximum of \$20,000.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2752, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2752, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Fevella). Excused, none.

SCRep. 2882 Ways and Means on S.B. No. 2883

The purpose and intent of this measure is to convene, and appropriate moneys for, a task force to assist non-English speaking populations to receive care at health care facilities, by improving the hiring and training of interpreters and creating educational materials on preventative care and early intervention.

Your Committee received written comments in support of this measure from the Hawaii County Council; Hawaii Coalition for Immigrant Rights; Hawaii Public Health Institute; HI Coalition for Immigrant Rights; Kau Rural Health Community Association, Inc.; and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance, Hawaii Health Systems Corporation, and Office of Language Access.

Your Committee finds that this measure will help to bridge cultural and language gaps between health care providers and non-English speakers and ensure that all residents are able to access quality health care services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2883, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2883, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2883 Ways and Means on S.B. No. 2895

The purpose and intent of this measure is to assist the County of Hawaii with certain transportation improvement endeavors.

More specifically, this measure:

- (1) Requires the Department of Transportation to convene an intergovernmental task force to assist the County of Hawaii with certain transportation improvement endeavors;
- (2) Requires the Department of Transportation to provide the task force with a list of certain highway projects;
- (3) Requires the task force to submit a report to the Legislature; and
- (4) Dissolves the task force upon submittal of the report to the Legislature.

Your Committee received written comments in support of this measure from three members of the Hawaii County Council.

Your Committee received written comments in opposition to this measure from the Department of Transportation and one individual.

Your Committee finds that this measure will enable the development of solutions for a more efficient and effective transportation system in the County of Hawaii that meets the needs of the county's growing population.

Your Committee has amended this measure by:

- (1) Changing the dissolution date of the intergovernmental task force to June 30, 2023; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2895, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2895, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2884 Ways and Means on S.B. No. 2947

The purpose and intent of this measure is to promote diversified agriculture and agricultural self-sufficiency in the State.

Specifically, this measure:

- (1) Authorizes the Department of Agriculture to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure or improvements on any land over which the Department has jurisdiction; and
- (2) Establishes an agricultural enterprises program within the Department of Agriculture.

Your Committee received written comments in support of this measure from the Department of Agriculture, Ulupono Initiative, Local Food Coalition, Larry Jefts Farms LLC, Hawaii Farm Bureau, Land Use Research Foundation of Hawaii, Hawaii Crop Improvement Association, Hawaii Cattlemen's Council, and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that current law allows only limited ancillary agricultural enterprise activity on lands within the jurisdiction of the Department of Agriculture. Your Committee further finds that providing additional flexibility to the Department of Agriculture to allow for and encourage innovative agricultural enterprises could help the State attain its food sustainability and agricultural diversification goals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2947, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2947, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2885 Ways and Means on S.B. No. 2955

The purpose and intent of this measure is to facilitate the provision of compost to farmers and ranchers.

Specifically, the measure:

- (1) Requires the Department of Agriculture to implement a three-year compost reimbursement pilot program to provide reimbursements to farmers and ranchers who make qualifying purchases of compost;
- (2) Appropriates moneys for the pilot program, including moneys for a temporary manager; and
- (3) Requires the Department of Agriculture to submit to the Legislature a report on the pilot program.

Your Committee received written comments in support of this measure from the Department of Agriculture; a member of the Hawaii County Council; Malama Kauai; Hawaii Farmers Union United; Hawaii Farm Bureau; Climate Protectors Hawaii; Hydroponics Alternatives, LLC; Hawaii Alliance for Progressive Action; Green Party Hawaii; Food+ Policy Internship 2022; Pele Lani Farm, LLC; Growing Together Edible Landscaping; and twenty-three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that food waste accounts for twenty-five percent of all materials sent to landfills and is the second-largest component that enters a waste stream. Your Committee also finds that recycling food waste into compost has environmental benefits, including improved soil health, increased drought resistance, and reduction in the need for supplemental water, fertilizers, and pesticides. Accordingly, your Committee believes that the use of compost will help the State meet its goal of seventy percent waste stream reduction by 2025.

Your Committee has amended this measure by:

- (1) Changing the annual maximum reimbursement amount, the salary of the compost reimbursement pilot program manager, the appropriation for the pilot program, and the annual ceiling on expenditures for pilot program costs to unspecified amounts;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 2955, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2886 Ways and Means on S.B. No. 2969

The purpose and intent of this measure is to provide relief to farmers and ranchers in the State.

Specifically, this measure:

- (1) Establishes an agricultural emergency special fund; and
- (2) Appropriates moneys into and out of the agricultural emergency special fund.

Your Committee received written comments in support of this measure from the Department of Agriculture, Ulupono Initiative, Food+ Policy, Hawaii Farm Bureau, and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that climate change and economic difficulties impose additional hardships on struggling farm and ranch operations throughout the State. Your Committee further finds that the Department of Agriculture's emergency loan program has made thirty-one emergency loans, totaling \$2,300,000, over the last three years.

Your Committee has amended this measure by:

- (1) Clarifying that moneys from the repayment of loans funded by the agricultural emergency special fund shall be paid back into the special fund;
- (2) Changing the amount of general fund moneys being deposited into the agricultural emergency special fund from \$2,500,000 to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2969, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2969, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2887 Ways and Means on S.B. No. 2988

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture for the control and mitigation of the two-lined spittlebug and to fund recovery efforts for lands damaged by the pest.

Your Committee received written comments in support of this measure from the Department of Agriculture; Ulupono Initiative; Local Food Coalition; Ponoholo Ranch Limited; Larry Jefts Farms, LLC; Parker Ranch, Inc.; Hawaii Farm Bureau; Land Use Research Foundation of Hawaii; Ulupalakua Ranch, Haleakala Ranch; Barbed S. Ranch, LLC; and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the two-lined spittlebug is devastating to Hawaii's cattle industry and threatens the State's goals of food security and food self-sufficiency. Two-lined spittlebug infestations reduce the quality of forage and pastures by killing key forage species or reducing their nutritional value, palatability, and productivity. Your Committee recognizes that the mitigation and recovery efforts funded by this measure will help the State address an invasive species that directly affects local food production.

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 facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2988, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2988, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2888 Commerce and Consumer Protection on S.B. No. 2888

The purpose and intent of this measure is to allow cottage food operations to sell cottage food products, under certain conditions, upon receiving a permit from the Department of Health.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; Hawai'i Farm Bureau; Hawaiian Goodness, LLC; Every One Grows; Hawai'i Alliance for Progressive Action; Hawaii Food Industry Association; Sally Jane's Sweets and Savories; Institute for Justice; and six 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 Grassroot Institute of Hawaii.

Your Committee finds that there is great interest in small-scale cottage food operations in the State. These homemade food entrepreneurs are preferred by many consumers who are mindful about sourcing food responsibly, finding healthy eating options, and supporting their local community members who produce these foods. However, the State's existing regulatory framework creates numerous challenges for entrepreneurs, especially for those in rural areas who do not have access to commercial or certified kitchens. This measure allows cottage food operations to sell directly to consumers under certain conditions and upon approval by the Department of Health.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2888, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2888, S.D. 2.

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

SCRep. 2889 Commerce and Consumer Protection on S.B. No. 2017

The purpose and intent of this measure is to repeal section 453-34(d), Hawaii Revised Statutes, which limits licensure as an emergency medical technician 1 to individuals whose practice is performed in a county with a population of 500,000 or greater.

Your Committee received testimony in support of this measure from the State Fire Council. Your Committee received comments on this measure from the Hawaii Medical Board.

Your Committee finds that there are approximately one thousand four hundred emergency medical technicians in the State certified by the National Registry of Emergency Medical Technicians (NREMTs), which is the standard for educational requirements in most states. Over the past two years of the pandemic, NREMTs across the State have clearly demonstrated their value by providing an additional level of patient care and services, particularly in neighbor island communities where pre-hospital resources are not as abundant or centralized as they are on Oahu. This measure will, accordingly, expand licensure to all NREMTs throughout the State.

Your Committee has amended this measure by:

- (1) Clarifying that an “emergency medical technician 1” is an individual who is certified at a higher practice level than an emergency medical responder; and
- (2) Making a technical, nonsubstantive amendment for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2017, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2017, S.D. 1.

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

SCRep. 2890 Commerce and Consumer Protection on S.B. No. 3160

The purpose and intent of this measure is to establish the therapeutic psilocybin working group to examine the medicinal and therapeutic effects of psilocybin and develop a long-term strategic plan to ensure the availability of therapeutic psilocybin or psilocybin-based products that are safe, accessible, and affordable for adults twenty-one years of age or older.

Your Committee received testimony in support of this measure from the Oahu Economic Development Board; JW’s Mushrooms, Inc.; Clarity Project; Heroic Hearts Project; and thirty individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association and Hawaii Psychiatric Medical Association. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that psilocybin is a naturally-occurring chemical compound found in certain species of mushrooms that can activate serotonin receptors in the brain. There are now numerous studies that demonstrate the safety and efficacy of psilocybin as a treatment for a range of mental health conditions, including addiction, depression, anxiety disorders, and end-of-life psychological distress. Given Hawaii’s shortage of mental health professionals, it is essential for the State to fully examine all available treatment options. This measure establishes a working group to evaluate the medicinal and therapeutic effects of psilocybin and strategic plan to ensure safety of and access to psilocybin products.

Your Committee has amended this measure by:

- (1) Adding two physicians with specialties in substance abuse and psychiatry to the working group; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3160, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3160, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2891 Commerce and Consumer Protection on S.B. No. 3343

The purpose and intent of this measure is to:

- (1) Require importers of fireworks to obtain a license from the Harbors Division of the Department of Transportation or applicable county; and
- (2) Require annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society and one individual. 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 the State Fire Council, Honolulu Fire Department, and one individual.

Your Committee finds that the use of illegal fireworks in the State remains a concern for many communities. This measure would increase enforcement efforts to reduce the flow of illegal fireworks into the State by requiring certain importers to obtain a license from the Harbors Division of the Department of Transportation, rather than the applicable county.

Your Committee notes the concerns raised in testimony that this measure may create an additional and unnecessary administrative layer that would make it more difficult for those who are currently following the laws and legally importing fireworks. Additionally, redirecting license fees from the counties to the Department of Transportation may have a negative consequence on existing fireworks control programs implemented by the county fire departments to support inspections, inventory checks of storage facilities, training for

county auditors, and other education and enforcement efforts. Amendments to this measure are therefore necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriate county fire departments shall be authorized to issue licenses under chapter 132D, Hawaii Revised Statutes, rather than the Harbors Division of the Department of Transportation;
- (2) Reverting to existing statutory language for sections 132D-7, 132D-8, and 132D-8.6, Hawaii Revised Statutes, to clarify that the counties, rather than the Harbors Division of the Department of Transportation, shall have certain duties regarding licenses to import fireworks;
- (3) Inserting language to require the counties to share certain information regarding licensed importers of fireworks with the Harbors Division of the Department of Transportation;
- (4) Inserting language requiring each county fire department to submit a report of its enforcement activities concerning fireworks, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3343, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3343, S.D. 2.

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

SCRep. 2892 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2196

The purpose and intent of this measure is to require cooperative housing corporations, homeowners associations, planned community associations, and condominium associations to develop plans to incorporate zero-emission fueling stations, including electric vehicle charging stations, onto residential properties that are constructed after January 1, 2023.

Your Committees received testimony in support of this measure from the Hawai'i State Energy Office, Hawai'i Climate Change Mitigation & Adaptation Commission, Hawaiian Electric Company, KauaiEV, Pearl City Neighborhood Board No. 21, and six individuals. Your Committees received testimony in opposition to this measure from NAIOP Hawai'i, Practical Policy Institute of Hawai'i, and one individual. Your Committees received comments on this measure from the Community Associations Institute, Associa, Hawai'i Electric Vehicle Association, and one individual.

Your Committees find that air and ground transportation is the largest source of greenhouse gas emissions in the State. To achieve a decarbonized economy, it is necessary for the State's transportation system to become less reliant on fossil fuels. Developing plans to integrate zero-emission vehicle fueling stations, including electric vehicle charging stations onto residential properties, ensures that communities will be prepared for the State's clean energy transformation. Your Committees note that this measure applies to new construction and existing properties undergoing renovations that are capable of incorporating electric vehicle charging stations, as not all existing properties may have adequate boundaries, common areas, or appropriate infrastructure to accommodate zero-emission fueling stations.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the corporation or association shall have plans to incorporate the zero-emission vehicle fueling stations, provided that the corporation or association has sufficient and adequate common area boundaries and infrastructure;
- (2) Clarifying that all plans for certain construction or renovations shall include charger ready stalls for parking stalls constructed, including details on sufficient wiring, electrical conduit, electrical panel service capacity, overcurrent protection devices, suitable termination points to connect to a charging station, and 120- to 240-volt outlets;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2196, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2196, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).
Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2893 Ways and Means on S.B. No. 2865

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in constructing a net-zero carbon capture storage utilization platform to recover vented carbon dioxide emissions and scrub and liquify the emissions into food grade liquid carbon dioxide.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Energy Office, DIBSHawaii LLC, Green Party Hawaii, Hydroponics Alternatives LLC, Ohana Hui Ventures, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the food grade liquid carbon dioxide produced by DIBSHawaii LLC's proposed net-zero carbon capture storage utilization platform will be used for agriculture, energy, and carbon storage to support the State's food security and resilience goals.

Your Committee has amended this measure by:

- (1) Changing the authorization amount of special purpose revenue bonds from \$40,000,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2865, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2865, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2894 Ways and Means on S.B. No. 3091

The purpose and intent of this measure is to enhance student profit-making pursuits at schools.

Specifically, the measure:

- (1) Includes commercial enterprises among the authorized profit-making pursuits;
- (2) Specifies that one authorized use of net profits from profit-making pursuits shall be the support of profit-making pursuit programs; and
- (3) Provides that school credit may be granted to students engaged in the pursuits.

Your Committee received written comments in support of this measure from the Department of Education, Marine Science Learning Center at Waianae High School, and five individuals.

Your Committee finds that students who participate in commercial enterprises may gain hands-on and real-world experience that is vital for post-secondary education and success in the workforce. Your Committee also finds that allowing students to earn school credit, compensation, or both, when engaging in profit-making pursuits will further incentivize student participation in those pursuits.

Your Committee has amended this measure by:

- (1) Specifying that a commercial enterprise shall comply with section 302A-448, Hawaii Revised Statutes;
- (2) Clarifying that school credit may be granted to students engaged in permitted operations, either in addition to, or in lieu of, any net profits distributed to the students; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 3091, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2895 Ways and Means on S.B. No. 3120

The purpose and intent of this measure is to repeal the annual spending limitation imposed upon the office of healthcare assurance special fund and the ceiling on moneys that may be retained in the fund.

Your Committee received written comments in support of this measure from the Department of Health.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that moneys from the healthcare assurance special fund are to be used for operating costs and educational program expenses of the Office of Health Care Assurance, the improvement of public health outreach efforts, program and community development, industry consultations, and other matters. Your Committee also finds that the high costs of the Office's various activities and responsibilities, which often exceed the spending limitation and ceiling currently imposed on the fund, make the spending limitation and ceiling unrealistic, and often require the Office's efforts to be financed through general fund appropriations. Accordingly, your Committee finds merit in repealing the spending limitation and ceiling.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3120, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3120, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2896 Ways and Means on S.B. No. 3128

The purpose and intent of this measure is to allow the State's employers to replenish the unemployment compensation trust fund without being burdened by high unemployment tax rates.

Specifically, this measure amends the definition of "adequate reserve fund" for purposes of the Hawaii employment security law to exclude the benefit cost rate from June 2020 to August 2021, for calendar years 2023 through 2030.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure will prevent the most expensive state unemployment insurance tax rate schedule from going into effect, thus providing much-needed relief to Hawaii's employers who are still recovering from the devastating economic effects of the coronavirus disease 2019 (COVID-19) pandemic. Your Committee further finds that providing this relief will ensure that employers can afford to keep Hawaii workers employed and replenish the unemployment compensation trust fund, which was depleted due to the unprecedented high rates of unemployment caused by the COVID-19 pandemic.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making a technical nonsubstantive edit for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3128, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3128, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2897 Ways and Means on S.B. No. 3169

The purpose and intent of this measure is to continue certain low-income tiny home projects.

More specifically, this measure:

- (1) Exempts from certain statutory provisions low-income rentals, tiny home villages, or kauhale, developed on state land pursuant to certain emergency proclamations;
- (2) Establishes within the Department of Human Services the low-income tiny home village pilot program to provide long-term housing and services to individuals experiencing homelessness or whose income is at or below a certain threshold;
- (3) Establishes requirements for, and the duties of, the Department of Human Services in relation to the pilot program; and
- (4) Requires the Department of Human Services to submit a report to the Legislature on the pilot program.

Your Committee received written comments in support of this measure from Partners In Care and one individual.

Your Committee received written comments in opposition to this measure from the Department of Land and Natural Resources and State Procurement Office.

Your Committee received written comments on this measure from the Department of Human Services, Department of the Attorney General, Governor's Coordinator on Homelessness, and Office of Information Practices.

Your Committee finds that the cost of housing in the State is continuing to rise. Your Committee also finds that many residents of the State are experiencing, or at risk of experiencing, homelessness. Your Committee believes that this measure will help to house many of these residents.

Your Committee has amended this measure by:

- (1) Requiring the Department of Human Services to identify, and either provide or contract for the provision of, any services that may be required to effectuate the purpose of the low-income tiny home village pilot project; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3169, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3169, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2898 Ways and Means on S.B. No. 3189

The purpose and intent of this measure is to increase penalties for repeat violators of certain gambling laws.

Your Committee received written comments in support of this measure from Pokai Bay/Lualualei Beach Park 11 Neighborhood Security Watch and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from one individual.

Your Committee finds that in the past few years, there has been a steady increase in complaints against illegal gambling and game rooms, which often operate twenty-four hours a day, seven days a week. These establishments often attract undesirable elements who cause peripheral crimes, including homicides, narcotics trafficking, assaults, robberies, thefts, and unauthorized vehicular entries. Your Committee also finds that these gambling establishments often create excessive noise, unnecessary foot traffic, and loitering, which make them a public nuisance. Accordingly, your Committee supports increased penalties for repeat illegal gambling offenders.

Your Committee has amended this measure by:

- (1) Deleting an inapplicable proviso to the effective date; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3189, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3189, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2899 Ways and Means on S.B. No. 3268

The purpose and intent of this measure is to authorize the University of Hawaii Board of Regents to terminate the employment of the athletic director and head coaches at four-year campuses for cause and to require that certain coaching contracts be subject to Board of Regents approval.

Your Committee received written comments in opposition to this measure from the University of Hawaii Professional Assembly and Hawaii Government Employees Association.

Your Committee finds that the additional oversight provided by this measure will help to ensure that the employment of and compensation plans for many of the highest paid state employees are properly monitored and reviewed.

Your Committee has amended this measure by:

- (1) Applying the measure to all campuses of the University of Hawaii System, instead of the four-year campuses;
- (2) Clarifying that the specified coaching contracts shall not be valid unless approved by the University of Hawaii Board of Regents;
- (3) Appropriating \$3,600,000 out of the general funds appropriated to program ID University of Hawaii, Manoa (UOH 100) for the purposes of the measure;
- (4) Appropriating \$400,000 out of the general funds appropriated to program ID University of Hawaii, Hilo (UOH 210) for athletics;
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (6) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3268, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3268, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Taniguchi). Noes, none. Excused, none.

SCRep. 2900 (Majority) Ways and Means on S.B. No. 3314

The purpose and intent of this measure is to facilitate the Hawaii State Energy Office's growing focus on climate change mitigation and sea level rise.

Specifically, this measure transfers the Hawaii State Energy Office from the Department of Business, Economic Development, and Tourism to the Department of Land and Natural Resources.

Your Committee received written comments in opposition to this measure from the Hawaii State Energy Office.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism, and Department of Land and Natural Resources.

Your Committee finds that the Hawaii State Energy Office's growing focus on climate change mitigation and sea level rise is consistent with the Department of Land and Natural Resources' focus on the natural environment.

Your Committee has amended this measure by:

- (1) Adding provisions that provide for the continuity of rules, deeds, contracts, and permits that may be affected by the transfer of the Hawaii State Energy Office;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making a technical nonsubstantive amendment for the purpose of consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3314, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3314, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Fevella). Excused, none.

SCRep. 2901 Ways and Means on S.B. No. 3289

The purpose and intent of this measure is to promote greater retirement savings for private sector employees in the State.

More specifically, this measure:

- (1) Establishes a state-facilitated payroll-deduction retirement savings plan for private sector employees in Hawaii who do not have access to employer-sponsored retirement plans; and
- (2) Appropriates moneys to the Department of Budget and Finance for the implementation and operation of the Hawaii Retirement Savings Program.

Your Committee received written comments in support of this measure from the Department of Human Services, Department of Labor and Industrial Relations, AARP Hawaii, Aloha United Way, Common Cause Hawaii, Hawaiian Community Assets and Hawaii Community Lending, Hawaii Primary Care Association, Hawaii Public Health Institute, National Conference on Public Employee Retirement Systems, Policy Advisory Board for Elder Affairs, and twenty-six individuals.

Your Committee received written comments in opposition to this measure from the American Council of Life Insurers and National Association of Insurance and Financial Advisors Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance, Executive Office on Aging, Retail Merchants of Hawaii, and Tax Foundation of Hawaii.

Your Committee finds that Hawaii's workforce faces many challenges, including the need of private sector workers to build their savings for retirement. Many workers currently do not have access to employer-sponsored retirement savings plans and risk failing to have sufficient income in retirement to achieve financial security. Your Committee also finds that, due to Hawaii's high cost of living, many workers continue to work beyond normal retirement age, and many of those workers work more than one job. Your Committee believes that establishing a Hawaii Retirement Savings Program would help enable workers to save enough to retire with financial security and avoid working further into their old age.

Your Committee has amended this measure by:

- (1) Establishing a cap amount on penalties imposed on employers for violations of statutes or rules regarding the Hawaii Retirement Savings Program;
- (2) Changing the amount of the appropriation from \$813,600 to an unspecified amount;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3289, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3289, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2902 Ways and Means on S.B. No. 2638

The purpose and intent of this measure is to require, and appropriate moneys for, the Department of the Attorney General to submit to the Legislature annual reports containing available data pertaining to the commercial sexual exploitation of children.

Your Committee received written comments in support of this measure from the Department of the Attorney General, Hawaii Youth Services Network, Imua Alliance, The Sex Abuse Treatment Center, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that requiring the Department of the Attorney General to provide to the Legislature statewide data pertaining to the commercial sexual exploitation of children will help the State to assess and improve the State's anti-trafficking response.

Your Committee has amended this measure by:

- (1) Clarifying that the demographic information collected by state-contracted providers regarding suspected or confirmed victims of commercial sexual exploitation includes gender identity and expression and sexual orientation, if the data is available;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2638, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2638, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2903 (Majority) Ways and Means on S.B. No. 2644

The purpose and intent of this measure is to make permanent:

- (1) The limited licensing exemption provided in Act 65, Session Laws of Hawaii 2013, allowing electrical contractors licensed in Hawaii to utilize qualified out-of-state high voltage electrical workers, in certain circumstances, without requiring the qualified electrical workers to obtain a journey worker electrician license; and
- (2) The requirement for the Board of Electricians and Plumbers to submit to the Legislature annual reports regarding high voltage electrical contractors.

Your Committee received written comments in support of this measure from Hawaiian Electric and the International Brotherhood of Electrical Workers Local 1260.

Your Committee received written comments in opposition to this measure from the Contractors License Board, Board of Electricians and Plumbers, and International Brotherhood of Electrical Workers Local 1186.

Your Committee finds that this measure will help ensure reliable electric service for Hawaii's residents and visitors by addressing the State's shortage of qualified high voltage electricians.

Your Committee has amended this measure by:

- (1) Extending until June 30, 2033, rather than making permanent, the limited exception to licensing requirements for certain qualified electricians, as suggested in written comments from the International Brotherhood of Electrical Workers Local 1260; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2644, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2644, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Fevella). Excused, none.

SCRep. 2904 Ways and Means on S.B. No. 2647

The purpose and intent of this measure is to improve governmental support, including educational support, of individuals having fetal alcohol spectrum disorders.

More specifically, the measure:

- (1) Establishes within the Department of Health a Fetal Alcohol Spectrum Disorders Task Force to develop and report to the Legislature on guidelines, recommendations, and teaching protocols relating to fetal alcohol spectrum disorders; and
- (2) Appropriates moneys to the Department of Health to establish and support the Fetal Alcohol Spectrum Disorders Task Force.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Substance Abuse Coalition, Hawaii Disability Rights Center, Hawaii Fetal Alcohol Spectrum Disorders Action Group, Hawaii Public Health Institute, and nine individuals.

Your Committee received written comments on this measure from the Department of Health, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that the guidelines, recommendations, and teaching protocols to be developed by the Fetal Alcohol Spectrum Disorders Task Force will help government agencies and educators better understand the unique challenges faced by individuals impacted by fetal alcohol spectrum disorders and will enable more effective outreach to, treatment of, and resource identification for these individuals.

Your Committee has amended this measure by:

- (1) Specifying that the appropriation of moneys to the Department of Health to support the establishment and work of the Task Force may also be used to obtain any assistance necessary to enable the Task Force to carry out its duties, and that the Department may contract with a third party to provide this assistance; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2647, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2647, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2905 Ways and Means on S.B. No. 2774

The purpose and intent of this measure is to appropriate moneys to the Department of Public Safety for the further expansion of reentry planning circles, or huikahi restorative circles, at the Women's Community Correctional Center.

Your Committee received written comments in support of this measure from the Department of Public Safety, Community Alliance on Prisons, Hawaii Health and Harm Reduction Center, Hawaii Substance Abuse Coalition, Women's Prison Project, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that, by funding the further expansion of reentry planning circles at the Women's Community Correctional Center, this measure will help to reduce recidivism among female offenders.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$200,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2774, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2774, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2906 Ways and Means on S.B. No. 2782

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (1), which consists of nonsupervisory employees in blue collar positions, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the University of Hawaii; Department of Budget and Finance; Hawaii Health Systems Corporation; and United Public Workers, AFSCME Local 646.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (1) have reached an agreement, which was later ratified by the unit's members. Your Committee further finds that pursuant to section 89-10(b), Hawaii Revised Statutes, the Governor submitted the cost items and this measure serves as the corresponding legislative approval of those cost items.

Your Committee has amended this measure by:

- (1) Inserting the amounts for the cost items agreed upon between the State and the exclusive representative of collective bargaining unit (1), along with the corresponding adjustments for the excluded counterparts of the members of collective bargaining unit (1); and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2782, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2782, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2907 Ways and Means on S.B. No. 2783

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (2), which consists of supervisory employees in blue collar positions, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, University of Hawaii, Hawaii Health Systems Corporation, and Hawaii Government Employees Association.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (2) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2783, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2783, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2908 Ways and Means on S.B. No. 2784

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (3), which consists of nonsupervisory employees in white collar positions, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, University of Hawaii, Hawaii Health Systems Corporation, Hawaii Government Employees Association, and one individual.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (3) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2784, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2784, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2909 Ways and Means on S.B. No. 2785

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (4), which consists of supervisory employees in white collar positions, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, University of Hawaii, Hawaii Health Systems Corporation, and Hawaii Government Employees Association.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (4) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2785, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2785, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2910 Ways and Means on S.B. No. 2786

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (5), which consists of teachers and other personnel of the Department of Education under the same pay schedule, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Hawaii State Teachers Association.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (5) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2786, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2786, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2911 Ways and Means on S.B. No. 2788

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (7), which consists of faculty of the University of Hawaii and the community college system, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the University of Hawaii the University of Hawaii Professional Assembly.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (7) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

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

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

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2912 Ways and Means on S.B. No. 2790

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (9), which consists of registered professional nurses, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Health Systems Corporation, and Hawaii Government Employees Association.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (9) have reached an agreement, which was later ratified by the unit's members. Your Committee further finds that pursuant to section 89-10(b), Hawaii Revised Statutes, the Governor submitted the cost items and this measure serves as the corresponding legislative approval of those cost items.

Your Committee has amended this measure by:

- (1) Inserting the amounts for the cost items agreed upon between the State and the exclusive representative of collective bargaining unit (9), along with the corresponding adjustments for the excluded counterparts of the members of collective bargaining unit (9); and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2790, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2790, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2913 Ways and Means on S.B. No. 2792

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (11), which consists of firefighters, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Hawaii Fire Fighters Association.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (11) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2792, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2792, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2914 Ways and Means on S.B. No. 2794

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (13), which consists of professional and scientific employees, who cannot be included in any other bargaining units, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, Hawaii Health Systems Corporation, and Hawaii Government Employees Association.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (13) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2794, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2794, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2915 Ways and Means on S.B. No. 2795

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (14), which consists of state law enforcement officers, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and Hawaii Government Employees Association.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (14) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2795, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2795, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2916 Ways and Means on S.B. No. 2796

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (15), which consists of state and county ocean safety and water safety officers, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Hawaii Government Employees Association.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (15) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2796, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2796, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2917 Ways and Means on S.B. No. 2801

The purpose and intent of this measure is to increase accountability and transparency in law enforcement practices.

More specifically, the measure:

- (1) Provides that a law enforcement officer has a duty to intervene if the law enforcement officer reasonably believes that another law enforcement officer is using unnecessary or excessive force on an arrestee;
- (2) Requires the intervening law enforcement officer to report the incident to the other law enforcement officer's supervisor; and
- (3) Requires specified departments to submit annual reports to the Legislature.

Your Committee received written comments in support of this measure from the Department of Transportation and one individual.

Your Committee received written comments in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committee finds that this measure will help to clarify the duties of, and expectations for, law enforcement officers who witness another officer using unnecessary or excessive force on an arrestee.

Your Committee has amended this measure by:

- (1) Clarifying, with respect to the intervening law enforcement officer's duty to report an incident to a supervisor as soon as practicable, that the report is to be made to the supervisor of the other law enforcement officer, as provided in the measure's preamble; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2801, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2801, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2918 Ways and Means on S.B. No. 2483

The purpose and intent of this measure is to promote the use of renewable energy in the State.

More specifically, this measure:

- (1) Includes as an objective in energy planning for the State's facility systems the requirement that all new utility scale electricity generation projects use renewable resources to generate electricity;
- (2) Amends the State's policies to:
 - (A) Ensure the short- and long-term provision of adequate, reasonably priced, and dependable renewable energy and the prioritization of renewable energy generation;
 - (B) Require that decisions of least-cost supply-side and demand-side energy resource options be based on, among other things, the benefits of non-fossil fuel sources to maximize the reduction in consumption of fossil fuels; and
 - (C) Include the use of non-fossil fuel sources in the development or expansion of energy systems; and
- (3) Appropriate moneys for the Hawaii Natural Energy Institute to evaluate the benefits and costs of dispatching renewable energy resources.

Your Committee received written comments in support of this measure from the Hawaii Clean Power Alliance and six individuals.

Your Committee received written comments in opposition to this measure from the Hawaiian Electric Company.

Your Committee received written comments on this measure from the Department of Budget and Finance and Hawaii State Energy Office.

Your Committee finds that by prioritizing renewable energy generation, this measure will help the State to achieve the State's goal of generating one hundred percent clean energy by 2045.

Your Committee has amended this measure by:

- (1) Amending the appropriation to appropriate moneys directly out of the energy systems development special fund;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2483, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2483, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Inouye). Noes, none. Excused, none.

SCRep. 2919 Ways and Means on S.B. No. 2807

The purpose and intent of this measure is to appropriate moneys to the Hawaii Technology Development Corporation for the manufacturing assistance program.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation; University of Hawaii; Maui Chamber of Commerce; Shifted Energy; Sweet Brown Hawaii; Simonpietri Enterprises, LLC; KYD, Inc.; Hyperspective Studios, Inc.; Purple Maia Foundation; Diamond Bakery Co., Ltd.; Island Plastic Bags, Inc; Hidden Gears; Hawaii Food Industry Association; Makai Ocean Engineering, Inc.; 3D Innovations; Nalu Scientific, LLC; Hawaii Fish Company, Inc.; Hawaii Farm Bureau; Manulele Distillers, LLC; Mana Up; Elements of the Sea HI, LLC; Ohana Nui Group LLC; Big Island Moonbow Farms, LLC; Pawniolo Pets, LLC; Chamber of Commerce Hawaii; Vitalitea Group, LLC; Hawaii Food Manufacturers Association; Ulu Mana, Inc.; Hawaii Venture Capital Association; and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Hawaiian Pie Company, LLC.

Your Committee finds that the manufacturing businesses supported by this measure play an important role in the State's economy. Manufacturers are key to the State's food security, sustainability, and resilience initiatives, and are important drivers for innovation.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$1,500,000 to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2807, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2807, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2920 Ways and Means on S.B. No. 2818

The purpose and intent of this measure is to establish and fund a summer learning coordinator position within the Department of Education to coordinate school-based summer programs.

Your Committee received written comments in support of this measure from the Department of Education, University of Hawaii, Malama Kauai, HE'E Coalition, Hawaii Children's Action Network Speaks!, Hawaii Afterschool Alliance, CARE Arts and Recreation Education Services, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that there are various unconnected summer learning programs offered by a myriad of offices and program managers, which creates overlapping services and challenges in forming partnerships with community organizations. Your Committee further finds that creating a summer learning coordinator position will help to establish a cohesive network of summer learning opportunities that can identify redundancies and gaps in summer learning programs while also helping students find and enroll in the programs that best fit their needs.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2818, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2818, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2921 Ways and Means on S.B. No. 2819

The purpose and intent of this measure is to address teacher compensation equity issues.

Specifically, this measure:

- (1) Allows the Department of Education and the governing boards of state public charter schools to adjust teacher salaries to reflect years of teaching experience; and
- (2) Appropriates funds for the salary adjustments.

Your Committee received written comments in support of this measure from the Department of Education, University of Hawaii, Executive Office on Early Learning, Hawaii State Public Charter School Commission, Aha Kauleo - Statewide Hawaiian Immersion Schools Council, Hawaii Association of School Psychologists, Hawaii State Teachers Association, HE'E Coalition, Parents for Public

Schools of Hawaii, Rainbow Family 808, Democratic Party of Hawaii Education Caucus, Democratic Party of Hawaii Labor Caucus, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Office of Collective Bargaining.

Your Committee received written comments on this measure from the Department of Budget and Finance and two individuals.

Your Committee finds that authorizing the Department of Education to implement discretionary salary adjustments will help to address pay equity issues for teachers by more closely basing salaries upon years of teaching experience, which, in turn, will help to retain experienced teachers and improve recruitment of new teachers. Your Committee further finds that repealing section 302A-627(a), Hawaii Revised Statutes, is necessary to provide the Department of Education with the flexibility to allocate teacher compensation intended by the measure and that the repeal of section 302A-624(c), Hawaii Revised Statutes, regarding teacher classification, is not necessary.

Your Committee has amended this measure by:

- (1) Repealing section 302A-627(a), Hawaii Revised Statutes;
- (2) Deleting the repeal of section 302A-624(c), Hawaii Revised Statutes;
- (3) Changing the appropriation from charter schools (EDN 600) to charter schools commission and administration (EDN 612);
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2819, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2819, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Taniguchi). Noes, none. Excused, none.

SCRep. 2922 Ways and Means on S.B. No. 3110

The purpose and intent of this measure is to support access to childcare in the State.

Specifically, this measure:

- (1) Renames the preschool grant program special fund as the child care grant program special fund;
- (2) Authorizes the child care grant program special fund to be used to provide grants to child care facilities;
- (3) Authorizes the deposit of federal moneys into the child care grant program special fund;
- (4) Changes the date by which reports for the preschool open doors special fund and the child care grant program special fund must be submitted to the Legislature, from August 31 to twenty days prior to the convening of the regular legislative session; and
- (5) Repeals the authority to expend moneys from the preschool open doors special fund and child care grant program special fund without an appropriation.

Your Committee received written comments in support of this measure from the Department of Human Services, Executive Office on Early Learning, Early Childhood Action Strategy, and one individual.

Your Committee finds that well-supported, regulated childcare facilities keep children safe and provide parents the ability to pursue or maintain employment and educational activities.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3110, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3110, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2923 Ways and Means on S.B. No. 3367

The purpose and intent of this measure is to establish an early lung cancer screening task force to research the steps and resources necessary to increase early lung cancer screening in Hawaii.

Your Committee received written comments in support of this measure from the Department of Human Services, Department of Health, University of Hawaii, American Lung Association of Hawaii, Hawaii Primary Care Association, Papa Ola Lokahi, Hawaii Medical Association, Hawaii Public Health Association, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that the early lung cancer screening task force established by this measure will help the State understand and address health disparities experienced by native Hawaiians, Pacific Islanders, and other people of color who are at high risk of lung cancer.

Your Committee acknowledges the State Procurement Office's concerns with the measure's exemption from the state procurement code for the task force's contracts with consultants to conduct related studies.

Your Committee has amended this measure by:

- (1) Clarifying that a representative from the United States Department of Veterans Affairs should be invited to serve on the task force;
- (2) Changing the appropriation amount from \$250,000 to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3367, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3367, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2924 Ways and Means on S.B. No. 3369

The purpose and intent of this measure is to improve the efficiency and effectiveness of procurement in the State.

Specifically, this measure:

- (1) Establishes a working group to develop a plan for the five-year phased-in consolidation, under the State Procurement Office, of all state executive branch procurement services and staff, except those of the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs;
- (2) Requires the working group to make recommendations for attracting high-quality procurement professionals to the State; and
- (3) Appropriates moneys to the State Procurement Office to support the activities of the working group.

Your Committee received written comments on this measure from the Department of Accounting and General Services, Department of Budget and Finance, Department of Human Services, and State Procurement Office.

Your Committee finds that the State Procurement Office recommended in its testimony that the procurement services working group include in its report recommendations to:

- (1) Improve the recruitment, retention, and competitive compensation of high-quality procurement professionals to prevent those persons from leaving the State for higher-paying positions in the private sector;
- (2) Develop and implement a multi-tiered certified training program to ensure that all procurement staff are properly trained; and
- (3) Implement a procurement automation system as an integral part of a centralized procurement environment to mitigate errors and risk, increase efficiency, and maximize resources.

Your Committee also recognizes the testimony of the Department of Accounting and General Services, which expressed concerns that the consolidation of construction procurement would not be universally beneficial for state agencies. Certain agencies have specialized procurement requirements that cannot be incorporated into a "one-size-fits-all" format and that failing to meet these requirements may jeopardize the missions and programmatic supports of those agencies, especially departments that must meet federal program or grant requirements. Accordingly, the Department of Accounting and General Services recommended revising the measure to exclude construction procurement from the procurement consolidation plan.

Similarly, your Committee recognizes testimony from the Department of Human Services, which requested that the measure be amended to exclude that department from the consolidation plan. Specifically, the Department of Human Services noted that its procurements require highly specialized expertise in subject matter areas that are unique to that department.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$250,000 to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3369, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3369, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Taniguchi). Noes, none. Excused, none.

SCRep. 2925 Ways and Means on S.B. No. 2475

The purpose and intent of this measure is to clarify that amounts received or accrued for stevedoring services, wharfage, and demurrage services are exempt under the general excise tax law.

Your Committee received written comments in support of this measure from PASHA Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance; Department of Taxation; Matson Navigation Company, Inc.; and Tax Foundation of Hawaii.

Your Committee finds that, according to the Department of Taxation, amounts received for the loading and unloading of cargo, including stevedoring services, are already exempt from the general excise tax.

Your Committee has amended this measure by:

- (1) Removing amendments regarding stevedoring services; and
- (2) Clarifying that amounts received for the transportation or storage of cargo are not exempt under the general excise tax law.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2475, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2475, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2926 Ways and Means on S.B. No. 2184

The purpose and intent of this measure is to establish a Digital Learning Center within the Department of Education to improve digital learning and other computer skills for public school students.

Your Committee received written comments in support of this measure from the Department of Education, Chamber of Commerce Hawaii, and Kamehameha Schools.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that a dedicated office within the Department of Education to coordinate digital learning will help to provide additional learning opportunities, through virtual classrooms, for students in rural areas and smaller schools while ensuring that students in all areas have the digital skills necessary for college and the workforce.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2184, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2184, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2927 Ways and Means on S.B. No. 2186

The purpose and intent of this measure is to provide the Department of Education with greater efficiency in developing its properties.

Specifically, this measure:

- (1) Requires that various parcels of land be transferred to the Department of Education;
- (2) Requires that the Legislature approve any sale or gift of Department of Education lands; and
- (3) Appropriates funds to effectuate the land transfers.

Your Committee received written comments in support of this measure from the Department of Education.

Your Committee received written comments in opposition to this measure from Kupuna for the Mo'opuna.

Your Committee received comments on this measure from the Department of Budget and Finance and Department of Land and Natural Resources.

Your Committee finds that efforts by the Department of Education to redevelop its existing facilities and construct new facilities have encountered permitting and entitlement delays due to titles for land under certain public schools not being in the name of the Department of Education. Your Committee further finds that the land transfers resulting from this measure will help to ensure timely construction of educational facilities.

In response to concerns highlighted in written comments submitted on this measure, the Committee wishes to draw attention to the additional protections on the sale of state lands provided by section 171-64.7, Hawaii Revised Statutes.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2186, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2186, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2928 Ways and Means on S.B. No. 2274

The purpose and intent of this measure is to assist the Hawaii Center for Nursing in its nursing workforce recruitment and development efforts.

More specifically, this measure:

- (1) Requires that each nursing license applicant respond to the Hawaii Center for Nursing's workforce supply survey in conjunction with each nursing license renewal;
- (2) Clarifies that nursing license renewal is not contingent upon responding to the workforce supply survey and that failure of an applicant to properly respond to the workforce supply survey does not result in an encumbrance on the applicant's license; and
- (3) Increases the Hawaii Center for Nursing fee from \$40 to \$60 per licensing biennium.

Your Committee received written comments in support of this measure from the Hawaii State Center for Nursing; University of Hawaii, Nancy Atmospera-Walch School of Nursing; Queen's Health Systems; and two individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Board of Nursing.

Your Committee finds that by requiring nursing license applicants to respond to the Hawaii Center for Nursing's workforce supply survey, this measure will enable policy makers and health care leaders throughout the State to plan for future nursing workforce development more effectively.

Your Committee has amended this measure by:

- (1) Clarifying that the failure of a nursing license applicant to properly complete the Hawaii Center for Nursing's supply survey will not result in the forfeiture of the applicant's nursing license;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2274, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2274, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2929 Ways and Means on S.B. No. 2283

The purpose and intent of this measure is to require the Hawaii Natural Energy Institute to study the State's ability to advance hydrogen production from local renewable energy resources and to utilize the study results to develop the Hawaii hydrogen strategic plan.

Your Committee received written comments in support of this measure from the University of Hawaii; Servco Pacific, Inc.; Energy and Climate Action Committee, Environmental Caucus of the Democratic Party of Hawaii; Ulupono Initiative; Hawaiian Electric Company, Inc.; Hawaii Clean Power Alliance; Alliance for Automotive Innovation; Hawaii Gas; Sustainable Energy Hawaii; Hawaii Hydrogen Alliance; and one individual.

Your Committee received written comments on this measure from the Hawaii State Energy Office; 350Hawaii; Climate Protectors Hawaii; KauaiEV; and one individual.

Your Committee finds that the hydrogen study and Hawaii hydrogen strategic plan required by this measure will help the State meet its goal of achieving a clean energy economy.

Your Committee has amended this measure by:

- (1) Codifying the measure's substantive provisions in Chapter 304A, Hawaii Revised Statutes, thus assigning a permanent responsibility to the Hawaii Natural Energy Institute, commencing in 2028, to review and update the Hawaii hydrogen strategic plan;
- (2) Clarifying that the policies to encourage the production and usage of hydrogen should be consistent with the Hawaii hydrogen strategic plan, as suggested in written comments from the University of Hawaii and Hawaii Natural Energy Institute;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussions on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2283, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2283, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2930 Ways and Means on S.B. No. 2373

The purpose and intent of this measure is to assist former inmates after they are released from incarceration.

More specifically, the measure:

- (1) Establishes a "Project Reset" Program, to be administered by the Governor's Coordinator on Homelessness, to oversee the development and implementation of comprehensive post-release housing programs to assist offenders transitioning back into the community; and
- (2) Appropriates moneys to the Department of Human Services for the program.

Your Committee received written comments in support of this measure from the Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Health and Harm Reduction Center, League of Women Voters, Institute for Human Services, Community Alliance on Prisons, and Women's Prison Project.

Your Committee received written comments on this measure from the Department of Human Services, Governor's Coordinator on Homelessness, and Department of Budget and Finance.

Your Committee finds that the assistance provided to offenders through the "Project Reset" Program in securing post-release housing will help to support offenders' reentry, rehabilitation, and employment prospects.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$375,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2373, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2373, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

SCRep. 2931 Ways and Means on S.B. No. 2385

The purpose and intent of this measure is to reduce delays and costs in the procurement of professional services.

Specifically, this measure authorizes agencies to seek approval for the alternative procurement of professional services in situations where a procuring agency receives fewer than three bids or proposals from qualified persons.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services, University of Hawaii, Department of Finance of the County of Kauai, and Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee received written comments in opposition to this measure from the American Council of Engineering Companies of Hawaii, CONSOR Engineers, Yogi Kwong Engineers, Hart Crowser, AIA Hawaii State Council, and two individuals.

Your Committee received written comments on this measure from the State Procurement Office and Department of Transportation.

Your Committee finds that the procurement of professional services under section 103D-304, Hawaii Revised Statutes, currently requires a selection committee to rank a minimum of three interested persons based on the selection criteria, and to send the rankings to the head of the purchasing agency to begin negotiations. Your Committee further finds that when an agency seeking to procure professional services does not receive at least three responses to its contract solicitation, the agency must continue to solicit offers, which delays projects and increases costs for the State.

Your Committee has amended this measure by:

- (1) Deleting language that would authorize agencies to seek approval for the alternative procurement of professional services when the agency receives fewer than three bids or proposals from qualified persons;
- (2) Inserting language that authorizes agencies procuring professional services to request an exemption from chapter 103D, Hawaii Revised Statutes, pursuant to section 103D-102(b)(4)(L), Hawaii Revised Statutes, if fewer than three qualified persons submit statements of qualifications;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2385, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2385, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 2932 (Joint) Ways and Means and Commerce and Consumer Protection on S.B. No. 2419

The purpose and intent of this measure is to require each county with a population of 200,000 or less to establish and submit a legislative report on a five-year pilot project that regulates hosting platforms that provide transient accommodation booking services.

Your Committees received written comments in support of this measure from the Hawaii Tourism Authority, a member of the Maui County Council, and Maui Hotel and Lodging Association.

Your Committees received written comments in opposition to this measure from the Department of Planning of the County of Kauai and Airbnb.

Your Committees find that the State and counties wish to properly manage visitor accommodations. Accordingly, your Committees further find that it is appropriate to implement measures to reduce the number of unauthorized short-term vacation rentals in neighborhoods and communities.

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

As affirmed by the records of votes of the members of your Committees on Ways and Means and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2419, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2419, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Ways and Means: Ayes, 11. Noes, none. Excused, none.
Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

SCRep. 2933 Commerce and Consumer Protection on S.B. No. 2276

The purpose and intent of this measure is to make comprehensive updates to chapter 436E, Hawaii Revised Statutes, regarding acupuncture practitioners to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including thirty hours of continuing education per licensing biennium, beginning July 1, 2023.

Your Committee received testimony in support of this measure from the Board of Acupuncture, Mala Healing Arts, AcuPlan Hawaii, Windward Wellness, Hawaii Acupuncture Association, Institute of Clinical Acupuncture and Oriental Medicine, Kailua Acupuncture Clinic, Longevity Health Center, and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association. Your Committee received comments on this measure from one individual.

Your Committee finds that existing laws concerning the scope of practice and other licensing-related statutes for acupuncturists are outdated. Updating the scopes of practice and titles of acupuncture practitioners will allow them to practice to their fullest potential and will bring the State into compliance with national standards of competency and safety. Additionally, updating scopes of practice will assist insurance companies better determine reimbursement for approved services. This measure is therefore necessary to make updates to the State's acupuncture licensing laws to reflect modernized scopes of practice, titles, and licensing and renewal requirements, including continuing education to further promote public health and safety.

Your Committee has amended this measure by:

- (1) Inserting language to allow the Board of Acupuncture to issue a license by reciprocity under certain circumstances;
- (2) Clarifying the definition of "practice of advanced acupuncture medicine" to mean the practice of acupuncture medicine as further determined by administrative rules;
- (3) Clarifying that compliance with the continuing education requirements shall begin with the renewal for the licensing biennium commencing July 1, 2025;
- (4) Inserting language authorizing the Board of Acupuncture to adopt rules relating to the requirements and standards that continuing education programs shall meet to obtain recognition and approval from the Board;
- (5) Authorizing the Board of Acupuncture to conduct random audits of licensees' continuing education documentation;
- (6) Reinstating existing statutory language to allow visiting acupuncturists who are not performing services on patients in the State to be exempt from the licensure requirements; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2276, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2276, S.D. 2.

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

SCRep. 2934 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 2474

The purpose and intent of this measure is to:

- (1) Establish reliability standards and interconnection requirements of public electric utilities for renewable energy projects; and
- (2) Require implementation of the Hawaii Electricity Reliability Administrator law.

Your Committees received testimony in support of this measure from the Hawaii Clean Power Alliance. Your Committees received testimony in opposition to this measure from Hawaiian Electric Company, Inc. and one individual. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and the Public Utilities Commission.

Your Committees find that the State must move with intention and urgency to meet its ambitious renewable energy goals, bring relief to ratepayers, and reduce carbon emissions. Delays in the timely interconnection of renewable energy generation projects also delays the benefits associated with those projects being delivered to consumers and the progress of compliance with the State's renewable portfolio standards. Your Committees note that the Public Utilities Commission is already monitoring interconnection timelines and has prioritized this matter in its decision-making in several interrelated dockets. This measure will allow for the Public Utilities Commission to have more oversight into grid reliability standards and the interconnection process and provides for more transparency to further assist the State in its renewable electricity goals.

Your Committees have amended this measure by:

- (1) Making a conforming amendment to subsection 269-146(a), Hawaii Revised Statutes, to clarify that the Public Utilities Commission may require that any (rather than all) utilities, persons, businesses, or entities connecting to the Hawaii electric system shall pay a surcharge that shall be collected by Hawaii's electric utilities to provide necessary authority to determine the appropriate assessment and ensure that the burden of this surcharge does not fall to ratepayers; 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2474, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2474, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 11; Ayes with Reservations (Inouye). Noes, none. Excused, none.

SCRep. 2935 Commerce and Consumer Protection on S.B. No. 2592

The purpose and intent of this measure is to:

- (1) Define "clinical laboratory director" to include certain physicians, licensed clinical laboratory scientists, and pharmacists; and
- (2) Amend the definition of "practice of pharmacy" to include the ordering and performing of certain Clinical Laboratory Improvement Amendments-waived tests.

Your Committee received testimony in support of this measure from the Hawai'i-American Nurses Association, Walgreen Co., CVS Health, Hawai'i Pharmacists Association, and six individuals. Your Committee received testimony in opposition to this measure from the Department of Health, Clinical Labs of Hawai'i, and seven individuals. Your Committee received comments on this measure from the Board of Pharmacy and American Society for Clinical Laboratory Science Hawai'i.

Your Committee finds that certain tests waived under the Clinical Laboratory Improvement Amendments of 1988 (CLIA) are simple, easy to use tests that are non-technical in nature and are meant to be performed by lay persons in a non-clinical setting. Pharmacies across the country perform CLIA-waived tests to provide easy and convenient access to important patient health care information. There is little to no risk of patients experiencing adverse health effects from CLIA-waived tests, as they can easily be performed in any non-laboratory setting, including at home or at a pharmacy.

Your Committee additionally finds that, over time, pharmacists have become more accessible and the scope of their practice has expanded, making access to health care more convenient for patients. Pharmacists possess the skills and knowledge to perform CLIA-waived tests in accordance with specific policies, procedures, and protocols developed collaboratively by health professionals. Hawai'i is the only state that requires additional credentialing as a clinical laboratory director, which creates regulatory barriers to testing that do not exist elsewhere in the nation at a time when there is already significant strain on the State's health care system. Accordingly, this measure will remove barriers to promote access to safe and effective health care services.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "clinical laboratory director" to include advanced practice registered nurses for clinical laboratory tests or examinations classified as waived under the CLIA; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2592, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2592, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2936 Judiciary on S.B. No. 2804

The purpose and intent of this measure is to define "pool" to mean a watertight artificial structure containing a body of water that does not exchange water with any other body of water either naturally or mechanically used for swimming, diving, recreational bathing, or therapy by humans.

Your Committee received testimony in support of this measure from the Department of Health and two individuals.

Your Committee finds that public swimming pools are currently regulated under the Hawaii Administrative Rules, which require established turnover rates and disinfectant residuals to ensure that proper filtering of the water is occurring at all times during use by the public. Your Committee further finds that man-made lagoons and pools, such as the Natatorium, cannot meet these requirements and do not meet nationally recognized definitions of a "public swimming pool". Therefore, alternative public health standards for other public recreational waters, such as beaches, should be applied to these structures instead, particularly if the owner of the structure intends to use the ocean or ocean venue for swimming. This measure clarifies the definition of "pool" so that certain structures such as man-made lagoons and pools do not fall under the regulation of "pools".

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2804, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2804, S.D. 2.

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

SCRep. 2937 (Joint) Judiciary and Commerce and Consumer Protection on S.B. No. 2269

The purpose and intent of this measure is to:

- (1) Repeal the authorization of the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities;
- (2) Prohibit the establishment of private correctional facilities in the State; and
- (3) Allow the Governor to enter into a contract with a private entity to construct a correctional facility on public or private land, only if the facility is operated by the Department of Public Safety.

Your Committees received testimony in support of this measure from United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Imua Alliance. Your Committees received testimony in opposition to this measure from Community Alliance on Prisons, Hawai'i Friends of Restorative Justice, and seven individuals. Your Committees received comments on this measure from the Department of Public Safety and American Civil Liberties Union of Hawai'i.

Your Committees find that research has shown the adverse effects on inmates who are incarcerated in out-of-state, private prisons and the shortfall of oversight and accountability at these facilities. Prisons owned and operated by private entities are not subject to the same freedom of information and open records laws as government agencies. Your Committees further find that private prisons provide a financial motivation for the further criminalization of nonviolent offenses and imposition of longer sentences. This measure will prevent the development of private prisons in the State by repealing the authorization of the Governor to negotiate with any person for the development or expansion of private in-state correctional facilities, prohibiting the establishment of private correctional facilities in the State, and allowing the Governor to enter into a contract with a private entity to construct a correctional facility on public or private land, only if the facility is owned and operated by the Department of Public Safety.

Your Committees have amended this measure by:

- (1) Requiring that prisons constructed by a private entity be owned and operated by the Department of Public Safety;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (3) 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 Judiciary and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2269, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2269, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

SCRep. 2938 Commerce and Consumer Protection on S.B. No. 3118

The purpose and intent of this measure is to ban the sale of flavored tobacco products and mislabeled e-liquid products.

Your Committee received testimony in support of this measure from the Department of Health; Student Health Advisory Council; Hawai'i State Department of Education; Honolulu Youth Commission; Hawai'i Children's Action Network Speaks!; Hina Mauka; AlohaCare; Blue Zones Project; Kahoomiki; Coalition for a Tobacco-Free Hawai'i's Youth Council; Hawai'i COPD Coalition; Hawai'i Youth Services Network; Hawai'i Public Health Association; Aloha Harvest; The Friends of Kamalani and Lydgate Park; Hawai'i State Teachers Association; Kapiolani Medical Center for Women and Children; American Academy of Pediatrics, Hawai'i Chapter; Opportunity Youth Action Hui; We Are One; Kaiser Permanente Hawai'i; Hawai'i Public Health Institute; Ohana Health Plan; Hawai'i

Dental Hygienists' Association; Keiki Injury Prevention Coalition; Save Medicaid Hawai'i; Hawai'i Substance Abuse Coalition; and fifty-four individuals. Your Committee received testimony in opposition to this measure from Volcano, Retail Merchants of Hawai'i, Consumer Choice Center, 24hourvapes, Consumer Advocates for Smoke-free Alternatives Association, American Vaping Association, ABC Stores, Black Lava Vape, Hawai'i Smokers Alliance; and forty-four individuals. Your Committee received comments on this measure from the American Heart Association, Reason Foundation, Hawai'i Petroleum Marketers Association, and Hawai'i Food Industry Association.

Your Committee notes that the American Cancer Society Cancer Action Network also submitted testimony in opposition to this measure as it is written in its current form, and requested that this measure be reverted to its original version, which would have prohibited the sale or distribution of all flavored tobacco products, including products with menthol. Your Committee shares the concerns raised in the testimony from the American Cancer Society Cancer Action Network and others that exempting certain products, including cigarettes, from the definition of "tobacco product" will make this measure ineffective in addressing the State's alarming youth tobacco epidemic. Experiences in other communities that have exempted certain tobacco products from flavor bans have illustrated that tobacco companies will shift their marketing to those flavored products that are exempted from the ban. Mint and menthol flavored tobacco products are heavily marketed to children, especially those from minority communities and the LGBTQ community, which has resulted in more than half of all youth and young adult smokers preferring menthol cigarettes.

Your Committee further finds that flavored tobacco products are a marketing weapon used to target youth and young people to a lifetime of addiction. Altering tobacco product ingredients with flavors can mask their harsh effects, facilitating nicotine uptake and increasing the product's overall appeal. Accordingly, amendments to this measure are necessary to impose a comprehensive ban on the sale of flavored tobacco products.

Your Committee has amended this measure by:

- (1) Clarifying that the cost of proper disposal of electronic smoking devices and e-liquids, as hazardous waste under existing administrative rules, shall be borne by the retailer;
- (2) Amending the definition of "tobacco product" to include cigarettes, cigars, or chewing or smokeless tobacco; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3118, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3118, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Riviere, San Buenaventura). Noes, none. Excused, none.

SCRep. 2939 Judiciary on S.B. No. 2159

The purpose and intent of this measure is to:

- (1) Clarify that the residential zone restriction on the use of leaf blowers at certain hours includes residential districts, apartment districts, and business mixed use districts; and
- (2) Remove the exemption on leaf blower restrictions for government agencies.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i, Chinatown Gateway Plaza Tenant Association, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that noise pollution is an ongoing and growing problem in the State. Leaf blowers cause a great deal of noise that, over a period of time, becomes an extreme nuisance which is harmful and disruptive to many individuals' lives particularly in residential areas. This measure will help ensure that the operation of leaf blowers in residential zone areas is limited to appropriate times.

Your Committee has amended this measure by specifying that government entities, and agents acting on behalf of government entities, may use leaf blowers during the prohibited hours in the case of an emergency.

As affirmed by the record of votes of 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. 2159, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2159, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2940 Judiciary on S.B. No. 2456

The purpose and intent of this measure is to authorize the issuance of limited purpose identification cards for certain residents.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Public Safety, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Community Alliance on Prisons, Parents and Children Together, The Legal Clinic, Hawai'i Appleseed Center for Law & Economic Justice, and nine individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 2015, the Legislature created a limited purpose driver's license, a limited purpose provisional driver's license, and a limited purpose instruction permit. Many young adults, elderly residents, houseless persons, recently released inmates, undocumented immigrants, and lawfully present non-immigrants who do not drive and cannot meet the heightened standards for a REAL ID-compliant identification card are unable to access state-issued identification. Proving one's identity is a necessity that has

been turned into an obstacle for many individuals and further heightened by the coronavirus disease 2019 pandemic since proof of identification is required for entry into many public venues. Authorizing the issuance of limited purpose identification cards will improve access for residents of the State, including marginalized or disadvantaged residents.

Your Committee has amended this measure by:

- (1) Specifying that documents that may be used to establish a person's identity include a prisoner identification card, certificate of discharge, order of parole, or printout prepared by the Department of Public Safety with the person's photograph, name, and date of birth;
- (2) Clarifying that an individual issued a limited purpose identification card shall surrender any REAL ID compliant identification card, drivers' license, or permit at the time the limited purpose identification card is issued to the examiner of drivers;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2456, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2456, S.D. 2.

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

SCRep. 2941 Judiciary on S.B. No. 2685

The purpose and intent of this measure is to:

- (1) Establish requirements for cumulative voting and the removal of directors of planned community associations; and
- (2) Exempt planned community associations from certain requirements regarding cumulative voting for and the removal of directors under the Hawaii Nonprofit Corporations Act.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians; Legislative Action Committee of the Community Associations Institute, Hawaii Chapter; Hawaii Council for Association of Apartment Owners; Lualualei Association; Villages of Kapolei Association; Law Offices of Mark K. McKellar, LLLC; Associa; and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from three 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 meeting notices. 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 making mandatory the assumption that in computing whether a director is protected from removal, the votes against removal are cast in an election for the number of directors to the class to which the director to be removed belonged at the meeting at which the removal is proposed.

As affirmed by the record of votes of 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. 2685, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2685, S.D. 2.

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

SCRep. 2942 Judiciary on S.B. No. 2297

The purpose and intent of this measure is to add the forfeiture of a vehicle as a punishment for being used in the commission of an illegal disposal of solid waste.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the illegal disposal of solid waste damages human health and the environment. Your Committee further finds that additional penalties for the illegal disposal of solid waste may deter the practice. This measure will protect human health and the environment by adding the forfeiture of a vehicle used in the commission of an illegal disposal of solid waste as a potential punishment.

Your Committee has amended this measure by:

- (1) Making the forfeiture penalty an optional penalty in addition to already existing penalties; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2297, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2297, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Lee).

SCRep. 2943 Judiciary on S.B. No. 2137

The purpose and intent of this measure is to:

- (1) Require the Department of Health and pertinent county agencies to work together to resolve problems and complaints regarding clean and sober homes; and
- (2) Require the Department of Health to educate the public on certain matters related to clean and sober homes.

Your Committee received testimony in support of this measure from the Department of Health and Hawaii Substance Abuse Coalition. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that Hawai'i continues to have limited resources for those in recovery to have a stable and safe environment in which to reside. Clean and sober homes are a critical strategy to assist in a person's recovery. Unfortunately, there are communities that have expressed frustration with the lack of oversight of clean and sober homes. This measure will help balance community education and the needs of those in clean and sober homes, which will help increase understanding and reduce misinformation about these important facilities.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2137, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2137, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Keohokalole).

SCRep. 2944 Judiciary on S.B. No. 2002

The purpose and intent of this measure is to:

- (1) Define "assistance animal" in the context of Hawaii law prohibiting discrimination in real property transactions; and
- (2) Codify the administrative process in verifying that a person requesting a reasonable accommodation that includes the use of an assistance animal has a disability and the assistance animal is needed to alleviate one or more symptoms of the person's disability.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, Hawai'i Association of REALTORS, Associa, and one individual.

Your Committee finds that under the federal and state fair housing laws, landlords may allow "assistance animals" in rental properties that otherwise do not allow pets. For landlords seeking to follow the fair housing laws, this can create problems discerning between a legitimate request from a person with a disability and those from persons who simply wish to keep a pet in their rental unit. This measure provides clarification on what information a landlord might reasonably request from an individual to verify the need for an assistance animal.

Your Committee has amended this measure by specifying that possession of a vest or other distinguishing animal garment, tag, or registration documents that are commonly purchased online and purporting to identify an animal as a service animal or assistance animal shall not constitute valid verification of a disability-related need for an assistant animal.

As affirmed by the record of votes of 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. 2002, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2002, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2945 Judiciary on S.B. No. 2835

The purpose and intent of this measure is to:

- (1) Prohibit health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition; and
- (2) Require insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, North Shore Ko'olau Diversity Collective, Northwest Society of Plastic Surgeons, American Society of Plastic Surgeons, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Health & Harm Reduction Center, Hawai'i Public Health Institute, National Center for Transgender Equality, Transgender Law Center, AF3IRM Hawai'i, and thirty-two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Services Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Insurance Division, Hawaii Employer-Union Health Benefits Trust Fund, and Kaiser Permanente Hawaii.

Your Committee finds that many transgender individuals have experienced discriminatory treatment from health insurance providers when seeking coverage for gender-affirming treatments. Your Committee further finds that health insurance policies often cover therapies such as feminizing or masculinizing hormone therapies, voice therapies, chest augmentations or reductions, and genital

surgeries for other purposes but deny the same treatments for purposes of gender affirmation. This measure will prohibit health insurance companies from discriminating on the basis of gender identity.

Your Committee has amended this measure by:

- (1) Clarifying that references in the measure to a person's family member are to a person's transgender family member;
- (2) Removing language that would have required that no treatment or service shall be denied on the basis that it is not medically necessary unless a health care provider with experience in prescribing or delivering gender affirming treatment first reviews and confirms the appropriateness of the adverse benefit determination;
- (3) Specifying that a health care provider shall not apply categorical cosmetic or blanket exclusions to gender affirming treatment and, when prescribed as medically necessary gender affirming treatment, a health care provider shall not categorically exclude certain services;
- (4) Retaining the existing definitions of "actual gender identity" and "perceived gender identity";
- (5) Specifying that this measure is known as The Gender Affirming Treatment Act;
- (6) Specifying that nothing in this measure shall be construed to mandate coverage of a service that is not medically necessary and that this measure shall not be subject to any requirement pursuant to section 23-51, Hawaii Revised Statutes;
- (7) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2835, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2835, S.D. 2.

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

SCRep. 2946 Judiciary on S.B. No. 2424

The purpose and intent of this measure is to require the Department of Human Services' Child Protective Services Unit to investigate all parties involved in a marriage, including the prospective spouse and any person giving written consent to a minor's marriage, and report its findings to the Family Court before the court approves the marriage when one of the parties to the marriage is a minor at the time of contracting the marriage and the other party is more than five years older than the minor.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Hawaii Youth Services Network, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of Human Services.

Your Committee finds that there is growing recognition that child marriage is a human rights violation and a severe impediment to social and economic development. This has resulted in states and countries considering legislation to end the practice of allowing children to marry. Existing state law allows children as young as sixteen years of age to marry. State law further authorizes the Family Court to approve a marriage of a child who is fifteen years of age. Comparatively, sexual assault laws criminalize sexual conduct with a fifteen-year-old, though an exception is made if the fifteen-year-old is legally married to the sexual partner or the sexual partner is no more than five years older than the minor victim. This measure will balance certain protections with existing law.

Your Committee has amended this measure by:

- (1) Clarifying that written consent of the Family Court is required for a marriage when one of the parties to the marriage is a minor at the time of contracting the marriage and the other party is more than five years older than the minor;
- (2) Specifying that when the Department of Health receives an application for a license to marry where one of the parties is a minor and the other party is more than five years older than the minor, the Department of Health shall inform the parties that written consent of the Family Court is required;
- (3) Specifying that the Department of Health shall provide written notification of the application for a license to marry to the Child Protective Services Unit of the Department of Human Services, which shall investigate all parties involved in the marriage, including the prospective spouse and any person giving written consent to the minor's marriage;
- (4) Specifying that the Child Protective Services shall submit a report of its findings to the Family Court within a reasonable period of not more than two weeks from the date of the application for the license to marry;
- (5) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2424, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2424, S.D. 2.

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

SCRep. 2947 Judiciary on S.B. No. 2877

The purpose and intent of this measure is to:

- (1) Allow a landlord or landlord's agent to charge an application screening fee at the time a rental application is processed for a residential property;
- (2) Cap the amount of an application screening fee at \$25 and prohibit fees to be charged for each member of a household;
- (3) Require the landlord or landlord's agent to provide a receipt for payment of the application screening fee and copy of any report obtained, if requested by the applicant, and within ten days of the applicant's request; and
- (4) Require the landlord or landlord's agent to return any unauthorized fee amounts to the applicant.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness; Department of Commerce and Consumer Affairs; Department of Human Services; Partners in Care, Oahu's Continuum of Care; Catholic Charities Hawai'i; HOPE Services Hawai'i; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association of REALTORS and one individual.

Your Committee finds that application screening fees may be a significant barrier to housing for low-income residents, including elderly persons and individuals and families who are homeless or on the brink of homelessness. Excessive application fees are particularly egregious in those circumstances when a landlord or the landlord's agent receives numerous applications for one apartment, most of which are not seriously considered. Rather, the landlord or the landlord's agent takes advantage of their bargaining position to create a supplemental source of income merely by screening potential tenants. This measure sets a limit on the amount that could be charged to a prospective tenant, while still enabling landlords to be compensated for the expense associated with credit checks.

Your Committee has amended this measure by specifying that the landlord or the landlord's agent shall return to the applicant any amount of the application screening fee that is not used for the purposes authorized within thirty days after the landlord has submitted screening requests.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2877, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2877, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2948 Judiciary on S.B. No. 3373

The purpose and intent of this measure is to clarify the deadline for submitting written protests that are based on the content of a solicitation.

Your Committee received testimony in support of this measure from the State Procurement Office. 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 finds that currently the law is potentially confusing regarding the deadline for submitting written protests that are based on the content of a solicitation. Your Committee finds that this measure clarifies the deadline requirements.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 3373, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3373, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 2949 Judiciary on S.B. No. 2623

The purpose and intent of this measure is to exclude from any waiting list maintained by the Department of Hawaiian Home Lands any lessee or successor who sells or transfers their lease on a tract of Hawaiian home lands.

Your Committee received comments on this measure from the Department of the Attorney General and Department of Hawaiian Home Lands.

Your Committee finds that the practice of obtaining a Hawaiian home lands lease then selling or conveying it to others for a fee or other personal gain, then being placed on the waiting list to receive another lease is referred to as churning. Your Committee further finds that the large number of applications is due in part to an applicant being allowed to submit more than one application for the different awards of leases, such as pastoral, agricultural, and residential leases, where the applicant is eligible to apply for all three and hoping to receive just one award. With the number of applications continuing to grow, some eligible native Hawaiian beneficiaries may never obtain a lease or remain on the list for an extended number of years before receiving a Hawaiian Home Lands lease. Your Committee finds this practice of churning unacceptable, as it prevents many native Hawaiians from ever obtaining a lease, and that this practice must be prohibited to ensure fair distribution of leases to all beneficiaries.

Your Committee has amended this measure by inserting an effective date of upon its approval or as otherwise provided in section 5.

As affirmed by the record of votes of 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. 2623, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2623, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2950 Judiciary on S.B. No. 2118

The purpose and intent of this measure is to require the driver of a moped to be in immediate possession of a valid driver's license or instruction permit at all times.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, State of Hawaii Organization of Police Officers, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the current language of section 291C-194, Hawaii Revised Statutes, has created confusion for law enforcement regarding its applicability. Section 291C-194, Hawaii Revised Statutes, is necessary to define the immediate license possession requirement specifically for moped operation and align with the same requirement for operators of all other motor vehicles covered under section 286-116, Hawaii Revised Statutes. This measure clarifies that moped drivers must always have a valid driver's license or instruction permit on their person while operating a moped.

Your Committee notes that when someone drives a car with a permit, they need a licensed driver in the car with them. Your Committee further notes that there are questions regarding the implication of being allowed to drive a moped with an instruction permit without a licensed driver.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2118, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2118, S.D. 1.

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

SCRep. 2951 Judiciary on S.B. No. 2279

The purpose and intent of this measure is to:

- (1) Require used motor vehicle parts dealers to obtain a written statement that the seller has the lawful right to sell and dispose of a catalytic converter;
- (2) Require certain sellers to provide copies of receipts or a notarized declaration that contains specific information regarding the purchase or acquisition of a catalytic converter;
- (3) Require dealers to keep records of purchases and sales of catalytic converters, report purchases to the police department database, and tag and hold the catalytic converter for sixty days before selling or otherwise disposing of the catalytic converter;
- (4) Require dealers to pay for catalytic converters by check;
- (5) Establish the offense of theft of catalytic converter and make it a class C felony;
- (6) Require scrap dealers to keep records of purchases and sales of palladium, platinum, and rhodium and require scrap dealers to pay for palladium, platinum, and rhodium by check;
- (7) Establish that a scrap dealer who violates certain requirements shall be guilty of a class C felony; and
- (8) Require each county police department to establish a database to collect and maintain information reported by used motor vehicle parts licensees regarding purchased catalytic converters and to initiate education programs to encourage residents to take personal measures to prevent catalytic converter thefts.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Insurers Council, National Insurance Crime Bureau, Catholic Charities Hawai'i, AAA Hawaii, Schnitzer Steel Hawaii, and one individual.

Your Committee finds that in recent years, the State has seen an increase in the number of catalytic converters being stolen from vehicles and resold for profit. Catalytic converters contain precious metals such as platinum, palladium, and rhodium, making catalytic converters highly sought after by thieves due to their high resale value. A catalytic converter can be stolen in less than sixty seconds and cause extensive damage to a vehicle, leading to hundreds, if not thousands of dollars in repair costs. This measure will increase regulations on the sale of catalytic converters and make the theft of catalytic converter a class C felony, which will reduce the incentive for catalytic converter theft in the State.

Your Committee has amended this measure by:

- (1) Adopting the Department of Attorney General's proposed recommendation by specifying that a person commits the offense of theft of catalytic converter if that person commits theft of a catalytic converter under section 708, Hawaii Revised Statutes; and

(2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

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

SCRep. 2952 Judiciary on S.B. No. 2396

The purpose and intent of this measure is to clarify that minors who reside in the same household as the victim of domestic abuse will not be compelled by the court to demonstrate that they are a victim of domestic abuse to be named a protected party in an order of protection or a temporary restraining order.

Your Committee received testimony in support of this measure from the Women's Caucus of the Democratic Party of Hawai'i, Hawai'i State Coalition Against Domestic Violence, Parents and Children Together, and three individuals.

Your Committee finds that children who witness abuse between parents are victims despite not being physically harmed because they have a higher risk for long-term physical and mental health problems. They have a greater risk of experiencing anxiety and depression and are more likely to resolve conflict by using violence. This measure will protect children by clarifying that a minor who resides in the same household as a victim of domestic abuse may be included in a petition for an order for protection or temporary restraining order and the court shall not require a minor to demonstrate the minor was a victim of domestic violence.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2396, S.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. 2953 Judiciary on S.B. No. 2292

The purpose and intent of this measure is to modernize the definition of "personal information" for the purposes of notifying affected persons of data and security breaches.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services; Department of Commerce and Consumer Affairs; Hawaiian Electric Company, Inc.; Fellow of Information Privacy; and Hawai'i Pacific Health. Your Committee received comments on this measure from the Hawaii Credit Union League, Hawaii Bankers Association, and Hawaii Financial Services Association, and one individual.

Your Committee finds that House Concurrent Resolution No. 225, Senate Draft 1, Regular Session of 2019, convened the Twenty-First Century Privacy Law Task Force, whose membership consisted of individuals in government and the private sector having an interest or expertise in privacy law in the digital era. Your Committee further finds that, following significant inquiry and discussion, the Twenty-First Century Privacy Law Task Force recommended that the outdated definition of "personal information" in chapter 487N, Hawaii Revised Statutes, which requires the public to be notified of data breaches, should be updated and expanded. This measure will help ensure that individuals are protected from data breaches which may place an individual at risk of identity theft or may compromise the individual's personal safety.

As affirmed by the record of votes of 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. 2292, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2954 Judiciary on S.B. No. 2824

The purpose and intent of this measure is to amend the minimum qualifications for members of the Board of Education.

Your Committee received testimony in support of this measure from HawaiiKidsCAN. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that Hawaii continues to be a place that is losing population and research shows that a significant number of young and educated former residents now call other states their home. Addressing and fundamentally changing this trajectory will require cross-sector strategies that look at how we are equipping our young people to live, play, and work in Hawaii. However, as educational opportunities and schools continue to become more innovative and sophisticated, policy leaders at the Hawaii Board of Education will increasingly need to understand and foresee how the K-12, higher education, and workforce sectors dynamically intersect, and how technology and entrepreneurial skills will play a larger role into the future. This measure will leverage the diverse perspectives and backgrounds in our community to chart a new and better course for local education.

Your Committee notes that there are questions as to what the qualifications in the measure specifically require and how it will be determined that members of the Board of Education are in compliance.

As affirmed by the record of votes of 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. 2824, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2955 Judiciary on S.B. No. 3023

The purpose and intent of this measure is to allow the Real Estate Commission to revoke or suspend a license, or fine a licensee, for advertising, promoting, representing, receiving any remuneration for, or offering for rent any transient vacation units and whole-home short-term rentals unless the unit or rental is permitted by the relevant county.

Your Committee received testimony in support of this measure from the Real Estate Commission and three individuals. Your Committee received comments on this measure from the Hawai'i Association of REALTORS.

Your Committee finds that illegal transient vacation units and whole-home short-term rentals adversely affect housing availability and affordability for Hawai'i residents. Some real estate agents are directly or indirectly involved in the unauthorized short-term vacation rental industry. This measure prohibits real estate agents from advertising, promoting, representing, receiving remuneration for, or offering for rent any illegal vacation unit or whole-home short-term rental.

As affirmed by the record of votes of 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. 3023, S.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. 2956 Judiciary on S.B. No. 2161

The purpose and intent of this measure is to:

- (1) Require the exterior of the envelope containing the ballot package for elections by mail to include instructions on how to obtain language translation services in Hawaiian and certain other non-English languages; and
- (2) Apply to all elections beginning with the 2024 primary election.

Your Committee received testimony in support of this measure from the Office of Elections, Office of Language Access, Hawai'i State Association of Parliamentarians, League of Women Voters of Hawaii, Hawai'i Friends of Civil Rights, Stonewall Caucus of the Democratic Party of Hawai'i, Common Cause Hawaii, Hawai'i Coalition for Immigrant Rights, and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the City and County of Honolulu Elections Division.

Your Committee finds that Hawai'i is the most diverse state in the country with a diversity index of seventy-six percent. The April 2016 Department of Business, Economic Development, and Tourism Research and Economic Analysis Division report on the non-English speaking population in Hawai'i indicated that the number of non-English speakers at home increased by forty-four percent from 1980 to 2014, and that Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home, comprising approximately half of the non-English speakers. Your Committee further finds that language translation services are already required and used by the State and counties for in-person voting. This measure will ensure that limited English proficient voters are informed about how to obtain language translation services when voting by mail.

As affirmed by the record of votes of 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. 2161, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2957 Judiciary on S.B. No. 2711

The purpose and intent of this measure is to:

- (1) Specify additional exceptions under child labor laws to include certain work-based learning programs;
- (2) Define youth vocational training program or internship; and
- (2) Allow employment in youth vocational training programs or internships under chapter 390, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, Chamber of Commerce Hawaii, and four individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Department of Education.

Your Committee finds that state child labor laws must not unnecessarily stifle student access to quality work-based learning and internship opportunities. Local work-based learning, internship, and apprenticeship programs would benefit from an update to state its child labor law exemptions to align with best practices from around the country. This measure amends the child labor laws by making them less restrictive, which will encourage employers to provide more on-the-job training.

As affirmed by the record of votes of 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. 2711, S.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. 2958 Judiciary on S.B. No. 2707

The purpose and intent of this measure is to:

- (1) Require the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of its receipt of the exclusive representative's written request to negotiate; and

- (2) Establish that the employer's failure to initiate the negotiation within such time frame and the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitute an impasse to which the impasse procedures in section 89-11, Hawaii Revised Statutes, shall apply.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development, City and County of Honolulu Department of Human Resources, and County of Maui Department of Personnel Services. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that having a reasonable timetable to negotiate repricing of classes within a bargaining unit will help to ensure that public employees are being paid competitive and fair wages. By promoting access to fair and competitive wages, the State and counties would be able to recruit and retain workers to help to address any outstanding vacancies and prevent high turnover for these positions.

As affirmed by the record of votes of 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. 2707 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 2959 Judiciary on S.B. No. 2494

The purpose and intent of this measure is to:

- (1) Prohibit landlords from recovering possession of a dwelling unit from tenants if habitability of the dwelling unit is significantly impaired;
- (2) Set a tenant's liability for rent if habitability of the dwelling unit is significantly impaired; and
- (3) Provide remedies for retaliatory evictions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Department of Human Services. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that the warranty of habitability is a principle based on contract law, wherein the tenant is responsible for paying rent while the landlord guarantees in return that the premises are habitable and in compliance with health, safety, and building codes. The Hawaii Supreme Court has recognized the warranty of habitability, but it has not been codified in statute, resulting in it being largely unenforced.

Your Committee further finds that existing state law allows a tenant to deduct up to \$500 from the next month's rent for the cost of repairs if the landlord does not respond to the tenant's written repair request within twelve business days. However, costs to repair conditions that materially affect health and safety can exceed \$500, leaving the tenant with limited recourse. Hawaii renters already face one of the least affordable rental markets in the nation and eviction directly fuels homelessness, another epidemic facing the State. Accordingly, this measure codifies the warranty of habitability and sets minimum damages and establishes remedies for tenants who have suffered retaliatory evictions for reporting uninhabitable conditions. This measure also promotes incentivizing landlords to keep their rental unit in a safe and sanitary condition and protects landlord-tenant equity in Hawai'i.

As affirmed by the record of votes of 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. 2494, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Lee).

SCRep. 2960 Judiciary on S.B. No. 2158

The purpose and intent of this measure is to provide flexibility in the use of sirens by emergency response vehicles in certain circumstances.

Your Committee received testimony in support of this measure from the Chinatown Gateway Plaza Tenant Association, two individuals, and a petition containing the signatures of approximately ninety-six individuals.

Your Committee finds that the City and County of Honolulu has ordinances expressing that emergency vehicles should use sirens "as may be reasonably necessary". Your Committee further finds that the unnecessary use of a siren contributes to noise pollution, particularly in densely populated residential areas. This measure will promote the reduction of noise pollution by providing flexibility in the use of sirens by emergency response vehicles in certain circumstances.

As affirmed by the record of votes of 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. 2158 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 2961 Judiciary on S.B. No. 2072

The purpose and intent of this measure is to require the court to appoint counsel to indigent parents upon the filing of a petition for custody or family supervision and make every effort to do so at the first hearing attended by the parents.

Your Committee received testimony in support of this measure from the Health Committee of the Democratic Party of Hawai'i, National Coalition for a Civil Right to Counsel, and ACLU of Hawai'i.

Your Committee finds that the Hawaii Supreme Court held in *In re L.I.*, 149 Hawaii 118 (2021), that parents are constitutionally entitled to counsel upon the filing of a petition for either custody or family supervision and that the failure to timely appoint counsel in those cases constitutes structural error requiring reversal. Your Committee further finds that as currently written, the Hawaii Revised Statutes does not require the court to appoint counsel to indigent parents in custody or family supervision proceedings. Instead, as currently written, the appointment of counsel to indigent parents is discretionary. This measure therefore requires that the court appoint counsel to indigent parents in custody or family supervision proceedings, which will ensure that indigent parents have the right to counsel when a child's placement and care is at stake.

Your Committee notes that there are questions as to whether the scope of the measure adequately addresses which proceedings parents should be appointed counsel for and whether it includes proceedings involving the termination of parental rights.

As affirmed by the record of votes of 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. 2072, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 2962 Judiciary on S.B. No. 872

The purpose and intent of this measure is to add the Chairperson of the Hawaiian Homes Commission or the Chairperson's designee to serve as an ex officio, voting member on the Commission on Water Resource Management.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, League of Women Voters of Hawaii, 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.

Your Committee finds that the State Water Code requires that adequate reserves of water for current and foreseeable development of Hawaiian home lands be incorporated into and protected by the decisions of the Commission on Water Resource Management. Your Committee finds that there would be stronger adherence to this requirement if the Commission on Water Resource Management included a representative of the Hawaiian Homes 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 S.B. No. 872, S.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. 2963 (Joint) Judiciary and Ways and Means on S.B. No. 2305

The purpose and intent 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 Committees received testimony in support of this measure from the Department of Public Safety, Hawai'i Health & Harm Reduction Center, and Community Alliance on Prisons. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that prioritizing reentry planning and comprehensive treatment, education, and support services should start at the beginning of incarceration, not at the tail end of a person's incarceration. Given that nearly ninety-five percent of people incarcerated in state jails and prisons will eventually be released and return home, the State should invest in comprehensive reentry programs and services from day one of incarceration. This measure will promote public safety by clarifying 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.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2305 and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 7. Noes, none. Excused, none.
Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2964 Commerce and Consumer Protection on S.B. No. 3136

The purpose and intent of this measure is to require a dispenser of a controlled substance to either:

- (1) Report the filling of a controlled substance prescription to the State's Electronic Prescription Accountability System in real-time; or
- (2) Report "zero" not less than once every seven days if no controlled substances prescriptions are filled.

Your Committee received testimony in support of this measure from the Department of Public Safety.

Your Committee finds that section 329-101(d), Hawaii Revised Statutes, is not in line with the national trend of requiring real-time reporting of data to track the dispensing of controlled substances. Real-time reporting develops a critical body of timely and relevant data for health care professionals with prescriptive authority. Your Committee further finds that a zero-reporting requirement provides

accountability in the dispensing of controlled substances and aids in the enforcement of related laws. Accordingly, your Committee finds that this measure promotes the responsible prescribing and dispensing of controlled substances by aligning existing law with national best practices.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3136, S.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. 2965 Ways and Means on S.B. No. 2165

The purpose and intent of this measure is to amend the income tax credit for low-income household renters.

More specifically, this measure:

- (1) Adjusts the eligibility requirements for the tax credit;
- (2) Establishes income thresholds that will phase out the credit as the taxpayer's income rises; and
- (3) Adjusts the amount of the tax credit every three years, based on the Urban Hawaii Consumer Price Index.

Your Committee received testimony in support of this measure from Planned Parenthood Alliance Advocates, Hawaii Alliance for Community-Based Economic Development, Pono Hawaii Initiative, Americans for Democratic Action, League of Women Voters of Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Imua Alliance, Democratic Party of Hawaii Education Caucus, Hawaii Children's Action Network Speaks!, and eight individuals.

Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that the amount of the income tax credit for low-income household renters, \$50 per exemption, has not changed since 1981, and the income threshold to qualify for the tax credit has not changed since 1989. Your Committee also finds that this measure updates the tax credit amount and establishes a series of income thresholds to better target lower-income taxpayers. Your Committee further finds that the provisions authorizing automatic increases to the tax credit will help the tax credit adjust to inflation without the need for future statutory amendments by the Legislature.

Your Committee has amended this measure by:

- (1) Repealing the current \$50 per exemption tax credit amount;
- (2) Specifying that eligibility to claim the tax credit shall apply based upon a taxpayer's federal adjusted gross income;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2165, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2165, S.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 (Kidani, Taniguchi, Fevella).

SCRep. 2966 Ways and Means on S.B. No. 2599

The purpose and intent of this measure is to amend certain requirements and limitations of the tax credit for research activities.

More specifically, this measure:

- (1) Establishes a cap on the amount of tax credits for research activities that an eligible taxpayer and the taxpayer's related entities may receive per taxable year;
- (2) Requires every qualified high technology business, to be eligible to receive tax credits for research activities, to submit additional information to the Department of Business, Economic Development, and Tourism;
- (3) Amends the annual aggregate cap on tax credits for research activities that the Department of Business, Economic Development, and Tourism may certify; and
- (4) Requires certification of tax credits for research activities on a first-come, first-served basis to be based on the date and time that a complete application is received, subject to certain conditions.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Oceanit Laboratories, Inc.; Nalu Scientific, LLC; Simonpietri Enterprises, LLC; and one individual.

Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Department of Taxation; and Tax Foundation of Hawaii.

Your Committee finds that establishing a cap amount on the tax credit for research activities will allow a greater number of companies to receive the tax credit.

Your Committee has amended this measure by:

- (1) Clarifying the entities that are subject to the cap amount on the tax credit for research activities;
- (2) Clarifying that the Department of Business, Economic Development, and Tourism shall certify the tax credit for research activities on a first-come, first-served basis, based on the date that a complete application is received; provided that complete applications received on the same date shall be certified on a pro rata basis;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2599, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2599, S.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, none.

SCRep. 2967 Judiciary on S.B. No. 2027

The purpose and intent of this measure is to amend provisions relating to first degree murder, adding that a person commits the offense of first degree murder if:

- (1) The person knowingly or intentionally causes the death of another person that is less than fourteen years old or pregnant with a viable fetus; or
- (2) The murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity.

Your Committee received testimony in support of this measure from the Hawaii Family Forum and twenty-eight individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Hawaii State Coalition Against Domestic Violence, and Save Medicaid Hawaii. Your Committee received comments on this measure from the Judiciary, Hawai'i State Commission on the Status of Women, Honolulu Police Department, and two individuals.

Your Committee finds that many other states include children as individuals deserving of heightened protection in their murder statutes. This measure will better protect the people of Hawaii by adding that a person commits the offense of first degree murder if the person knowingly or intentionally kills a pregnant woman, child under the age of ten, or if the murder was especially heinous, atrocious, or cruel, manifesting exceptional depravity.

Your Committee has amended this measure by:

- (1) Reducing the required age of the victim from less than fourteen years old to less than ten years old for the offense of first degree murder;
- (2) Clarifying language to require the person killed to have been pregnant for the offense of first degree murder;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2027, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2027, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2968 Judiciary on S.B. No. 3172

The purpose and intent of this measure is to require any electronic audio or visual recording of a board meeting to be maintained as public record and to clarify that complete minutes of the meetings are still required.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Hawaii Chapter of the Society of Professional Journalists, and seven individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development and Office of Information Practices.

Your Committee finds that opening the governmental process to public scrutiny and participation is important to protect the public's interests. Discussions, deliberations, decisions, and actions of governmental agencies in the formation and conduct of public policy should be conducted as openly as possible. Your Committee further finds that audio or visual recordings are not a substitute for complete written minutes. Many members of the public are interested but do not have the ability to attend meetings, nor the time or technology to listen to recordings, and those persons are therefore unnecessarily prevented from participating in the process. This measure will provide the public with as much access and information as possible of the ongoings of board meetings.

Your Committee has amended this measure by:

- (1) Clarifying that any electronic audio or video recording of any board meeting be made by or on behalf of the board;
- (2) Specifying that only one version of any electronic audio or video recording of any board meeting shall be kept as a public record;
- (3) Removing language requiring that a written summary accompany any board minutes; and

(4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3172, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3172, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2969 Judiciary on S.B. No. 2147

The purpose and intent of this measure is to:

- (1) Extend by one month the deadline by which nomination papers for candidates for elected office shall be made available; and
- (2) Repeal on the same date of the repeal of section 4 of Act 14, Session Laws of Hawaii 2021.

Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that in February 2021, the U.S. Census Bureau announced that it would likely delay delivery of the 2020 census results to the fifty states by as much as six months or more. This created delays with the 2021 Reapportionment and Redistricting Plan in the State. Your Committee further finds that reapportionment should occur before a candidate for the 2022 election is issued a nomination paper to ensure that the candidate not only meets the residency requirements, but also collects signatures from voters in the correct district. This measure provides for additional time for nomination papers to be made available.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2147, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2147, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2970 Judiciary on S.B. No. 555

The purpose and intent of this measure is to require a notice of intent for all campaign fundraisers held by incumbent legislators or candidates for legislative office during a Regular or Special Session of the Legislature regardless of price or suggested contribution amount.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure, which deletes the contents of the measure and inserts language to prohibit legislators and employees and persons acting on behalf of legislators from holding any fundraiser during a regular legislative session or special session.

Your Committee received testimony in support of this measure from the Campaign Spending Commission; Pono Hawai'i Initiative; Common Cause Hawaii; Chamber of Sustainable Commerce; Community Alliance on Prisons; Hawaii Advocates for Consumer Rights; Hawaii Family Advocacy Team; When We Shine Foundation; League of Women Voters of Hawaii; FREE ACCESS COALITION; We Are One, Inc.; Hawai'i Alliance for Progressive Action; Kokua Council; and eighty-six individuals.

Your Committee finds that there are concerns of growing apathy and lack of participation in the government process due partially to the lack of faith and trust in the government. This measure will ban fundraisers during legislative sessions, which will help to restore trust in the state legislative process.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of 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. 555, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 555, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2971 Judiciary on S.B. No. 2094

The purpose and intent of this measure is to clarify that all individuals charged with a felony offense or convicted of certain offenses are prohibited from possessing a firearm.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and Council of Honolulu and six individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that currently, section 134-7(b), Hawaii Revised Statutes, prohibits firearm ownership or possession for individuals who are under indictment, have waived indictment, are "bound over" to the circuit court, or have been convicted of a felony offense, crime of violence, or an illegal sale of drugs. Notably, when section 134-7, Hawaii Revised Statutes, was initially codified in 1988, one mechanism for charging offenses had not yet been established. In 2004, the Legislature passed Act 62, Session Laws of Hawaii 2004 (Act 62), creating the procedure commonly known as "information charging", whereby criminal felony charges can be initiated by a written document submitted by the prosecutor and approved by the court. Unfortunately, when Act 62 was passed, it appears there was an oversight in not including information charging under section 137-4(b), Hawaii Revised Statutes. There is no indication that this was done intentionally, as the plain language of section 137-4(b), Hawaii Revised Statutes, as written, would arguably allow some individuals to own or possess a firearm, but prohibit others from owning or possessing a firearm, even if they are

charged with the same felony offense, depending on whether that person was charged via information charging or another method originally listed under section 137-4(b), Hawaii Revised Statutes. This measure will ensure that, regardless of what procedure is used to charge a defendant with a felony offense, in Hawai'i or elsewhere, all individuals charged with a felony offense or convicted of certain offenses are prohibited from possessing a firearm.

As affirmed by the record of votes of 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. 2094 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, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2972 Judiciary on S.B. No. 2121

The purpose and intent of this measure is to require that environmental impact statements consider whether the proposed action will exacerbate socioeconomic disparities.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Public Health Institute, and Sierra Club of Hawai'i. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and three individuals. Your Committee received comments on this measure from the State Environmental Advisory Council.

Your Committee finds that vulnerable communities and neighborhoods have been historically overlooked, and systematically under-resourced, resulting in socioeconomic disparities across Hawaii. The coronavirus disease 2019 (COVID-19) pandemic has highlighted these preexisting vulnerabilities and conditions. Your Committee recognizes the need to ensure present and future generations' physical, social, and economic equity and well-being. This measure will ensure that agency decisionmakers assess the impact of proposed actions on socioeconomic disparities as part of the environmental review process.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2121, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 2973 Judiciary on S.B. No. 2046

The purpose and intent of this measure is to amend provisions relating to dates and deadlines in statutory provisions governing political parties.

Your Committee received testimony in support of this measure from the Office of Elections and one individual. Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii.

Your Committee finds that every election year, qualified political parties must submit their current party rules and provide the names and addresses of their central committee officers and respective county committee officers. The deadline to submit the party rules and officers should be on the same day for qualified political parties. This measure aids qualified parties in keeping track of and facilitating compliance with deadlines.

As affirmed by the record of votes of 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. 2046 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, 7. Noes, none. Excused, none.

SCRep. 2974 Judiciary on S.B. No. 3329

The purpose and intent of this measure is to:

- (1) Amend the scope of chapter 643F, Hawaii Revised Statutes; and
- (2) Limit the requirement that discovery in certain legal proceedings be suspended upon the filing of certain motions to dispose of a claim to only the responding party on the applicable claim.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii and one individual.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1, which amends this measure by deleting its contents and inserting language to:

- (1) Repeal chapter 634F, Hawaii Revised Statutes; and
- (2) Enact the Uniform Public Expression Protection Act.

Your Committee received testimony in support of the proposed S.D. 1 from the Uniform Law Commission, Commission to Promote Uniform Laws, Mālama Pūpūkea-Waimea, American Civil Liberties Union of Hawai'i, League of Women Voters of Hawaii, Surfrider Foundation, Sierra Club of Hawai'i, UNITE HERE Local 5, Motion Picture Association, Climate Protectors Hawai'i, Common Cause Hawaii, Hawai'i's Thousand Friends, Center for Biological Diversity, The Outdoor Circle, Hawaii Association for Justice, and five individuals.

Your Committee finds that the enactment in 2002 of Hawai'i's Citizen Participation in Government Act, codified as chapter 634F, Hawaii Revised Statutes, was intended to promote the rights of citizens to vigorously participate in government and to protect citizens from the chilling effect of retributive "strategic lawsuit[s] against public participation" or "SLAPP" suits. To minimize the damage of SLAPP claims against citizens, Hawai'i's "Anti-SLAPP" law seeks to shift the burden of litigation back to the party bringing the SLAPP claim by providing for expedited judicial review, a stay on discovery, and sanctions. Your Committee further finds that despite the broad intentions of the Legislature that the law "shall be construed liberally to fully effectuate its purposes and intent", section 634F-4, Hawaii Revised Statutes, Hawai'i's Anti-SLAPP law, has not been effective at protecting citizen participation. Your Committee also finds that the Uniform Law Commission, also known as the National Conference of Commissioners on Uniform State Laws, established in 1892, provides states with non-partisan, well-conceived, and well-drafted legislation that brings clarity and stability to critical areas of state statutory law. This measure will protect public participation at all levels of government, with procedural protections for all parties, and clearer instructions for the courts on how to fairly and expeditiously dispose of SLAPP claims to ensure citizens are protected from punitive SLAPP suits.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of 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. 3329, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3329, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2975 (Majority) Judiciary on S.B. No. 3244

The purpose and intent of this measure is to repeal the definition of permanent resident for legislative reapportionment purposes.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Americans for Democratic Action Hawai'i and two individuals. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that reapportionment is the process of re-distributing seats for elected officials so that the seats are relatively evenly distributed based on the resident population. The Hawaii State Constitution requires that reapportionment for state senators and representatives be based on the average number of "permanent residents" in each district. Any resident not deemed permanent, even if included in the decennial United States census is extracted from the total used by the State Reapportionment Commission, and therefore not factored into the allocation of state senate and house districts. This measure will ensure that all individuals that are extracted but live in a specific area are counted for representation purposes for that district regardless of whether they are permanent residents.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 3244, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3244, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2976 Judiciary on S.B. No. 2660

The purpose and intent of this measure is to:

- (1) Allow defendants who enter deferred acceptance of nolo contendere pleas to have the conviction vacated if conditions are met; and
- (2) Specify that the three-year period begins after the original deferral of the nolo contendere plea.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, The Legal Clinic, American Civil Liberties Union of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that section 712-1209.6, Hawaii Revised Statutes, allows defendants convicted of prostitution to file a motion to vacate the conviction if the defendant is not subsequently convicted of any other crime within three years after the original conviction. However, section 712-1209.6, Hawaii Revised Statutes, fails to include immigrant defendants charged with prostitution who, instead of going to trial or entering a traditional guilty or nolo contendere plea, entered a deferred acceptance of a nolo contendere plea or deferred acceptance of a guilty plea. Under immigration law, a conviction is defined as a plea of guilty or nolo contendere and the judge has ordered some form of punishment. Under this definition, a deferred acceptance of nolo contendere plea or a deferred acceptance of a guilty plea is still considered a conviction in immigration law. As a result, many immigrant defendants receive deferred acceptance of nolo contendere pleas or deferred acceptance of guilty pleas for prostitution, comply with the terms of the court, have their plea dismissed and expunged, and still are arrested by U.S. Immigration and Customs Enforcement and put into removal proceedings. Because section 712-1209.6, Hawaii Revised Statutes, does not include these types of pleas, or acknowledge them as convictions, these clients are unable to utilize the vacatur and get their immigration case dismissed. This measure will give immigrant

defendants an opportunity to avoid the adverse immigration consequences of their deferred acceptance of nolo contendere and deferred acceptance of guilty pleas by allowing defendants who enter deferred acceptance of nolo contendere or guilty pleas to have the plea vacated if conditions are met.

Your Committee has amended this measure by:

- (1) Allowing a person's deferred acceptance of nolo contendere plea or deferred acceptance of guilty plea to be vacated;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2660, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2660, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 2977 (Joint) Government Operations and Ways and Means on S.B. No. 2940

The purpose and intent of this measure is to require state departments, agencies, boards, and commissions to develop policies under which eligible employees may be authorized to telework.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Office of Enterprise Technology Services, and one individual. Your Committees received testimony in opposition to this measure from the Department of Human Resources Development; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committees find that the global coronavirus disease 2019 pandemic has placed a historic strain on the continuity of state and local government operations. Telework rapidly emerged as a critical tool in the provision of essential services, while maintaining public health and safety protocols. Your Committees further find that telework has the potential to reduce strain on the State's physical infrastructure and increase adaptability by developing a flexible and distributed work force. Telework can also promote the State's environmental goals by reducing traffic congestion and related carbon emissions. Accordingly, this measure will promote the development of teleworking as a permanent aspect of state government and ensure consistency in telework policies across state departments.

Your Committees note the testimony of the Office of Enterprise Technology Services, suggesting the provision of cybersecurity training. Your Committees also note the testimony of the Department of Human Resources Development, identifying the Telework Program Guidelines adopted by the Department in 2010 (Telework Policy) and ongoing collective bargaining related to teleworking that will result in updates to the Telework Policy.

Your Committees have therefore amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;
- (2) Designating the Department of Human Resources Development as the agency responsible for the State's telework policy;
- (3) Adopting the Department of Human Resources Development's recommendations on the definition of "telework" and regarding telework policy;
- (4) Deleting various requirements of specific state departments;
- (5) Clarifying the State's telework policy;
- (6) Clarifying that this measure shall not infringe on collective bargaining under chapter 89, Hawaii Revised Statutes, related to teleworking;
- (7) Requiring the Department of Human Resources Development to:
 - (A) Regularly update the Telework Policy, which shall be the State's telework policy;
 - (B) Make the Telework Policy, as updated, publicly available to all employees by publication on its website;
 - (C) Provide all state department heads, relevant staff, and eligible employees with interactive training programs, including best practices for teleworking and cybersecurity; and
 - (D) Consult and work with the Department of Accounting and General Services regarding any necessary reallocation of office space or resources;
- (8) Clarifying the Department of Human Resources Development's reporting requirements;
- (9) Deleting the Department of Human Resources Development's research requirements;
- (10) Appropriating an unspecified amount of funds for the expenses required to implement this measure and the establishment of two full-time equivalent (2.0 FTE) positions within the Department of Human Resources Development;
- (11) Making the appropriation contingent on the completion and publication of the updated Telework Policy;
- (12) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (13) 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 Government Operations and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2940, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2940, S.D. 2, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4; Ayes with Reservations (Chang). Noes, none. Excused, 1 (Fevella).

Ways and Means: Ayes, 9; Ayes with Reservations (Misalucha, Taniguchi). Noes, none. Excused, 2 (Kidani, Fevella).

SCRep. 2978 (Joint) Water and Land and Ways and Means on S.B. No. 3225

The purpose and intent of this measure is to:

- (1) Require the Board of Land and Natural Resources to prepare all studies to determine the health and safety issues of flooding to surrounding areas and safe removal or retirement of a dam or reservoir upon the request of a homeowner association or homeowner of property where a dam or reservoir is situated; and
- (2) Appropriate funds for a two-year pilot program to study dam removal in counties with a population of less than two hundred thousand people.

Prior to the hearing on this measure, your Committees posted and made available for public review a proposed S.D. 1, which deletes the contents of the measure and inserts language to:

- (1) Establish a dam and spillway improvement loan program for eligible expenses for plans, design, construction, and equipment used to improve deficient dams and spillways as determined by the Department of Land and Natural Resources;
- (2) Establish a dam and spillway improvement revolving fund for deposit of proceeds from the dam and spillway improvement loan program;
- (3) Establish a dam and spillway improvement grant program to provide private dam owners with funds for plans, design, construction, and equipment used to improve deficient dams and spillways as determined by the Department of Land and Natural Resources; and
- (4) Establish a dam and spillway improvement tax credit for qualifying expenditures for the improvement of deficient dams and spillways.

Your Committees received testimony in support of the proposed S.D. 1 from the Department of Land and Natural Resources. Your Committees received comments on the proposed S.D. 1 from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committees find that some plantation era reservoirs across the State, including locations on Maui County, are on lands sold by plantation landowners to developers. Following the sale, developers constructed subdivisions, often including dams and reservoirs within deeds to the homeowners or a homeowner's association. Some dams and spillways located on private subdivisions are not properly maintained, leading to significant risks from flooding during extreme weather. As costly permits are required to conduct repairs or removal of dams, many dams remain in unsafe, deficient states.

Your Committees have heard the concerns of the Department of Land and Natural Resources and the Department of the Attorney General that the proposed S.D. 1, as drafted, would not specify eligible dams, grant eligibility requirements, and appropriate funds and positions needed to administer the proposed dam and spillway improvement grant and loan programs. According to the Department of Land and Natural Resources, dams provide many beneficial uses, and approximately ninety-three dams out of one hundred twenty-seven dams regulated by the Department of Land and Natural Resources are fully or partly privately owned. To incentivize private dam owners to maintain their dam's beneficial use, the Department of Land and Natural Resources would need initial assistance and clarification on program terms to effectively offer its support to address ongoing issues from deficient dams and spillways. Amendments are therefore necessary to address the concerns raised by the Department of Land and Natural Resources and the Department of the Attorney General to strengthen the dam and spillway improvement grant and loan programs.

Your Committees have amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Clarifying that deficient high hazard and significant high hazard dams and spillways shall be eligible under the dam and spillway improvement loan program;
- (2) Deleting the proposed requirement that all dam and spillway owners participating in the dam and spillway loan program to be licensed to conduct business in the State;
- (3) Requiring that all loans approved under the dam and spillway improvement loan program shall be subject to conditions imposed by the Board of Land and Natural Resources;
- (4) Including loan moneys as a permitted expenditure under the dam and spillway improvement revolving fund;
- (5) Deleting the requirement that private dam and spillway owners must be licensed to conduct business in the State to receive grants awarded by the Department of Land and Natural Resources;
- (6) Requiring that all grants approved under the dam and spillway improvement grant program shall be subject to conditions imposed by the Board of Land and Natural Resources;
- (7) Specifying eligibility requirements for the dam and spillway improvement grant program;
- (8) Inserting a blank appropriation amount to:

- (A) Provide one-time seed funding for the initial administration of the dam and spillway improvement loan and grant program; and
- (B) Establish three new positions in the Department of Land and Natural Resources, which include a planner, business loan officer, and accountant;
- (9) Amending section 1 to reflect its amended purpose;
- (10) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (11) 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 Water and Land and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3225, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3225, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Shimabukuro, Taniguchi, Fevella).

SCRep. 2979 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2290

The purpose and intent of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (3) Beginning July 1, 2023, ban the manufacture of non-prescription drug products in the State that contain plastic microbeads;
- (4) Beginning July 1, 2024, ban the sale of non-prescription drugs in the State that contain plastic microbeads; and
- (5) Exempt from this measure any rinse-off cosmetic that is also a non-prescription drug regulated under the federal Microbead-Free Waters Act of 2015.

Your Committees received testimony in support of this measure from the Department of Health, Animal Rights Hawai'i, and three individuals. Your Committees received testimony in opposition to this measure from the Retail Merchants of Hawai'i, Hawai'i Food Industry Association, and Personal Care Products Council. Your Committees received comments on this measure from Beach Environmental Awareness Campaign Hawai'i and Hawai'i Reef and Ocean Coalition.

Your Committees find that the accumulation and impacts of microplastic particles in the ocean is an important environmental issue and every effort should be made to decrease microplastic pollution in the State's waters and protect the marine environment. Microbeads are unnecessary plastic additives that can make their way into waterways and oceans, which are then ingested by marine life, and can eventually end up in human food sources. Your Committees note the federal Microbead-Free Waters Act of 2015 and further recognize this measure addresses only those products that are not preempted under federal law to support all possible efforts to minimize microplastic pollution.

Your Committees have amended this measure by:

- (1) Inserting the provisions of this measure into chapter 321, rather than chapter 328, Hawai'i Revised Statutes;
- (2) Amending the definition of "personal care product" to include hygiene, skin care, or sun protection products;
- (3) Amending the definition of "plastic microbead" to mean a plastic particle that is less than five millimeters in size;
- (4) Amending section 1 to specify the environmental rationale for the prohibition on plastic microbeads; and
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2290, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2290, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2980 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2556

The purpose and intent of this measure is to repeal Chapter 157, Hawaii Revised Statutes, commonly referred to as the Milk Control Act.

Your Committees received testimony in support of this measure from Hawaii Foodservice Alliance, LLC. Your Committees received comments on this measure from the Department of the Attorney General and Department of Agriculture.

Your Committees find that the Milk Control Act was established in 1967 to strengthen and regulate the State's dairy industry at a time when over-production and unfair pricing schemes threatened to undermine the industry. The State is no longer self-sufficient in milk and the Department of Agriculture currently does not set minimum prices. The remaining complex regulatory hurdles have

imposed high costs on local producers and negatively impacted their ability to compete against dairy products from the mainland. Accordingly, repealing the Milk Control Act will encourage local milk production and increase the State's food security and resiliency.

Your Committees have amended this measure by:

- (1) Requiring the moneys remaining in the Milk Control Special Fund to be used to refund fees paid by licensees within the two years prior to the effective date of this measure, and any remaining balance thereafter to be paid to the Department of Agriculture to assist the dairy industry to promote cooperatives and support the continued production of milk in the State; 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2556, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2556, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2981 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2212

The purpose and intent of this measure is to hold telecommunication service providers and third-party spoofing providers accountable by making certain robocalls and spoofing unlawful.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Office of Consumer Protection, Maui County Office on Aging, Hawaiian Telcom, and one individual. Your Committees received testimony in opposition to this measure from CTIA and one individual. Your Committees received comments on this measure from the Department of the Attorney General and Department of Health.

Your Committees find that nearly sixty million Americans say that they have fallen victim to a phone scam in the past year. According to a survey conducted by TrueCaller and The Harris Poll, Americans have been swindled out of more than \$30 billion over the past year in total. Your Committees further find that this measure seeks to prohibit many of the same practices regulated by the federal Truth in Caller ID Act of 2009, Public Law 111-331, and provides another tool for state law enforcement to hold telecommunication service providers and third-party spoofing providers accountable.

Your Committees have 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 and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2212, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2212, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2982 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2977

The purpose and intent of this measure is to:

- (1) Establish standards for farm owners or operators to confine egg-laying hens;
- (2) Effective June 30, 2027, prohibit a business owner or operator from selling shell eggs or egg products that are produced by egg-laying hens that were confined in a cruel manner, with exceptions; and
- (3) Establish penalties.

Your Committees received testimony in support of this measure from the Hawaiian Humane Society, Animal Rights Hawai'i, Hawaiian Airlines, Down to Earth, Villa Rose, Animal Equality, Humane Society of the United States, Animal Outlook, Compassion in World Farming, Friends of the Earth, World Animal Protection, Animal Legal Defense Fund, The Humane League, American Society for the Prevention of Cruelty to Animals, Human Society International, Mercy for Animals, Farm Sanctuary, Natural Resources Defense Council, Center for Biological Diversity, and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture, Hawai'i Farm Bureau, and one individual.

Your Committees find that there is increasing public concern for the way in which farm animals are treated, especially for matters affecting food safety and public health, as there have been scientifically proven connections between animal welfare and zoonotic disease. Most eggs currently sold in the State come from industrial factory farms that confine hens in extremely small spaces, often in barren wire cages. This measure establishes minimum standards for housing egg-laying hens and certain sales provisions to ensure that eggs sold in the State come from operations that meet modest standards, regardless of where they are produced.

Your Committees further find that, due to concerns raised by the Department of Agriculture, it is appropriate to amend this measure to include a defective effective date to encourage further discussion but note that a number of testifiers in support of this measure requested the provisions of the measure commence on January 1, 2025.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that it shall be unlawful for business owners or operators to engage in the sale of any shell egg or egg product that the business owner or operator knows or should have known was produced by an egg-laying hen that was confined in a manner that violates best practices for humanely housing egg-laying hens;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2977, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2977, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2983 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2032

The purpose and intent of this measure is to:

- (1) Require direct-to-consumer genetic testing companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data; and
- (2) Provide that any violation of the requirements be deemed an unfair or deceptive trade practice in accordance with section 480-2, Hawaii Revised Statutes.

Your Committees received testimony in support of this measure from the Department of Health and Coalition for Genetic Data Protection. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that self-administered DNA and ancestry tests have grown in popularity in recent years. Despite certain federal protections that address discrimination based on genetic information, there is no holistic protection against the widespread collection, dissemination, and use of the genetic information. State law also fails to adequately address what can be done with genetic data collected by companies that are not otherwise subject to applicable privacy laws. This measure therefore fills existing gaps in protection and extends important safeguards for the privacy, confidentiality, security, and integrity of a consumer's genetic data.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2032, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2032, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2984 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2880

The purpose and intent of this measure is to prohibit any increase in the fees charged for providing home health care services during the pendency of an emergency proclamation or state of emergency concerning a public health pandemic on the sole basis that the patient receiving the services requires that the home health care service provider be vaccinated against the underlying disease causing the emergency.

Your Committees received testimony in support of this measure from the County of Hawai'i Office of Aging, Kokua Council, and four individuals. Your Committees received comments on this measure from the Healthcare Association of Hawai'i.

Your Committees find that home health care services are necessary for some people to be able to maintain a comfortable quality of life. This is especially true for vulnerable kupuna. As seen during the current coronavirus disease 2019 pandemic, the elderly often required health care service providers to be vaccinated due to their compromised health or underlying health conditions that placed them at greater risk of experiencing severe and life-threatening symptoms. This measure will prevent health care service providers from increasing their fees during a public health crisis solely on the basis that their client requires them to be vaccinated.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2880 and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 2985 (Joint/Majority) Commerce and Consumer Protection and Judiciary on S.B. No. 2282

The purpose and intent of this measure is to:

- (1) Clarify that access to abortion care is inclusive of all pregnant people in the State;
- (2) Repeal a criminal penalty for violations of certain abortion provisions; and
- (3) Clarify that advanced practice registered nurses may provide abortion care.

Your Committees received testimony in support of this measure from the Hawai'i State Commission on the Status of Women; Stonewall Caucus of the Democratic Party of Hawai'i; Rainbow Family 808; American College of Obstetricians and Gynecologists Hawai'i, Guam, and American Samoa Section; Hawai'i - American Nurses Association; Hawai'i Public Health Association; Hawai'i Women Lawyers; The KoLab; American Association of University Women; Save Medicaid Hawai'i; Planned Parenthood Alliance Advocates – Hawai'i; AF3IRM Hawai'i; and fifty-six individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Board of Nursing and Hawai'i Medical Board.

Your Committees find that implementing safeguards and protections to equitable abortion access for all pregnant people in the State allows the individual to make their own decision about a significant, personal medical decision. Both the federal government and the State have recognized the right to choose as a fundamental right of all people that must be protected. However, there are certain gaps that exclude other individuals such as transgender and non-binary individuals who may need access to abortion care services. Utilizing inclusive language to recognize the need for abortion care across the State affirms that all pregnant people would be allowed access to abortions based on personal choice.

In addition to challenges against *Roe v. Wade*, 410 U.S. 113 (1973), recent developments in other states such as Texas and Mississippi show that abortion access is at risk for pregnant people across the country. Historical and contemporary data show that where abortion is illegal or highly restricted, pregnant people may resort to unsafe means to end an unwanted pregnancy, including self-inflicted abdominal and bodily trauma, ingestion of dangerous chemicals, and reliance on unqualified providers. Pregnant people of low socioeconomic status, who live in rural and remote areas, or who are young or a member of the LGBTQ community are more likely to be harmed by gaps in access to safe abortion care. Black, Latino, native Hawaiian, and Pacific Islander populations are also more likely to experience a lack of abortion care due to generational systemic racism. To continue the Legislature's support of equal rights for Hawai'i's people regardless of race, gender, and sexual preference, it is imperative that abortion access is safe and available for anyone who chooses to access abortion care services.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2282, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Fevella). Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 5. Noes, 2 (Gabbard, Fevella). Excused, none.

SCRep. 2986 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2749

The purpose and intent of this measure is to:

- (1) Prohibit commercial vehicles, excluding those operating in response to an emergency, from making pickups from, or deliveries to, business establishments during certain times of the day and within a certain proximity of single-family residences in the performance of the vehicles' pickup or delivery; and
- (2) Establish fines.

Your Committees received testimony in opposition to this measure from the Hawai'i Transportation Association; Hawai'i Restaurant Association; Retail Merchants of Hawai'i; Hawai'i Foodservice Alliance LLC; American Beverage Association; Matson Navigation Company, Inc.; Hawai'i Food Industry Association; and Chamber of Commerce Hawai'i.

Your Committees find that noise pollution from commercial vehicles has adverse effects on human health and quality of life, especially in residential areas. Noise pollution has become a major concern for the residents of Kailua, which is largely a joint commercial and residential community. In Kailua and other similar neighborhoods that are immediately adjacent to certain businesses, residents regularly experience excessively loud noises as a result of commercial vehicle operation between the hours of midnight and 4:00 a.m. These activities include trash collection, food deliveries, and the use of loud mechanical equipment to service certain businesses. At times, these operations can occur continuously, causing consistent harm, stress, and disruption during a time when residents are needing sleep to prepare for work or school. To restore health and well-being to all affected communities, this measure is necessary to prohibit pickups and deliveries by commercial vehicles during certain times in residential areas to reduce noise pollution and improve the quality of life for the State's residents.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2749, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5; Ayes with Reservations (DeCoite, Fevella). Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 2987 Commerce and Consumer Protection on S.B. No. 2798

The purpose and intent of this measure is to:

- (1) Authorize the Hawai'i Board of Veterinary Medicine to grant temporary courtesy and relief permits for out-of-state veterinarians;
- (2) Permit licensed veterinarians to practice veterinarian telemedicine; and
- (3) Allow for international veterinary school graduates to qualify for the licensure examination.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Veterinary Medical Association, Hawaiian Humane Society, Veterinary Emergency + Referral Center, Animal Interfaith Alliance in Britain, Neighborhood Cats, Aloha Animal Advocates, Hui Pono Holoholona, and twenty-seven individuals. Your Committee received comments on this measure from the Hawai'i Board of Veterinary Medicine.

Your Committee finds that the State is currently experiencing a shortage of veterinary specialists and practitioners. This measure reflects collaborative stakeholder efforts to allow the Hawai'i Board of Veterinary Medicine to grant temporary permits to assist local pet owners and the veterinary community, and to ensure that all qualified veterinarians are allowed to sit for the State licensing exam. Additionally, the coronavirus disease 2019 pandemic increased consumer demand for telehealth in the field of veterinary medicine. However, existing law does not provide appropriate safeguards to prevent the misuse of veterinary telehealth. Accordingly, this measure establishes veterinary telehealth definitions and parameters to assist the Hawai'i Board of Veterinary Medicine in ensuring consumers in the State receive proper and licensed veterinary telemedicine services that meet required standards.

Your Committee has amended this measure by:

- (1) Clarifying that courtesy permits shall not exceed sixty total days in any twelve-month period, provided that a courtesy permittee's request for more than two courtesy permits within a two-year period shall constitute prima facie evidence that the courtesy permittee is engaged in the active practice of veterinary medicine in the State and a license issued under section 471-9, Hawai'i Revised Statutes, shall be required;
- (2) Clarifying that a courtesy permittee shall practice under the level of supervision determined by the sponsor, either directly or indirectly;
- (3) Specifying that no individual shall be issued a courtesy permit and a relief permit in the same twelve-month period;
- (4) Clarifying that relief permits shall be valid for a period of thirty days, rather than thirty calendar days, and may be renewed once in any twelve-month period, provided that any relief permit issued and renewed shall not exceed sixty total days;
- (5) Establishing that a veterinarian shall practice veterinary telemedicine within the context of the veterinarian-client-patient relationship between medically necessary examinations of an animal patient or medically appropriate and timely visits to the premises where the animal patient is kept;
- (6) Inserting language to specify that nothing in the measure shall be construed to alter federal or state requirements and standards for the issuance of Certificates of Veterinary Inspection or health certificates;
- (7) Amending the definitions of "emergency response", "jurisdiction", "veterinarian-client-patient relationship", and "veterinary teleadvice";
- (8) Deleting the definition for "veterinary teleconsulting";
- (9) Specifying that a veterinarian licensed in another jurisdiction is not prohibited from practicing in the State under the direct supervision of a Hawai'i-licensed veterinarian as part of an enforcement action under chapter 711, Hawai'i Revised Statutes;
- (10) Inserting an effective date of July 1, 2024; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2798, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2798, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Riviere, San Buenaventura).

SCRep. 2988 (Joint) Commerce and Consumer Protection and Ways and Means on S.B. No. 3208

The purpose and intent of this measure is to:

- (1) Amend the definitions of "preceptor" and "volunteer-based supervised clinical training rotation" to improve accessibility for providers to receive income tax credits for acting as preceptors; and
- (2) Include the Director of Health on the Preceptor Credit Assurance Committee.

Your Committees received testimony in support of this measure from the Department of Health, University of Hawai'i System, Hawaii Medical Association, Hawai'i Pacific Health, Kaiser Permanente Hawai'i, Hawaii Primary Care Association, Hawai'i State Center for Nursing, The Queen's Health System, Hawai'i Association of Professional Nurses, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committees find that there is a shortage of preceptors available to provide volunteer training to students in health care professions. To incentivize volunteer preceptors, the State offers a tax credit to eligible health care providers. While it is essential that the State maintain high standards of eligibility for the tax credit, it must also ensure that there are enough providers who are incentivized by and qualify for the tax credit. This measure amends the definitions of "preceptor" and "volunteer-based supervised clinical training rotation" to increase the accessibility of income tax credits granted to preceptors. In doing so, this measure offers incentives for a greater number of providers to volunteer as preceptors.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3208, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3208, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Nishihara).

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 2989 (Joint) Judiciary and Ways and Means on S.B. No. 2817

The purpose and intent of this measure is to repeal certain Department of Education annual reporting requirements.

Your Committees received testimony in support of this measure from the Department of Education.

Your Committees find that the Department of Education has numerous reporting requirements, some of which are no longer necessary. This measure will repeal some of those unnecessary reporting requirements, which would allow the Department of Education's staff and resources to be put towards other priorities.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2817, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2817, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2990 (Joint) Judiciary and Ways and Means on S.B. No. 2600

The purpose and intent of this measure is to:

- (1) Prohibit issuance of permits for future underground storage tanks mauka of the underground injection control line as defined by the Department of Health beginning July 1, 2022; and
- (2) Prohibit operation of and renewal of underground storage tank permits located mauka of the underground injection control line as defined by the Department of Health beginning January 1, 2023.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Livable Hawaii Kai Hui, Protect Kaho'olawe 'Ohana, Aloha 'Āina Legal Group, Hawai'i Alliance for Community-Based Economic Development, Hawaii Reef and Ocean Coalition, Surfrider Foundation O'ahu Chapter, Hawai'i Alliance for Progressive Action, Hawai'i Public Health Institute, 'Ahahui o nā Kauka, Environmental Caucus of the Democratic Party of Hawai'i, Church of the Crossroads, 350 Hawaii, Free Access Coalition, and fifty-eight individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that water is precious and the State has a duty to protect the islands' source of life for present and future generations. Recent events have displayed the devastating impacts that water contamination from leaking underground storage tanks may have on people and the environment, with additional effects likely to ripple across Oahu over the summer and into the foreseeable future. This measure will reduce the risk of large capacity underground storage tank systems leaking and contaminating potable drinking water aquifers by prohibiting the installation or continuance of large capacity underground storage tank systems within one-half mile from the outer edge of aquifers.

Your Committees have amended this measure by:

- (1) Prohibiting only large capacity underground storage tank systems instead of all underground storage tanks;
- (2) Defining "large capacity underground storage tank system";
- (3) Defining "underground injection control line"; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2600, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2600, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2991 (Joint) Judiciary and Ways and Means on S.B. No. 2422

The purpose and intent of this measure is to:

- (1) Require certain persons to immediately submit a written report to the court if the person has reason to believe that a child in foster custody has suffered an injury that may arise to a tort claim; and
- (2) Establish procedures for the Family Court to follow upon receipt of the written report, including with regard to an order appointing a master.

Your Committees received testimony in support of this measure from the Judiciary, Hawaii Family Advocacy Team, and four individuals. Your Committees received comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committees find that if a child in foster care suffers an injury caused by a third party, the State will cover the child's medical costs. However, the child is unable to obtain legal representation to file a tort claim to seek any additional damages, such as damages for pain and suffering. This measure will allow children in foster care to seek these additional damages by requiring certain persons to immediately submit a written report to the court if the person has reason to believe that a child in foster custody has suffered an injury that may arise to a tort claim and establishing procedures for the Family Court to follow upon receipt of the written report, including with regard to an order appointing a master.

Your Committees have amended this measure by:

- (1) Requiring a declaration attached to a motion rather than a non-specified writing, to avoid delays and ensure consistency throughout the State;
- (2) Requiring a motion rather than a writing, to ensure more timely notice to all the parties under the rules of the court;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2422, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2422, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6. Noes, none. Excused, 1 (Lee).

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Taniguchi).

SCRep. 2992 (Joint) Judiciary and Ways and Means on S.B. No. 2207

The purpose and intent of this measure is to require the Hawaii Interagency Council on Homelessness to include a representative of a LGBTQ+ focused organization as one of its members.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Health, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, North Shore Ko'olau Diversity Collective, Hawai'i Health & Harm Reduction Center, Hawaii Rainbow Chamber of Commerce, AF3IRM Hawai'i, and nine individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the Hawaii Interagency Council on Homelessness is an advisory council chaired by the Governor's Coordinator on Homelessness that serves as the statewide homelessness planning and policy development entity with broad representation from state and county government and the community. Your Committees find that multiple national and Hawaii-specific studies show that LGBTQ+ youth are disproportionately affected by homelessness compared to their non-LGBTQ+ counterparts. Your Committees find however, that the Hawaii Interagency Council on Homelessness, currently consisting of twenty-seven members, does not include a member that specifically represents the interests of the LGBTQ+ community in Hawaii. This measure will allow the voice of the Hawaii's LGBTQ+ community to be reflected in Hawaii Interagency Council on Homelessness' policies and programs to better address the unique needs of sexual and gender minorities in Hawaii who are experiencing homelessness.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2207, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2993 (Joint) Judiciary and Ways and Means on S.B. No. 2298

The purpose and intent of this measure is to increase the classification for violations of wages and hours laws to a class C felony.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii State AFL-CIO, and Operating Engineers Local Union No. 3. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that state labor laws should vigorously protect workers from employers who fail to pay their employees. Wage theft accounts for \$15,000,000 stolen each year, which totals more than all stolen money from physical burglaries in the United States combined. This measure will provide a greater deterrence to employers who violate wage and hour laws or other compensation laws, and protect and elevate the State's economically vulnerable workers.

Your Committees note that the state of mind required for a class C felony should be the state of mind currently applicable to a misdemeanor.

Accordingly, your Committees have amended this measure by removing the knowingly state of mind requirement from the class C felony.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2298, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2298, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2994 (Joint) Judiciary and Ways and Means on S.B. No. 2384

The purpose and intent of this measure is to amend the procurement preference for Hawai'i products to only apply to agricultural goods, value-added products, and commodities.

Your Committees received testimony in support of this measure from the Department of Agriculture, Department of Accounting and General Services, University of Hawai'i System, Hawai'i Farm Bureau, Ulupono Initiative, Get Fit Kauai, Food+ Policy Internship 2022, and one individual. Your Committees received comments on this measure from the State Procurement Office.

Your Committees find that the preference for Hawai'i products was established to encourage the use of Hawai'i products by bidders to support local industries. Contractors and subcontractors have indicated that it is common practice to source products locally due to availability and pricing, which levels the playing field for all vendors. Since contractors and subcontractors already use Hawai'i products, this incentive is no longer necessary. Your Committees find, however, that the preference should remain in effect for agricultural goods to further the State's food production and sustainability goals.

Your Committees have amended this measure by:

- (1) Incorporating the changes proposed by the State Procurement Office as follows;
 - (A) Clarifying that "Hawaii input" includes the cost to mine, excavate, produce, manufacture, raise, grow, assemble, or fabricate the material in Hawai'i;
 - (B) Specifying that the Hawai'i products preference shall not apply when the solicitation is for public works construction; and
 - (C) Specifying that the Department of Accounting and General Services shall provide written notice of any amendments to section 103D-1002, Hawaii Revised Statutes, including effective dates and dates of repeal to all vendors of construction products who are registered on the Hawai'i products list with the State Procurement Office; 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2384, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2384, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2995 (Joint) Judiciary and Ways and Means on S.B. No. 2189

The purpose and intent of this measure is to:

- (1) Remove the Governor's authority to select the Chairperson of the Board of Education;
- (2) Authorize the majority of the members of the Board of Education to elect a Chairperson from among the members of the Board; and
- (3) Remove the requirement that the Chairperson be an at-large member.

Your Committees received comments on this measure from the Board of Education.

Your Committees find that the requirement for the Chairperson of the Board of Education to be selected by the Governor from among the at-large members hinders the Board's ability to operate and function efficiently. Moreover, it is important for the Chairperson of the Board of Education to reflect the collective authority of the Board. Accordingly, this measure places responsibility for the selection of the Chairperson of the Board of Education with the Board instead of the Governor.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2189 and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2996 (Joint) Judiciary and Ways and Means on S.B. No. 2181

The purpose and intent of this measure is to require certain unlicensed but accredited private schools to annually submit health and safety documentation to fall within the definition of "private schools" pursuant to section 302A-1132, Hawaii Revised Statutes, regarding compulsory attendance.

Your Committees received testimony in support of this measure from the Hawai'i Association of Independent Schools.

Your Committees find that the Legislature passed Act 227 (2019), which defines a private school to be an education institution that teaches kindergarten through grade twelve and that is licensed or accredited by certain licensing or accrediting organizations, in order to assure parents who send their child to a private school that the school meets certain standards and criteria in providing a safe learning environment. Your Committees further find that the Hawaii Council of Private Schools (HCPS) is the licensing entity that

ensures that all of Hawaii's private and parochial schools are healthy, safe, and sustainable institutions of learning for faculty, staff, and students. According to testimony received by your Committee, although all HCPS-licensed schools are required to submit annual verifications of the health and safety information documents required by various state and county agencies, the health and safety documents of private schools that are accredited by one or more national accrediting agencies recognized by the HCPS are only verified by reaccreditation visiting teams every five to ten years. This measure will ensure that all private schools in Hawaii are in full compliance with the health and safety standards of the State by requiring that they submit health and safety documentation on an annual basis.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2181, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2997 (Joint) Judiciary and Ways and Means on S.B. No. 2172

The purpose and intent of this measure is to:

- (1) Prohibit the Department of Health from issuing new permits for underground fuel storage tanks mauka of the underground injection control line, as defined by the Department of Health, except for the repair or removal of existing tanks;
- (2) Prohibit the renewal of permits for underground fuel storage tanks mauka of the underground injection control line as defined by the Department of Health, beginning January 1, 2023; and
- (3) Create a new definition for "underground fuel storage tank".

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Livable Hawaii Kai Hui, Protect Kaho'olawe 'Ohana, Aloha 'Āina Legal Group, Hawai'i Alliance for Community-Based Economic Development, Hawaii State Teachers Association, Hawaii Reef and Ocean Coalition, Surfrider Foundation O'ahu Chapter, Hawai'i Alliance for Progressive Action, Hawai'i Public Health Institute, Environmental Caucus of the Democratic Party of Hawai'i, 'Ahahui o nā Kauka, Papa Ola Lōkahi, Church of the Crossroads, Uprooted and Rising, 350 Hawaii, Free Access Coalition, and forty-nine individuals.

Your Committees find that large capacity underground storage tank systems endanger public health and safety due to the risk of leaking and contaminating potable drinking water. This measure will protect public health and reduce the risk of fuel leaking into potable drinking water by prohibiting the installation or continuance of large capacity underground storage tank systems within one-half mile of the outer edge of aquifers.

Your Committees have amended this measure by:

- (1) Changing "underground storage tank system" to "large capacity underground storage tank system";
- (2) Adding a definition of "underground injection control line";
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2172, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2172, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2998 (Joint) Judiciary and Ways and Means on S.B. No. 2183

The purpose and intent of this measure is to exempt certain Department of Education employees from the state residency requirement under section 78-1, Hawaii Revised Statutes.

Your Committees received testimony in opposition to this measure from the Hawaii State Teachers Association and one individual. Your Committees received comments on this measure from the Department of Education.

Your Committees find that technology allows individuals to work entirely remotely. Your Committees further find that the Department of Education needs professionals to fill certain specialized positions, particularly those positions in the areas of information technology and online learning. This measure allows to the Department of Education to satisfy critical hiring needs by allowing them to hire non-resident employees.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2183, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2183, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 2999 (Joint) Judiciary and Ways and Means on S.B. No. 3324

The purpose and intent of this measure is to establish a working group to address the problem of infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory community associations.

Your Committees received comments on this measure from one individual.

Your Committees find that homeowners have a legal obligation to maintain roads that serve their subdivisions whether or not there is express language in their conveyance documents. However, homeowners need a mechanism whereby they can be allowed to organize an association to collect fees required to repair and maintain the infrastructure that abuts their property. This measure will create a task force to determine how to best address this problem.

Your Committees have amended this measure by:

- (1) Removing language that provided that no member of the working group shall be subject to chapter 84, Hawaii Revised Statutes, solely because of the member's participation in the working group; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3324, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3324, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3000 (Joint) Judiciary and Ways and Means on S.B. No. 2667

The purpose and intent of this measure is to extend the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing, or issue a new, ground lease for the Front Street Apartments affordable housing project before the Corporation's requirement to initiate condemnation proceedings.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and one member of the Maui County Council.

Your Committees find that the County of Maui, particularly West Maui, is facing a severe shortage of affordable housing. In 2018, the Legislature passed Act 150, Session Laws of Hawaii 2018 (Act 150), to appropriate funds in support of the Front Street Apartments in Lahaina, Maui. Pursuant to Act 150, as amended by Act 98, Session Laws of Hawaii 2019, and Act 34, Session Laws of Hawaii 2020, the Hawaii Housing Finance and Development Corporation must initiate condemnation proceedings unless, by December 31, 2021, the Corporation renegotiates the ground lease for the Front Street Apartment project or issues a new ground lease.

In 2019, the Hawaii Housing Finance and Development Corporation paid nearly \$15 million to acquire the leased-fee interest in the Front Street Apartments from 3900, LLC. Ongoing issues to advance the Front Street Apartments project has inhibited the Hawaii Housing Finance and Development Corporation from obtaining a definitive appraisal report on the fair market value of the ground lease for the property. Without the report, the Hawaii Housing Finance and Development Corporation could not proceed with the renegotiation or condemnation of the ground lease by the December 31, 2021 deadline as stipulated by Act 150, as amended.

To allow the Hawaii Housing Finance and Development Corporation to carry out its responsibilities under Act 150, as amended, while also alleviating the severe affordable housing shortage in the County of Maui, this measure extends by five-years, the deadline to complete the renegotiation or condemnation of the ground lease for the Front Street Apartments affordable housing project.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2667, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3001 (Joint) Judiciary and Ways and Means on S.B. No. 3044

The purpose and intent of this measure is to:

- (1) Provide a mechanism to assign non-participating tobacco manufacturers' qualified escrow account balances to the State; and
- (2) Provide a mechanism for the financial institution acting as the escrow agent of the qualified escrow account to petition courts to authorize the transfer of funds to the State when the qualified escrow account is abandoned.

Your Committees received testimony in support of this measure from the Department of the Attorney General.

Your Committees find that in 1998, Hawai'i and forty-five other states settled smoking-related claims against the then four largest tobacco manufacturers, resulting in parties entering into a Master Settlement Agreement (MSA). Under the MSA, the four tobacco companies were required to make annual payments to the settling states. Under existing law, tobacco product manufacturers who were not part of the MSA have the option to either submit to the requirements of the MSA, or become a "Non-Participating Manufacturer" (NPM), which requires the NPM to maintain and make payments to a qualified escrow account in the State. Your Committees find that existing law does not provide a mechanism for an NPM that no longer does business in the State to close the escrow account. As a result, many NPMs that no longer do business in the State still maintain and pay fees for escrow accounts they wish to close. This measure authorizes a process for the closure of abandoned NPM escrow accounts.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3044, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3002 Judiciary on S.B. No. 3162

The purpose and intent of this measure is to require the replacement of current audible reverse warning systems (back-up beepers) on state and county-owned vehicles purchased on or after January 1, 2025, with more effective broadband reversing alarms.

Your Committee received testimony in support of this measure from Quieter and Healthier Maui and four individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that in order to reduce urban noise pollution caused by reversing alarms of commercial and construction vehicles and to ensure safer reversing, it is necessary to transition to newer technology for audible reverse warning systems. Studies have determined that a traditional tonal back-up beeper had been inefficient in alerting people to a reversing vehicle. This measure will help protect the State's residents from disruptive noise pollution and utilize safer vehicular reversing practices by requiring the use of broadband reversing alarms instead of tonal alarms.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3162, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3162, S.D. 2.

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

SCRep. 3003 Judiciary on S.B. No. 3320

The purpose and intent of this measure is to:

- (1) Codify certain administrative rules of the Department of Land and Natural Resources regarding permits to destroy or control harmful feral pigs;
- (2) Require the authorized agent of the Department of Land and Natural Resources to issue or deny permits for complaint-based destruction or control of game mammals within one hundred eighty days; and
- (3) Allow applicants to appeal permit decisions if a permit is not issued within one hundred eighty days.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Ulupono Initiative, LLC.

Your Committee finds that feral pigs are a dangerous nuisance in the State. Feral pigs destroy crops, indigenous plants, and indigenous wildlife and can be hazardous to human health and safety. Under existing law, residents can acquire permits to eradicate feral pigs on private property; however, the process for acquiring these permits is difficult and cumbersome. This measure expedites the process for acquiring permits to eradicate feral pigs on private property.

As affirmed by the record of votes of 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. 3320, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3004 Ways and Means on S.B. No. 2142

The purpose and intent of this measure is to promote the study of computer science.

Specifically, this measure:

- (1) Requires the Department of Education to allow students to fulfill certain graduation requirement courses with computer science courses;
- (2) Requires the University of Hawaii to accept substituted computer science courses as part of their admission requirements;
- (3) Establishes and appropriates funds for a computer science in teaching scholarship;
- (4) Requires the University of Hawaii to develop pathways in computer science for students studying to obtain a degree in education; and
- (5) Requires teacher licensing and certification requirements to include instruction in computer science.

Your Committee received written comments in support of this measure from the Hawaii State Public Charter School Commission, HawaiiKidsCAN, Hawaii State Teachers Association, Code.org, Hawaii Society for Technology in Education, and six individuals.

Your Committee received written comments in opposition to this measure from the Joint National Committee for Languages and the National Council for Languages and International Studies and from ACTFL.

Your Committee received written comments on this measure from the Department of Budget and Finance, Board of Education, Department of Education, and one individual.

Your Committee finds that this measure takes a multilevel approach to developing computer science in the State by encouraging high school students to learn computer science, providing incentives for future teachers to study computer science, and requiring that certified and licensed teachers receive instruction in computer science.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2142, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

SCRep. 3005 Ways and Means on S.B. No. 2144

The purpose and intent of this measure is to require the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprising stakeholders, to develop and publish electronic information technology accessibility standards to be implemented by all state agencies.

Your Committee received written comments in support of this measure from the Executive Office on Aging, Disability and Communication Access Board, State Council on Developmental Disabilities, and National Federation of the Blind of Hawaii.

Your Committee received written comments on this measure from the Office of Enterprise Technology Services.

Your Committee finds that the electronic information technology accessibility standards required by this measure will help the State meet its digital equity goals by ensuring that all electronic information, programs, and services offered by the State are accessible to persons with disabilities. Your Committee further finds that the standards will ensure that accessibility levels are consistent across all state entities.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2144, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3006 Ways and Means on S.B. No. 2162

The purpose and intent of this measure is to implement the use of ranked choice voting for special elections held for congressional races and vacant county council seats.

Your Committee received written comments in support of this measure from Common Cause Hawaii, League of Women Voters of Hawaii, FairVote Action, Americans for Democratic Action, Green Party Hawaii, Hawaii Alliance for Progressive Action, and eleven individuals.

Your Committee finds that ranked choice voting provides voters with the ability to rank candidates in order of preference and has been used effectively in other jurisdictions in the nation and the world. Your Committee believes that the State should explore its use in certain special elections.

Your Committee has amended this measure by:

- (1) Moving the proposed language relating to the contents of an election proclamation into the existing statutory section relating to election proclamations;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2162, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2162, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3007 Ways and Means on S.B. No. 2167

The purpose and intent of this measure is to promote the development of film infrastructure in the State.

More specifically, this measure:

- (1) Establishes a nonrefundable film infrastructure income tax credit;
- (2) Requires that the film infrastructure project spend at least \$3,000,000 on buildings, facilities, or installations; and
- (3) Sets an aggregate cap amount for the credit of \$10,000,000 per year.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; IATSE Local 665; SAG-AFTRA; and one individual.

Your Committee received written comments in opposition to this measure from the Department of Taxation and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that Hawaii is one of the few states that has not adopted a film infrastructure tax credit. Your Committee believes that incentivizing purpose-built production facilities will facilitate the growth and sustainability of the State's film and television industries.

Your Committee has amended this measure by:

- (1) Removing unnecessary language authorizing a film infrastructure project to prorate its expenses between counties;
- (2) Replacing the term "qualified production" with the term "film infrastructure project";
- (3) Clarifying that the issuance of a film infrastructure tax credit certificate serves as a reservation of tax credits applicable to the \$10,000,000 aggregate cap amount;
- (4) Clarifying that a film infrastructure tax credit voucher represents the actual amount of film infrastructure tax credits that a taxpayer may claim, and must be attached to the taxpayer's tax return to the Department of Taxation;
- (5) Removing language prohibiting the issuance of a film infrastructure tax credit voucher before a film infrastructure project is one hundred percent complete;
- (6) Clarifying that the deadline for submitting a statement of eligible costs is March 31 following the end of each calendar year in which eligible infrastructure costs were expended;
- (7) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (8) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2167, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2167, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3008 Ways and Means on S.B. No. 2178

The purpose and intent of this measure is to propose a constitutional amendment to authorize individuals who are seventeen years of age, but who will be eighteen years of age by the time of a state or local general election, to vote at the state or local primary election immediately preceding the state or local general election, and at any co-occurring or subsequent special election.

Your Committee received written comments in support of this measure from seven individuals.

Your Committee received written comments in opposition to this measure from the Honolulu County Republican Party and one individual.

Your Committee received written comments on this measure from Vote16HI.

Your Committee finds that the age at which a person is eligible to vote in any federal, state, or local election is eighteen years of age. However, individuals whose date of birth falls between the primary and general elections are unable to participate in state and local primary elections to determine which candidates will be on the ballot for the general election in which the individuals will be eligible to vote. Your Committee believes that granting voting rights to these individuals for certain state and local elections may encourage voter turnout among younger residents and help to educate them about the democratic process.

Your Committee has amended this measure by:

- (1) Delaying the effective date of the proposed amendment to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2178, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2178, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3009 Ways and Means on S.B. No. 2182

The purpose and intent of this measure is to establish and fund a school garden coordinator position within the Department of Education to provide support and resources for schools interested in developing a school garden program.

Your Committee received written comments in support of this measure from the Department of Health, Department of Education, Climate Protectors Hawaii, Wild Kids, Food+ Policy, Hawaii Farm to School Hui, Hawaii Public Health Institute, Center for Getting Things Started, Hawaii Cattlemen's Council, Local Food Coalition, Hawaii Food Industry Association, Malama Kauai, Hawaii Youth Food Council, Hawaii Farm Bureau, Oahu Farm to School Network, and ten individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that establishing a position to support the development of school gardens will help to build positive learning experiences for children, improve student health, encourage the development of healthy eating habits, and enhance youth psychosocial development.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2182, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3010 Ways and Means on S.B. No. 2185

The purpose and intent of this measure is to amend certain requirements related to fireworks permits.

More specifically, this measure:

- (1) Increases fees for fireworks permits;
- (2) Requires that all amounts collected from fees for fireworks permits be deposited into the emergency medical services special fund; and
- (3) Requires the respective county auditor of fireworks and articles pyrotechnic records to submit an annual report to the Legislature detailing the inventory, recordkeeping, and sales of fireworks to license or permit holders.

Your Committee received written comments in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Hawaii Reef and Ocean Coalition, and three individuals.

Your Committee received written comments in opposition to this measure from the Retail Merchants of Hawaii and two individuals.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure will help to protect the public's health and safety while allowing for the continued legal use of fireworks.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2185, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2185, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3011 (Majority) Ways and Means on S.B. No. 368

The purpose and intent of this measure is to allow for the upgrade or conversion of cesspools to wastewater systems other than septic systems and aerobic treatment unit systems, as approved by the Director of Health.

More specifically, this measure:

- (1) Requires that every cesspool in the State be upgraded or converted to a wastewater system approved by the Director of Health by January 1, 2050; and
- (2) Requires that certain cesspools located on real property that is sold or whose ownership is transferred on or after January 1, 2024, be upgraded or converted to a septic system, an aerobic treatment unit system, or another approved wastewater system, or be connected to a sewerage system.

Your Committee received written comments in support of this measure from the Department of Health, Coral Reef Alliance, Hawaii Cattlemen's Council, Hawaii Reef and Ocean Coalition, Rotary Club of Hanalei Bay, Surfrider Foundation, Wastewater Alternatives and Innovations, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Association of REALTORS and one individual.

Your Committee finds that upgrading or converting a cesspool to a septic system or an aerobic treatment unit system may be cost prohibitive for many property owners in the State. Your Committee believes that by providing property owners with wastewater treatment system alternatives to septic systems and aerobic treatment unit systems, this measure will allow property owners to select more efficient and affordable wastewater treatment systems.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement to upgrade or convert cesspools, or connect the cesspools to a sewerage system, applies to certain cesspools on real property that is sold, or the ownership of which is transferred, on or after January 1, 2024; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 368, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 368, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Fevella). Excused, none.

SCRep. 3012 Ways and Means on S.B. No. 1065

The purpose and intent of this measure is to add to the Hawaii Tourism Authority's scope and responsibilities.

More specifically, this measure:

- (1) Includes best practice destination management and regenerative tourism in the Hawaii Tourism Authority's scope and responsibilities;
- (2) Requires the Hawaii Tourism Authority to develop a tourism management plan that includes tourism marketing, best practice destination management, and regenerative tourism;
- (3) Requires the Hawaii Tourism Authority to rebuild, redefine, and reset the direction of tourism based on certain objectives and by taking specific actions outlined in each county's destination management action plan;
- (4) Outlines the actions contained in each county's destination management action plan; and
- (5) Appropriates moneys for the Hawaii Tourism Authority to carry out the action items outlined in each county's destination management action plan.

Your Committee received written comments in support of this measure from the Maui County Council; Kihei Community Association; We Are One, Inc.; and numerous individuals.

Your Committee received written comments in opposition to this measure from Fair Wind Cruises.

Your Committee received written comments on this measure from the Department of Budget and Finance, Hawaii Tourism Authority, Hawaii Lodging and Tourism Association, and Kohala Coast Resort Association.

Your Committee finds that this measure will help to ensure that each community is able to participate in the determination of the direction, and mitigation of the impacts, of tourism in that community.

Your Committee has amended this measure by:

- (1) Deleting language outlining the specific actions contained in each island's respective destination management action plan;
- (2) Replacing the identification of specific years for each county destination management action plan with a reference to the number of years that each plan encompasses; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1065, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1065, S.D. 3.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3013 Ways and Means on S.B. No. 1294

The purpose and intent of this measure is to appropriate moneys for the Department of Human Services to reinstate the basic package of diagnostic, preventative, and restorative dental benefits to adult Medicaid enrollees.

Your Committee received written comments in support of this measure from the Department of Human Services, State Council on Developmental Disabilities, University of Hawaii, AARP Hawaii, AlohaCare, Americans for Democratic Action, Hawaii Children's Action Network Speaks!, Hawaii Dental Association, Hawaii Dental Hygienists' Association, Hawaii Dental Service, Hawaii Disability Rights Center, Hawaii Oral Health Coalition/Hawaii Public Health Institute, Hawaii Primary Care Association, Hawaii Self Advocacy Advisory Council, Health Committee of the Democratic Party of Hawaii, Hoola Lahui Hawaii, Kokua Kalihi Valley Comprehensive Family Services, Ohana Health Plan, Papa Ola Lokahi, Queen's Health Systems, The Kupuna Caucus of the Democratic Party of Hawaii, UnitedHealthcare, Waianae Coast Comprehensive Health Center, Waikiki Health, Waimanalo Health Center, West Hawaii Community Health Center, and nine individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that reinstating preventative dental benefits to adult Medicaid enrollees will result in the provision of fewer emergency dental services, thus reducing the medical costs paid by Medicaid.

Your Committee has amended this measure by changing the appropriation from \$10,195,082 to an unspecified amount to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1294, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1294, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3014 Ways and Means on S.B. No. 2021

The purpose and intent of this measure is to address revenues due to the Office of Hawaiian Affairs from income and proceeds from the public land trust.

Specifically, the measure:

- (1) Requires agencies that collect receipts for any disposition of the public land trust to transfer to the Office of Hawaiian Affairs in each fiscal quarter, twenty percent of each receipt from the disposition;
- (2) Returns to the Office of Hawaiian Affairs certain moneys previously claimed as public land trust overpayments to the Office; and
- (3) Establishes a Public Land Trust Revenues Negotiating Committee for the purpose of resolving the amount of the income and proceeds from the public land trust that the Office of Hawaiian Affairs shall annually receive.

Your Committee received written comments in support of this measure from the University of Hawaii; Office of Hawaiian Affairs; Native Hawaiian & Pacific Islander Hawaii COVID-19 Response, Recovery, and Resilience Team; and Kupuna for the Moopuna.

Your Committee received written comments in opposition to this measure from the Department of Land and Natural Resources and Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Agriculture, Department of the Attorney General, Hawaii Health Systems Corporation, and League of Women Voters of Hawaii.

Your Committee recognizes the State's trust obligation under Article XII, section 6, of the Hawaii State Constitution to Native Hawaiians. Accordingly, the State must uphold its trust responsibilities and duty of care to Native Hawaiians to account for all ceded lands in the public lands trust inventory; account for all income and proceeds derived from the public land trust; and transfer an adequate pro rata share of income and proceeds from the public land trust annually to the Office of Hawaiian Affairs for the betterment of the conditions of Native Hawaiians.

Your Committee has amended this measure by replacing its contents with S.B. No. 2122, S.D. 1, a substantially similar measure, and further amending the measure by:

- (1) Codifying twenty percent of the net receipts from the public land trust, or \$15,100,000, whichever is greater, as the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust, beginning in fiscal year 2022-2023;
- (2) Specifying that departments, agencies, or entities that collect receipts from public land trust lands shall ensure that a total of \$3,775,000 in public land trust receipts are transferred to the Office of Hawaiian Affairs at the close of each fiscal quarter;
- (3) Specifying that if the total amount of receipts transferred pursuant in paragraph (2) is less than \$3,775,000, the Director of Finance shall make up the difference by establishing the additional amount of receipts that agencies must transfer to the Office of Hawaiian Affairs;
- (4) Deleting language providing for the Office of Hawaiian Affairs to transfer excess quarterly public trust funds receipts to the carry-forward trust holding account;
- (5) Making the appropriation to the Office of Hawaiian Affairs an unspecified sum of moneys from the carry-forward trust holding account;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on this measure; and
- (7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2021, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2021, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3015 Ways and Means on S.B. No. 2044

The purpose and intent of this measure is to deter noncandidate committees from violating the campaign finance law.

Specifically, the measure:

- (1) Increases from \$1,000 to \$5,000 the fine that may be assessed for campaign spending law violations against a noncandidate committee that makes only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period; and
- (2) Authorizes the Campaign Spending Commission to impose upon the noncandidate committee a fine of up to three times the amount of an unlawful contribution or expenditure, and order that the fine, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

Your Committee received written comments in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, Kokua Council, and seven individuals.

Your Committee finds that increased fines for campaign finance violations by noncandidate committees are necessary to deter violations by political action committees that make only independent expenditures.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2044 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Fevella).

SCRep. 3016 Ways and Means on S.B. No. 2071

The purpose and intent of this measure is to fund and establish requirements for public, charter, and private schools regarding the safety and treatment of students with a seizure disorder or who have been prescribed a seizure rescue medication.

Your Committee received written comments in support of this measure from the Hawaii Primary Care Association, Special Education Advisory Council, Hawaii FASD Action Group, Epilepsy Foundation of Hawaii, Hawaii Association for Justice, State Public Charter School Commission, and eighteen individuals.

Your Committee received written comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that the funding and requirements established by this measure will help to ensure that schools and their faculty are prepared to respond to the health needs of the approximately two thousand school-aged children in Hawaii who have been diagnosed with a seizure disorder.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2071, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3017 Ways and Means on S.B. No. 2089

The purpose and intent of this measure is to propose an amendment to article I, section 25, of the Constitution of the State of Hawaii to expand the Legislature's present power to define the elements and jury unanimity requirements of the crime of continuous sexual assault of a minor, to include minors who are younger than sixteen years of age, rather than only those who are younger than fourteen years of age.

Your Committee received written comments in support of this measure from the Department of the Attorney General and the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the measure's proposed constitutional amendment to expand the Legislature's present power to define the elements and jury unanimity requirements in continuous sexual assault crimes against minors by enlarging the age range of the minor victims to include minors younger than sixteen years of age, instead of only those minors younger than fourteen years of age, would allow for the protection of a greater number of minor children and greater accountability for perpetrators of continuous sexual assault against minors.

Your Committee has amended this measure by:

- (1) Clarifying that the scope of the proposed constitutional amendment is to raise the upper limit of the requisite age of the victim in continuous sexual assault crimes against minors, for which the Legislature presently has the power to define with respect to the elements of the crime and the jury unanimity required, rather than to grant a wholly new power to the Legislature to define the elements and jury unanimity requirements in continuous sexual assault crimes against minors, and clarifying the ballot question accordingly; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2089, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2089, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3018 Ways and Means on S.B. No. 2132

The purpose and intent of this measure is to restore certain positions within the Department of Health that were previously deleted from its operating budget due to the impacts of the coronavirus disease 2019 pandemic.

Specifically, this measure restores positions to the Department of Health's Adult Mental Health Division and appropriates moneys to fill those positions.

Your Committee received written comments in support of this measure from the Judiciary, Department of Health, Hawaii Substance Abuse Coalition, Hawaii Health and Harm Reduction Center, Hawaii Psychiatric Medical Association, Hawaii Medical Association, Hawaii Government Employees Association, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the positions being restored by this measure include social workers, mental health specialists, nursing staff, psychiatrists, clinical psychologists, security staff, and other workers who are critical for meeting the Adult Mental Health

Division's mission of providing integrated mental health services to persons having serious mental illness who are uninsured or underinsured.

Your Committee has amended this measure by changing the amount of general funds appropriated to the Adult Mental Health – Outpatient (HTH420) and Adult Mental Health – Inpatient (HTH430) programs for fiscal year 2022-2023 to unspecified sums, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2132, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2132, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3019 Ways and Means on S.B. No. 2195

The purpose and intent of this measure is to manage feral chicken populations throughout the State.

More specifically, this measure:

- (1) Establishes within the Department of Health a five-year feral chicken eradication pilot program;
- (2) Requires the Department of Health to submit:
 - (A) A special local need registration to the United States Environmental Protection Agency; and
 - (B) An annual report to the Legislature on the feral chicken eradication pilot program; and
- (3) Appropriates moneys to the Department of Health for the feral chicken eradication pilot program.

Your Committee received written comments in support of this measure from the Hawaiian Humane Society, Julie Peine Trust, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Department of Health and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and two individuals.

Your Committee finds that this measure will allow for a humane and cost-effective method of managing the growing population of feral chickens in the State.

Your Committee has amended this measure by:

- (1) Requiring the Department of Agriculture, instead of the Department of Health, to submit a special local registration to the United States Environmental Protection Agency;
- (2) Changing the measure's repeal date to June 30, 2028; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2195, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2195, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3020 Ways and Means on S.B. No. 2205

The purpose and intent of this measure is to prepare the State for the planned utilization of the new 9-8-8 calling code of the National Suicide Prevention Lifeline.

More specifically, the measure:

- (1) Establishes a Suicide and Mental Health Crisis Lifeline Task Force, to be administered by the Department of Health, to develop an implementation plan to integrate and utilize the new 9-8-8 calling code of the National Suicide Prevention Lifeline for mental health-related emergencies;
- (2) Requires the task force to submit a report to the Legislature; and
- (3) Appropriates moneys to the Department of Health for the task force's development of the required implementation plan.

Your Committee received written comments in support of this measure from Rainbow Family 808, Hawaii Primary Care Association, Hawaii Disability Rights Center, Hawaii Psychiatric Medical Association, and Hawaii Medical Association.

Your Committee received written comments in opposition to this measure from the Department of Health.

Your Committee received written comments on this measure from the Department of Budget and Finance and Prevent Suicide Hawaii Task Force.

Your Committee finds that the task force created by this measure will facilitate the State's efforts to ensure a smooth transition to utilization of the new 9-8-8 calling code for the National Suicide Prevention Lifeline.

Your Committee has amended this measure by:

- (1) Clarifying references to the federal National Suicide Hotline Designation Act of 2020; the National Suicide Prevention Lifeline; the existing Prevent Suicide Hawaii Task Force and its associated regional task forces; and the Suicide and Mental Health Crisis Lifeline Task Force established by this measure;
- (2) Clarifying that Suicide and Mental Health Crisis Lifeline Task Force members who are private individuals or who represent specified non-governmental entities are invited, but not required, to participate; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2205, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2205, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 3021 Ways and Means on S.B. No. 2210

The purpose and intent of this measure is to facilitate voter education regarding candidates for public office and ballot issues.

Specifically, the measure:

- (1) Requires the Chief Election Officer to prepare, publish, and distribute voters' pamphlets for each election, and do so with assistance from county clerks for county elections;
- (2) Requires voters' pamphlets to include, among other information:
 - (A) Candidate information and photographs; and
 - (B) Explanatory statements, fiscal impact statements, and arguments and rebuttals regarding ballot issues;
- (3) Establishes a process for judicial determinations regarding whether candidate statements, and committee arguments and rebuttals on ballot issues, may be rejected or edited for publication in the voters' pamphlet;
- (4) Prohibits the publication and distribution of campaign materials that are deceptively similar to the voters' pamphlets;
- (5) Prohibits the public inspection and copying of candidate statements, and committee arguments and rebuttals on ballot issues, until all statements have been submitted, or until the submission deadline has passed; and
- (6) Requires the Chief Election Officer to adopt rules pursuant to Chapter 91, Hawaii Revised Statutes.

Your Committee received written comments in support of this measure from Americans for Democratic Action, Common Cause Hawaii, and eight individuals.

Your Committee received written comments on this measure from the Department of the Attorney General and Office of Elections.

Your Committee believes that an informed electorate is an important component of a healthy democracy. Your Committee finds that providing registered voters with informational pamphlets would help them make their voting decisions.

Your Committee recognizes the Department of the Attorney General's concerns relating to the measure's provisions for judicial determinations regarding arguments, rebuttals, and candidate statements. Your Committee respectfully requests that the appropriate subject matter committee in the House of Representatives, and the conference committee, if one is convened on this measure, coordinate with the Department in refining the relevant proposed statutory provisions.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to explanatory statements for ballot issues;
- (2) With respect to the availability of voters' pamphlets:
 - (A) Deleting a requirement for the publication of a pamphlet in a daily or weekly publication; and
 - (B) Inserting a requirement that the Chief Election Officer publish a notice in a newspaper regarding the mailing of the pamphlets and the availability of the pamphlets on a certain number of different days before an election;
- (3) Providing that a fiscal impact statement shall contain an estimated fiscal impact if a ballot issue is ratified or adopted, rather than if the ballot issue is not approved;
- (4) Deleting provisions that:
 - (A) Made candidates and committees respondents to actions for judicial determinations regarding arguments, rebuttals, and candidate statements;
 - (B) Made the Chief Election Officer a nominal party to those actions; and
 - (C) Required the Circuit Court to give priority on its calendar to those actions;
- (5) Providing that the measure shall apply to the 2024 primary election, and every state and county election thereafter;
- (6) Requiring that, before the effective date of this Act, the Chief Election Officer adopt rules, pursuant to Chapter 91, Hawaii Revised Statutes, necessary for the purposes of this measure; and

(7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2210, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2210, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

SCRep. 3022 Ways and Means on S.B. No. 2214

The purpose and intent of this measure is to appropriate moneys for the Board of Education, through the State Librarian, to establish a digital literacy program to promote digital literacy and make digital technology more accessible to persons with disabilities.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Health; Hawaii State Public Library System; TechNet; Hawaii Pacific Health; Hawaii Broadband Hui; and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that promoting digital literacy is key to meeting the State's digital equity goals. Digital tools are often needed to access education, government resources, medical resources, and to perform a variety of personal and professional tasks. Your Committee further finds that digital literacy and access to technology can help support increased independence and self-sufficiency for persons with disabilities.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2214, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2214, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3023 Ways and Means on S.B. No. 2218

The purpose and intent of this measure is to increase consumers' access to fresh, healthy food that is produced locally.

More specifically, the measure:

- (1) Requires the Department of Agriculture to establish a five-year food hub pilot program to increase access to local food;
- (2) Provides for the award of grant funding to qualified applicants wishing to establish or expand a food hub;
- (3) Requires the Department of Agriculture to submit interim and final reports to the Legislature;
- (4) Appropriates moneys for the pilot program; and
- (5) Authorizes the issuance of general obligation bonds for the Honalo Marshalling Yard to be developed as a food hub.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau, Hawaii Farmers Union United, Hawaii Food Industry Association, Ulupono Initiative, Hawaii Cattlemen's Council, Oahu Fresh, Hawaii Ulu Producers Cooperative, North Shore Economic Vitality Partnership, Hawaii Food+ Policy, Land Use Research Foundation of Hawaii, Hawaii Primary Care Association, Hawaii Alliance for Progressive Action, Shaka Tea, Kulanui.org, Tinyville Farm, Puamana Gardens, Kohana Family Farms, Mamaki Ola Farm and Education LLC, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the establishment of food hubs under the pilot program will support efforts to strengthen the State's food security by encouraging the production of more locally grown food and facilitating the aggregation, storage, processing, distribution, and marketing of locally produced food products.

Your Committee has amended this measure by:

- (1) Specifying that the receipt of grant funding under the pilot program shall be conditioned upon the recipient's compliance with all applicable state and federal food safety laws, rules, and regulations, including the FDA Food Safety Modernization Act, P.L. 111-353, and that Act's provisions on supplier verification;
- (2) Correcting the lapse date of the general obligation bond funds appropriated by the measure from June 30, 2025, to June 30, 2024;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2218, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2218, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3024 (Majority) Ways and Means on S.B. No. 2251

The purpose and intent of this measure is to authorize the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects, provided that those projects shall not be constructed on ceded land that is vacant on or after January 1, 2022.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority.

Your Committee received written comments in opposition to this measure from Kupuna for the Mo'opuna.

Your Committee finds that this measure will help address the State's housing shortage by authorizing the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects, provided that the projects are not developed or constructed on ceded land that is vacant on or after January 1, 2022. Your Committee notes that on February 18, 2022, your Committee voted to recommend for passage S.B. No. 2588, S.D. 1, a related measure that appropriates moneys to the Authority to remodel, renovate, repair, and rehabilitate two hundred sixty—four housing units. Your Committee believes that passage of these two measures will significantly expand the inventory of urgently needed affordable housing units across the State.

Your Committee has amended this measure by:

- (1) Clarifying, with respect to the measure's prohibition on the development or construction of a housing project on vacant ceded land, that:
 - (A) The prohibition applies to ceded land that is vacant on or after January 1, 2022; and
 - (B) "Housing project" means any home, house, residence, building, apartment, living quarters, abode, domicile, or dwelling unit that is designed principally for the purposes of sheltering people;
- (2) Deleting "housing project" from the list of terms defined in section 356D-1, Hawaii Revised Statutes;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2251, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2251, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7. Noes, 1 (Fevella). Excused, 3 (Moriwaki, Taniguchi, Wakai).

SCRep. 3025 Ways and Means on S.B. No. 2288

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture to establish and implement a compost reimbursement program to assist farmers, ranchers, and landscapers in the State with acquiring affordable compost material comprising green waste and food waste.

Your Committee received written comments in support of this measure from the Department of Agriculture, Climate Protectors Hawaii, Kauai Climate Action Coalition, Hawaii Farmers Union United, Hawaii Alliance for Progressive Action, 350Hawaii, Hawaii Farm Bureau, Food + Policy Internship, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the compost reimbursement program funded by this measure will help divert food and green waste, reduce costs for farmers and ranchers, and support healthy and resilient local food production.

Your Committee has amended this measure by:

- (1) Changing the maximum annual reimbursement available to a single farmer, rancher, or landscaper from \$50,000 to an unspecified sum;
- (2) Changing the appropriation amount from \$2,000,000 to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2288, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2288, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3026 Ways and Means on S.B. No. 2304

The purpose and intent of this measure is to clarify the purpose and powers of the Research Corporation of the University of Hawaii (Research Corporation).

Specifically, this measure:

- (1) Provides that legislative appropriations contracted to the Research Corporation may support sponsored research and training activities or advance innovation and entrepreneurship in the State;
- (2) Requires the University of Hawaii to consult with employee unions and generally not supplant civil servant positions;
- (3) Clarifies that the purpose of the Research Corporation shall be to conduct research and disseminate knowledge;
- (4) Focuses the powers of the Research Corporation on research, training, and publication; and
- (5) Specifies requirements for revolving fund accounts held by the Research Corporation.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments in opposition to this measure from the Research Corporation of the University of Hawaii, the University of Hawaii, and one individual.

Your Committee received written comments on this measure from the Coordinating Group on Alien Pest Species.

Your Committee finds that since its creation, the Research Corporation's projects and responsibilities have expanded far beyond its original purpose. Your Committee further finds that this measure will help to focus the powers and duties of the Research Corporation on its original purpose of research while simultaneously preventing overlapping duties with other state entities.

Your Committee has amended this measure by:

- (1) Clarifying that the University of Hawaii shall be required to consult with the exclusive representative of the appropriate bargaining unit when the Research Corporation is involved with a state project or program or for any program involving the Research Corporation and a state employee;
- (2) Deleting the requirement that the Research Corporation report quarterly and annually to the Legislature since section 304A-3007, Hawaii Revised Statutes, already requires annual reports to the Legislature by the Research Corporation;
- (3) Authorizing the Research Corporation to retain contracts related to invasive species control and eradication;
- (4) Requiring the University of Hawaii to submit a report to the Legislature within thirty days of the adoption of any amendment to Administrative Procedures, AP 12.204, by the University of Hawaii and the Research Corporation;
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (6) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2304, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2304, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Taniguchi). Noes, none. Excused, none.

SCRep. 3027 Ways and Means on S.B. No. 2335

The purpose and intent of this measure is to allow the use of, and establish conditions and requirements for, a median bid procurement method by purchasing agencies.

Your Committee received written comments in support of this measure from the Department of Education and Department of Transportation.

Your Committee received written comments in opposition to this measure from the State Procurement Office and Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee finds that use of the low bid procurement method may lead to completion of projects at higher-than anticipated final costs. Your Committee believes that allowing for the use of a median bid procurement method will help to ensure that each project is completed without exceeding the project's estimated budget.

Your Committee has amended this measure by:

- (1) Clarifying that procuring agencies may use either low or median bid procurement methods;
- (2) Clarifying that, for construction projects only, a purchasing agency may choose to award a bid to the responsible and responsive bidder whose bid is closest to the median of all bids submitted and who meets certain requirements;
- (3) Establishing criteria for determining the median bidder if there are an even number of bidders;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2335, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2335, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3028 Ways and Means on S.B. No. 2347

The purpose and intent of this measure is to facilitate voters' understanding of proposed constitutional amendments.

Specifically, the measure:

- (1) Requires the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct, to the extent practicable;
- (2) Authorizes the presiding officers of the Legislature to request a written opinion of the Supreme Court of Hawaii regarding the legality of a proposed amendment to the Hawaii State Constitution and the corresponding constitutional ratification question;
- (3) In response to an above-described request, requires the Supreme Court of Hawaii to:
 - (A) Provide a written opinion within one week of receipt of the request; and
 - (B) For any written opinion by the Supreme Court of Hawaii that invalidates a constitutional ratification question, provide a detailed and specific explanation of the reasons for the opinion; and
- (4) Prohibits any appeal of a written opinion provided by the Supreme Court in response to an above-described request.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Judiciary.

Your Committee acknowledges the concerns expressed by the Judiciary regarding this measure. Nevertheless, your Committee finds merit in the measure's intent to ensure that constitutional amendments and constitutional ratification questions posed to voters be simple, concise, and direct.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2347, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Moriwaki, Fevella). Noes, none. Excused, none.

SCRep. 3029 Ways and Means on S.B. No. 2353

The purpose and intent of this measure is to encourage and support the growth of new, small, and diversified farming businesses.

More specifically, this measure establishes an exclusion from income tax for the lesser of an unspecified percentage of gross annual income or an unspecified amount of gross annual income earned by a farmer from farming activities.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Hawaii Food Industry Association, Ulupono Initiative, and two individuals.

Your Committee received written comments in opposition to this measure from the Department of Taxation.

Your Committee received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that Hawaii has a significant negative trade flow as it imports far more goods and services than it exports. Your Committee also finds that Hawaii needs to address the imbalance in agricultural trade and significantly expand food production in the State.

Your Committee has amended this measure by:

- (1) Clarifying the definition of the term "farmer";
- (2) Adding a definition of the term "farming activities";
- (3) Disallowing the deduction of any ordinary and necessary business expenses incurred in producing the income excluded by this measure;
- (4) Replacing the term "gross annual income" with "federal adjusted gross income";
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (6) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2353, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2353, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3030 Ways and Means on S.B. No. 2359

The purpose and intent of this measure is to increase the number of teachers in the State by requiring the University of Hawaii to establish additional teaching programs.

Specifically, this measure requires the University of Hawaii to:

- (1) Establish, in each county, K-12 expanded teaching cohort programs for students pursuing undergraduate degrees in education; and
- (2) Submit reports to the Legislature on the number of additional programs established, the enrollment of the additional programs, the number of faculty needed to teach the additional programs, the cost of the additional programs, and the effect of the additional programs on decreasing the teacher shortage.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Education, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the Department of Education is currently experiencing a shortage of qualified teachers, with many teaching positions filled by emergency hires or instructors who have not completed a state-approved teacher preparation program. Your Committee further finds that this measure will help to address the teacher shortage by making necessary courses more accessible to students pursuing undergraduate degrees in education.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2359, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3031 Ways and Means on S.B. No. 2370

The purpose and intent of this measure is to provide for the development of solutions to prevent and end homelessness in the State.

More specifically, this measure:

- (1) Establishes within the Department of Human Services the Office on Homelessness and Housing Solutions to work with various stakeholders to develop and test solutions to prevent and end homelessness;
- (2) Requires the Governor's Coordinator on Homelessness to serve as the head of the Office on Homelessness and Housing Solutions;
- (3) Establishes the duties and responsibilities of the Office on Homelessness and Housing Solutions;
- (4) Requires the Governor's Coordinator on Homelessness to submit to the Legislature an annual report on the progress of the Coordinator's activities;
- (5) Establishes the homelessness and housing solutions special fund; and
- (6) Appropriates moneys for the administration of the Office of Homelessness and Housing Solutions.

Your Committee received written comments in support of this measure from the Department of Public Safety, Judiciary, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Health and Harm Reduction Center, Institute for Human Services, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Human Services, Department of Land and Natural Resources, Governor's Coordinator on Homelessness, and Partners In Care.

Your Committee finds that establishing a permanent Office on Homelessness and Housing Solutions will help the State to reduce, prevent, and ultimately end homelessness.

Your Committee notes that the Department of Human Services' written comments on this measure clarify a misstatement regarding the Department's testimony included in Standing Committee Report No. 2407. According to the Department, "[t]he Department's testimony did not recommend creating an administratively attached agency within the Department, as the Coordinator and the [Hawaii Interagency Council on Homelessness] are already administratively attached within the Department per section 346-381, Hawaii Revised Statutes."

Your Committee has amended this measure by:

- (1) Clarifying that the Office on Homelessness and Housing Solutions is required to identify and address gaps in the homeless service system by, among other things, developing and implementing tax exemptions for certain facilities and projects;
- (2) Clarifying the required contents of the Governor's Coordinator on Homelessness' annual report to the Legislature;
- (3) Requiring that each state agency that administers public lands provide the Governor's Coordinator on Homelessness with an inventory identifying available vacant public lands;
- (4) Clarifying that the moneys appropriated into the homelessness and housing solutions special fund are in addition to, and do not supplant, any portion of the budget used to fund the ohana zones pilot program or housing first program;
- (5) Changing the amount appropriated into and out of the homelessness and housing solutions special fund from \$2,000,000 to an unspecified sum;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 2370, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3032 Ways and Means on S.B. No. 2371

The purpose and intent of this measure is to establish a statewide homelessness information system working group to assess the feasibility of establishing a statewide information system that collects and tracks real-time data related to homelessness in the State.

Your Committee received written comments in support of this measure from the Department of Public Safety, Hawaii Health & Harm Reduction Center, Partners In Care, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Human Services and Governor's Coordinator on Homelessness.

Your Committee finds that the implementation of a statewide information system to collect and track real-time data related to homelessness will help to provide efficient and effective assistance to individuals throughout the State who are experiencing, or are at risk of experiencing, homelessness. Your Committee believes that establishing a working group to determine the feasibility of this endeavor is a necessary first step.

Your Committee has amended this measure by:

- (1) Inviting, rather than requiring, representatives from specific private entities to serve on the task force;
- (2) Specifying the appointing authority for certain listed task force members;
- (3) Requiring that the legislative committee chairs appointed to the working group serve as co-chairs of the working group;
- (4) Clarifying the contents of the working group's report to the Legislature;
- (5) Inserting an appropriation of an unspecified sum for the Department of Human Services to contract with a third-party to prepare the working group's required report; and
- (6) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2371, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2371, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Moriwaki). Noes, none. Excused, none.

SCRep. 3033 Ways and Means on S.B. No. 2375

The purpose and intent of this measure is to require and appropriate moneys for the Department of Public Safety and Department of Human Services to establish a program to train certain nonviolent incarcerated individuals in the field of social work.

Your Committee received written comments in support of this measure from the Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Hawaii Chapter of the National Association of Social Workers, and two individuals.

Your Committee received written comments on this measure from the Department of Human Services, Department of Budget and Finance, and Department of Public Safety.

Your Committee finds that the program required and funded by this measure will help address the State's shortage of licensed social workers, provide education and employment opportunities for nonviolent incarcerated persons, and potentially reduce the risk of recidivism for program participants.

Your Committee has amended this measure by:

- (1) Providing that eligible participants in the program may include all nonviolent incarcerated individuals, rather than nonviolent misdemeanants and petty misdemeanants only, as suggested in written comments from the Community Alliance on Prisons;
- (2) Clarifying that participants should be trained to explore a professional pathway in the practice of social work, as suggested in written comments from the Hawaii Chapter of the National Association of Social Workers;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

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

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3034 Ways and Means on S.B. No. 2392

The purpose and intent of this measure is to improve access to the legal system by appropriating moneys for the Judiciary to purchase civil legal services for low- and moderate- income persons.

Your Committee received written comments in support of this measure from the Judiciary, Department of Human Services, Legal Aid Society of Hawaii, Hawaii Health and Harm Reduction Center, Hawaii Justice Foundation, The Legal Clinic, Hawaii State Coalition Against Domestic Violence, Hawaii Access to Justice Commission, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the moneys appropriated by this measure will allow the Judiciary to support the few nonprofit and volunteer organizations in the State that provide quality legal services to persons for whom these services otherwise would be prohibitively expensive.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$750,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 2392, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 3035 Ways and Means on S.B. No. 2397

The purpose and intent of this measure is to ensure that child custody evaluators have adequate training on domestic violence issues.

More specifically, the measure:

- (1) Requires that, beginning on July 1, 2023, certain persons attempting to serve as child custody evaluators in Family Court proceedings complete a training course on domestic violence issues every three years; and
- (2) Requires that the training course be approved for professional credit by the applicable professional accreditation body or recommended by any state domestic violence services provider.

Your Committee received written comments in support of this measure from Early Childhood Action Strategy, Domestic Violence Action Center, Hawaii State Coalition Against Domestic Violence, Parents and Children Together, the Public Policy Committee of the American Association of University Women of Hawaii, and seven individuals.

Your Committee received written comments on this measure from the Judiciary.

Your Committee finds that the recurring domestic violence training required by this measure will help to ensure that child custody evaluators who make recommendations to the Family Court receive appropriate training on the dynamics of domestic violence and related issues.

Your Committee has amended this measure by:

- (1) Specifying that the training course shall be developed and facilitated by the Hawaii State Coalition Against Domestic Violence, rather than a course approved for professional credit by the applicable professional accreditation body or recommended by any state domestic violence services provider;
- (2) Deleting Section 3 of the measure and inserting, in its place, an appropriation of \$35,000 to the Judiciary for development of the required training course, with a provision specifying that the Judiciary may contract with a nonprofit organization to develop the course curriculum and facilitate the training process; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2397, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2397, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Wakai).

SCRep. 3036 Ways and Means on S.B. No. 2435

The purpose and intent of this measure is to amend the important agricultural land qualified agricultural cost tax credit.

More specifically, this measure:

- (1) Clarifies that a taxpayer may claim the important agricultural land qualified agricultural cost tax credit in the third taxable year after application for the first-year certification of the credit, rather than in the taxable year following the taxable year in which the qualified agricultural costs were incurred; and

- (2) Extends the expiration date of the Department of Agriculture's certification authority with regard to the important agricultural land qualified agricultural cost tax credit from December 31, 2021, to December 31, 2031.

Your Committee received written comments in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawaii Farm Bureau, Kamehameha Schools, Land Use Research Foundation of Hawaii, and Ulupono Initiative.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that 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 also finds that the ability of taxpayers to claim the tax credit effectively expired when the Department of Agriculture's certification authority ended on December 31, 2021.

Your Committee has amended this measure by:

- (1) Removing language imposing a three-year delay for a landowner or farmer of designated important agricultural lands to claim the tax credit;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for purposes of consistency and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2435, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2435, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3037 Ways and Means on S.B. No. 2437

The purpose and intent of this measure is to require the establishment of, appropriate funds for, and require a legislative report regarding a neighbor islands blind and visually impaired service pilot program that provides training and other services to blind and visually impaired individuals residing on the neighbor islands.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Human Services, and Executive Office on Aging.

Your Committee finds that the State should provide necessary services to the thousands of blind and visually impaired neighbor island residents who lack access to those services.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2437, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2437, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3038 Ways and Means on S.B. No. 2457

The purpose and intent of this measure is to restore funding for immigrant resource centers.

More specifically, the measure appropriates moneys to the Department of Labor and Industrial Relations for the Department's Office of Community Services to provide staff and resources to assist immigrant and refugee populations throughout the State.

Your Committee received written comments in support of this measure from the Department of Human Services, Department of Labor and Industrial Relations, Hawaii Friends of Civil Rights, Common Cause Hawaii, The Legal Clinic, Hawaii Coalition for Immigrant Rights, Pacific Gateway Center, Catholic Charities Hawaii, and seven individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure's restoration of funding for immigrant resource centers will improve access to government services and support the Office of Community Services in meeting its legislative mandate and mission to serve low-income individuals, immigrants, and refugees.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and

(2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2457, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2457, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3039 Ways and Means on S.B. No. 2458

The purpose and intent of this measure is to help provide legal assistance and legal counsel to low-income immigrants in immigration proceedings.

More specifically, the measure appropriates moneys to the Judiciary to contract with nonprofit organizations to provide legal services to low-income immigrants in immigration proceedings, including deportation and asylum cases.

Your Committee received written comments in support of this measure from the Judiciary, Hawaii Friends of Civil Rights, The Legal Clinic, Pacific Gateway Center, Hawaii Coalition for Immigrant Rights, Catholic Charities Hawaii, and eight individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that immigrants in Hawaii are in need of legal assistance, and an appropriation to the Judiciary will support efforts to provide competent legal services to low-income immigrants navigating the immigration court process.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$250,000 to an unspecified amount; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2458, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2458, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3040 Ways and Means on S.B. No. 2461

The purpose and intent of this measure is to appropriate moneys to the Department of Health for the Hawaii Healthy Aging Partnership.

Your Committee received written comments in support of this measure from the Department of Health Executive Office on Aging, AARP Hawaii, Department of Housing and Human Concerns for the County of Maui, Maui County Office on Aging, AEA, and seven individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the partnership funded by this measure helps improve the health of Hawaii's older adults by providing evidence-based health and fitness programs.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$500,000 to an unspecified sum to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2461, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2461, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3041 Ways and Means on S.B. No. 2816

The purpose and intent of this measure is to establish a pilot program to provide grants for eligible students to pay for education expenses, including to purchase technological devices and services, pay fees for standardized tests and college applications, and pay for textbooks, approved therapies, and supplemental education services.

Your Committee received written comments in support of this measure from the State Public Charter Schools Commission, HawaiiKidsCAN, and one individual.

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

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Education.

Your Committee finds that many students, especially those in low-income families, have experienced decreased academic performance due to changes caused by the coronavirus disease 2019 pandemic. Your Committee further finds that this measure will offer those families affordable access to vital learning materials and services necessary to offset recent learning losses.

Your Committee has amended this measure by:

- (1) Adding an unspecified end date for the pilot program;
- (2) Clarifying that eligible education expenses for supplemental education services are those permitted under the Hawaii State Constitution;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2816, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2816, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3042 Ways and Means on S.B. No. 2820

The purpose and intent of this measure is to fund pay incentives for teachers in special education positions, hard-to-staff geographic locations, and Hawaiian language immersion programs.

Your Committee received written comments in support of this measure from the University of Hawaii, Executive Office on Early Learning, Hawaii State Public Charter School Commission, Hawaii State Department of Education, Aha Kauleo - Statewide Hawaiian Immersion Schools Council, Hawaii Association of School Psychologists, Hawaii State Teachers Association, Hawaii State Teachers Association, HEE Coalition, Parents for Public Schools of Hawaii, Democratic Party of Hawaii Education Caucus, Hawaii Children's Action Network Speaks!, Democratic Party of Hawaii Labor Caucus, Waianae Intermediate School, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Office of Collective Bargaining.

Your Committee received written comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the shortage of qualified teachers in special education positions, hard-to-staff geographic locations, and Hawaiian language immersion programs continues to increase. Your Committee further finds that appropriating funds for teacher differentials will help to retain existing teachers in those areas and recruit new teachers to fill the vacancies.

Your Committee has amended this measure by:

- (1) Changing the appropriation from charter schools (EDN 600) to charter schools commission and administration (EDN 612);
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2820, S.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.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3043 Ways and Means on S.B. No. 2822

The purpose and intent of this measure is to require the Department of Education to offer asthma instruction to students and provide asthma training to teachers and certain employees.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board; Hawaii Medical Association; AlohaCare; Hawaii Public Health Association; Hawaii Primary Care Association; American Academy of Pediatrics, Hawaii Chapter; Hawaii Public Health Institute; Hawaii Children's Action Network Speaks!; Special Education Advisory Council; American Lung Association in Hawaii; Hawaii Association of School Psychologists; and five individuals.

Your Committee received written comments on this measure from the Department of Education and Department of Health.

Your Committee finds that the courses and training required by this measure will help students with asthma and their teachers recognize the early warning signs of an asthma attack and take actions to avoid serious health complications, disability, and death.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2822, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3044 Ways and Means on S.B. No. 2823

The purpose and intent of this measure is to establish and fund a School Psychologist National Certification Incentive Program.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii Children's Action Network Speaks!, HE'E Coalition, Hawaii State Teachers Association, Hawaii Government Employees Association, Hawaii Association of School Psychologists, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the incentive program established and funded by this measure will help the State recruit and retain highly qualified school psychologists to serve in Hawaii's public schools.

Your Committee has amended this measure by:

- (1) Clarifying that the program will provide financial incentives for school psychologists who obtain the Nationally Certified School Psychologist credential;
- (2) Authorizing the Department of Education to adopt administrative rules pursuant to Chapter 91, Hawaii Revised Statutes, to implement and administer the 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2823, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2823, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3045 Ways and Means on S.B. No. 2826

The purpose and intent of this measure is to address the shortage of qualified and credentialed workers in high-demand industries in the State.

Specifically, this measure:

- (1) Establishes career development success programs that provide financial incentives for participating public high schools and charter schools to encourage pupils enrolled in grades nine through twelve to enroll in and complete qualified industry-credential programs; and
- (2) Appropriates moneys to the Department of Education and State Public Charter School Commission to implement the programs.

Your Committee received written comments in support of this measure from the Department of Education, Hawaii State Public Charter School Commission, HawaiiKidsCAN, Chamber of Commerce Hawaii, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the "Promising Credentials in Hawaii" report is produced as a collaborative effort between the Chamber of Commerce Hawaii, Harold K.L. Castle Foundation, Hawaii P-20 Partnerships for Education, and Kamehameha Schools. The report identifies high-value industry credentials that prepare students for careers in the State based on local labor market data and employer insights, with the goal of better tailoring career readiness programs that meet the needs of the local job market. Your Committee further finds that this measure establishes career development success programs in Hawaii schools to further facilitate this effort.

Your Committee notes that the intent of the measure is for the Department of Education to use the "Promising Credentials in Hawaii" report as a starting point in establishing the career development success programs. However, your Committee further notes that this measure provides the Department of Education the authority to determine the credentials that qualify under the programs to allow the Department to make changes as circumstances change.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Education has the authority to determine the:
 - (A) Credentials that qualify for the different types of credential categories described in the measure; and
 - (B) Programs that are recognized as qualified industry-credential programs;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2826, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2826, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Wakai).

SCRep. 3046 Ways and Means on S.B. No. 2836

The purpose and intent of this measure is to clarify the role and authority of the State's juvenile probation officers.

More specifically, the measure:

- (1) Requires the Judiciary to create within the Judiciary's hiring system a separate employment classification for juvenile probation officers;
- (2) Establishes minimum procedures for the appointment of juvenile probation officers; and
- (3) Requires the Judiciary to submit status reports to the Legislature on the implementation of this effort.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments on this measure from the Judiciary.

Your Committee finds that the creation of a separate employment classification for juvenile probation officers that is distinct from their current social worker classification, and requirements for the issuance of identification cards and badges and completion of annual safety training, will clarify their enforcement authority and promote their safety when carrying out enforcement duties in the field.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2836, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3047 Ways and Means on S.B. No. 2837

The purpose and intent of this measure is to reduce pet overpopulation and the reproduction of free-roaming cats in the State.

More specifically, this measure:

- (1) Establishes a spay and neuter special fund to fund spaying and neutering surgery and associated veterinary care; and
- (2) Allows funds from an income tax check-off to be deposited into the special fund.

Your Committee received written comments in support of this measure from A4A, Aloha Animal Advocates, Animal Interfaith Alliance in Britain, Hawaiian Humane Society, The Humane Society of the United States, Neighborhood Cats, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawaii, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Department of Budget and Finance, American Bird Conservancy, and one individual.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that overpopulation contributes to animal suffering in Hawaii. Your Committee also finds that spaying and neutering are proven ways to reduce pet overpopulation and euthanasia rates. Your Committee further finds that the humane reduction of the free-roaming cat population is in the interest of cats, wildlife, the environment, and humans.

Your Committee has amended this measure by:

- (1) Clarifying that, in administering the special fund, priority shall be given to providing funding to organizations that specialize in trap-neuter-release practices;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2837, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2837, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3048 Ways and Means on S.B. No. 2857

The purpose and intent of this measure is to establish the child wellness incentive pilot program.

More specifically, this measure:

- (1) Establishes the child wellness incentive pilot program within the Department of Human Services to pay \$50 to a state Medicaid benefit recipient each time the recipient's child completes a well-child examination;
- (2) Requires the Department of Human Services to adopt rules and submit a report to the Legislature; and
- (3) Appropriates moneys to the Department of Human Services to establish, implement, and operate the child wellness incentive pilot program.

Your Committee received written comments in support of this measure from the American Academy of Pediatrics, Hawaii Chapter and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that a child wellness incentive pilot program will help to increase adherence to well-child examination schedules and promote the health of children throughout the State.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$4,516,000 to an unspecified amount to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2857, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2857, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3049 Ways and Means on S.B. No. 2885

The purpose and intent of this measure is to appropriate moneys to the Legislative Reference Bureau to support one full-time position in the State Capitol's Public Access Room to provide educational outreach and engagement for all Hawaii schools.

Your Committee received written comments in support of this measure from the Commission to Promote Advance Civic Education, Hawaii Youth Services Network, Common Cause Hawaii, and six individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Legislative Reference Bureau.

Your Committee finds that the educational outreach program funded by this measure will help teach students about the legislative process, provide them opportunities to interact with state legislators, and encourage them to become more politically engaged adults.

Your Committee acknowledges the following written concerns offered by the Legislative Reference Bureau:

[W]e note that [the Public Access Room] already provides universal community outreach and civic engagement seminars, workshops, and information that are not limited to one specific target audience, which means that students could benefit from these pre-existing educational sessions and information. The scope of additional activities envisioned by this measure is uncertain; however, if the intent is to include such activities as providing tours to school children, then PAR would need additional space within the Capitol building to ensure that tours do not interfere with PAR's current service . . . [I]f the Committee . . . envisions that PAR conduct in-person tours for large groups as part of the educational outreach program once the building has reopened, we respectfully ask the Committee to consider the spatial challenges that such an activity would create for PAR.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2885, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3050 Ways and Means on S.B. No. 2889

The purpose and intent of this measure is to provide businesses with the option of using water from rain catchment systems.

Specifically, this measure requires the Department of Health to:

- (1) Regulate water catchment systems used for business activities;
- (2) Provide testing to businesses that utilize water catchment systems; and
- (3) Provide technical assistance on water catchment systems and filtration to business owners who wish to use captured water.

Your Committee received written comments in support of this measure from Hawaii Tropical Fruit Growers.

Your Committee received written comments in opposition to this measure from the Department of Health.

Your Committee received written comments on this measure from the Board of Water Supply and International Association of Plumbing and Mechanical Officials.

Your Committee finds that, because water catchment systems capture and store rainwater, establishing regulations that allow water from catchment systems to be used for non-residential purposes will help to preserve the State's potable water resources while ensuring the public's safety.

Your Committee has amended this measure by:

- (1) Clarifying that the rules adopted by the Department of Health shall comply with appendix K of the state plumbing code; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2889, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2889, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3051 Ways and Means on S.B. No. 2893

The purpose and intent of this measure is to establish and fund a one-year pilot program to subsidize the purchase of school supplies at schools composed entirely of students eligible for participation in Title I, Part A, of the Elementary and Secondary Education Act, as amended.

Your Committee received written comments in support of this measure from the Department of Education.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the annual expense of purchasing student school supplies can reach thousands of dollars, which is beyond the financial means of many low-income families. Your Committee further finds that a subsidy program targeted specifically to schools composed of students in low-income families will help to ensure that the students who attend those schools receive the school supplies necessary for their academic year.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2893, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3052 Ways and Means on S.B. No. 2898

The purpose and intent of this measure is to establish the Transit-Oriented Development Infrastructure Improvement District and governing board to improve infrastructure near transit stations.

Your Committee received written comments in support of this measure from the Hawaii Community Development Authority, Department of Land and Natural Resources, and Office of Planning and Sustainable Development.

Your Committee received written comments on this measure from the Department of Budget and Finance and Maui Chamber of Commerce.

Your Committee finds that establishing a dedicated improvement district will help to coordinate the public and private sectors to plan, finance, and deliver the infrastructure necessary to increase the capacity of housing in the areas surrounding transit stations.

Your Committee has amended this measure by:

- (1) Reducing, from four years to two years, the initial term of the cultural specialist on the Transit-Oriented Development Infrastructure Improvement District Board;
- (2) Deleting a provision regarding the removal of board members, since section 26-34(d), Hawaii Revised Statutes, already provides that authority to the Governor;
- (3) For the purposes of ensuring continuity in leadership and board decision-making, deleting the provision requiring that board members annually elect the Chairperson, Vice Chairperson, and other officers; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2898, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2898, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3053 Ways and Means on S.B. No. 2919

The purpose and intent of this measure is to require the State Council on Developmental Disabilities to submit a report to the Legislature identifying health disparities experienced by persons with disabilities in Hawaii.

Your Committee received written comments in support of this measure from the Department of Human Services, State Council on Developmental Disabilities, Executive Office on Aging, Disability and Communication Access Board, Office of Aging for the County of Hawaii, Hawaii Health and Harm Reduction Center, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the report required by this measure will help the State better understand and address the barriers and health inequities faced by residents with disabilities.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2919, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3054 Ways and Means on S.B. No. 2923

The purpose and intent of this measure is to increase from \$2,000 to \$5,000 the maximum fine for certain fireworks violations.

Your Committee received written comments in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Chair of the Pearl City Neighborhood Board, Hawaii Reef and Ocean Coalition, and five individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the illegal use of aerial fireworks continues to annoy residents, traumatize pets, and create dangerous conditions for the entire community. Your Committee also finds that a strong deterrent is necessary to significantly reduce this activity. Your Committee believes that increasing fines associated with certain uses of illegal fireworks may provide an appropriate deterrent.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2923 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3055 Ways and Means on S.B. No. 2928

The purpose and intent of this measure is to establish and appropriate funds for a working group to prepare and submit to the Legislature an implementation plan for agricultural career pathways.

Your Committee received written comments in support of this measure from the University of Hawaii and Department of Education.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that a robust agricultural industry will require a well-trained workforce. Therefore, your Committee believes that it is appropriate for the State to plan to prepare young people for careers in agriculture.

Your Committee has amended this measure by:

- (1) Naming the working group the "agricultural careers working group";
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2928, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2928, S.D. 3.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3056 Ways and Means on S.B. No. 2473

The purpose and intent of this measure is to transfer the Agribusiness Development Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee received written comments in opposition to this measure from Hawaii Alliance for Progressive Action; Hawaii Food+ Policy; Malama Kauai; Pele Lani Farm, LLC; and numerous individuals.

Your Committee received written comments on this measure from the Agribusiness Development Corporation and Department of Agriculture.

Your Committee finds that because the goals and objectives of the Agribusiness Development Corporation support the Department of Business, Economic Development, and Tourism's general mission, transferring the Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism is appropriate.

Your Committee has amended this measure by:

- (1) Amending the focus, scope, responsibilities, and powers of the Agribusiness Development Corporation;
- (2) Amending the definition of the term "agriculture" as the term relates to the Agribusiness Development Corporation;
- (3) Amending the requirements and responsibilities of the Board of Directors of the Agribusiness Development Corporation;
- (4) Amending the required contents of the Hawaii agribusiness plan;
- (5) Requiring the Agribusiness Development Corporation to update the Hawaii agribusiness plan no later than July 1, 2023, and every five years thereafter;
- (6) Appropriating moneys to the Agribusiness Development Corporation for a consultant to assist in preparing and finalizing the Hawaii agribusiness plan, one full-time equivalent (1.0 FTE) permanent accountant position to provide fiscal support services, and security guard services; and
- (7) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2473, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2473, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3057 Ways and Means on S.B. No. 2479

The purpose and intent of this measure is to require that each public housing project, dwelling unit, or state low-income housing project built, renovated, or reconstructed after January 1, 2023, include all broadband infrastructure necessary for tenants to access broadband service.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; State Council on Developmental Disabilities; AARP Hawaii; Common Cause Hawaii; League of Women Voters of Hawaii; and one individual.

Your Committee finds that this measure will allow residents in Hawaii public housing units to conveniently access the Internet and receive those critical services, including health care and education, that have increasingly become internet-based.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2479 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3058 Ways and Means on S.B. No. 2480

The purpose and intent of this measure is to authorize the issuance of general obligation bonds for the Department of Agriculture and the Agribusiness Development Corporation to purchase the Wahiawa Irrigation System on the island of Oahu.

Your Committee received written comments in support of this measure from the Agribusiness Development Corporation, Ulupono Initiative, Dole Food Co. Hawaii, Hawaii Farm Bureau, and Hawaii Crop Improvement Association.

Your Committee received written comments in opposition to this measure from the Department of Agriculture.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Wahiawa Irrigation System has significant importance to the public for conservation, recreation, research, public safety, infrastructure management, and other purposes. Your Committee therefore believes that the acquisition, repair, and maintenance of the Wahiawa Irrigation System and the associated spillway are in the public interest and will benefit the State.

Your Committee has amended this measure by:

- (1) Requiring that the Office of the Governor negotiate with Dole Food Company for the State's fee simple acquisition of the Wahiawa Irrigation System;
- (2) Authorizing and appropriating moneys for the Department of Agriculture, Department of Land and Natural Resources, and Agribusiness Development Corporation to acquire from Dole Food Company and Sustainable Hawaii, LLC, fee simple interests in the Wahiawa Irrigation System and an associated spillway;
- (3) Changing the source of moneys appropriated to purchase the Wahiawa Irrigation System from general obligation bonds to the general fund;
- (4) Prohibiting the Department of Land and Natural Resources from imposing administrative fines on the Department of Agriculture for safety deficiencies at Wahiawa Dam; provided that the Department of Agriculture repairs and maintains the dam and spillway to meet dam safety standards;
- (5) Providing that any existing fines owed by Dole Food Company or Sustainable Hawaii, LLC, for violations of dam safety standards at Wahiawa Dam or the associated spillway shall not transfer to the State upon the sale of the property to the State;
- (6) Appropriating moneys to the Agribusiness Development Corporation and Department of Land and Natural Resources, to manage and maintain their respective portions of the Wahiawa Irrigation System, including the creation of four full-time equivalent (4.0 FTE) positions in the Department of Land and Natural Resources for this purpose; and
- (7) Making technical nonsubstantive changes for purposes of clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2480, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2480, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3059 Ways and Means on S.B. No. 2482

The purpose and intent of this measure is to establish the Office of Wellness and Resilience within the Office of the Governor to address and improve trauma-informed care within the State.

Your Committee received written comments in support of this measure from the Executive Office on Early Learning; Department of Human Services; Waimanalo Elementary and Intermediate School; Department of Health; Department of Public Safety; Hawaii Youth Services Network; Hawaii Children's Action Network Speaks!; Early Childhood Action Strategy; Maui Family Support Services, Inc.; Kamehameha Schools; HawaiiKidsCAN; Early Learning Board; Hawaii Community Foundation; Imua Family Services; Association for Infant Mental Health Hawaii; Rainbow Schools; Chaminade University; Bizgenics; and twenty individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that traumatic experiences, especially in childhood, can have a lifelong impact on health, learning, and even brain development. Your Committee further finds that the office established by this measure is the best entity to lead the creation and adoption of a statewide framework for trauma-informed and responsive practices, which among other things, will help to coordinate the various agencies that have individually taken steps toward improving trauma-informed care.

Your Committee notes that the Department of Health has requested that the Executive Director of the Office of Wellness and Resilience possess the necessary qualifications to lead the office and has expressed a willingness to assist in determining those prerequisites.

Your Committee has amended this measure by:

- (1) Clarifying that the placement of the Office of Wellness and Resilience within the Office of the Governor shall be for special purposes to comply with Article V, section 6, of the Hawaii State Constitution; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2482, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2482, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3060 Ways and Means on S.B. No. 2504

The purpose and intent of this measure is to establish a special fund to provide rent reimbursement incentives and property damage reimbursement for land owners participating in a Hawaii Public Housing Authority rental housing voucher program.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, State Council on Developmental Disabilities, Hawaii Health and Harm Reduction Center, Partners In Care, Family Promise of Hawaii, and Catholic Charities Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the reimbursement incentives and protections against excessive property damage provided by this measure will help to increase the inventory of affordable housing in the State by encouraging more landlords to participate in rental housing voucher programs.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2504, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2504, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3061 Ways and Means on S.B. No. 2511

The purpose and intent of this measure is to make the renewable energy technologies income tax credit available to taxpayers that install and use qualifying firm renewable energy systems.

Your Committee received written comments in support of this measure from Sustainable Energy Hawaii, Hawaii Clean Power Alliance, and nine individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawaii State Energy Office, Tax Foundation of Hawaii, Climate Protectors Hawaii, Hawaiian Electric, and two individuals.

Your Committee finds that the use of renewable energy resources would enable the State to be energy self-sufficient and secure, resist fluctuations in oil prices, achieve environmental sustainability, promote economic development, and increase employment. Your Committee finds that expanding the renewable energy technologies income tax credit to include firm renewable energy systems would help the State to achieve these goals.

Your Committee has amended this measure by:

- (1) Requiring a firm renewable energy system to have an actual output of one thousand kilowatts of alternating current, rather than merely a capacity for that output;
- (2) Amending the definition of "firm renewable energy system" to exclude systems that are not always available on demand, and to delete emissions limitations;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2511, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2511, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3062 Ways and Means on S.B. No. 2529

The purpose and intent of this measure is to appropriate moneys to the Department of Health to expand and enhance the call capability of mobile outreach services provided through the Hawaii CARES crisis helpline, expand licensed crisis residential shelter services, and expand bed stabilization services.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Psychiatric Medical Association, Hawaii Medical Association, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 pandemic has exacerbated the need for mental health care services, including services addressing mental illnesses, mental health crises, and substance use disorder. The moneys appropriated by this measure will allow the Department of Health's behavioral health divisions to meet these needs by expanding the divisions' existing crisis care services.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2529, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3063 Ways and Means on S.B. No. 2532

The purpose and intent of this measure is to provide skills to inmates that will help them succeed after their release from incarceration.

More specifically, the measure:

- (1) Establishes within the Department of Public Safety a working group that shall contract with an educational institution to establish a business, entrepreneurial, and financial literacy program focused on providing incarcerated students with access to a quality business education;
- (2) Requires the Department of Public Safety to coordinate with an accredited institution of higher education to create a program designed to reduce recidivism and focus on providing inmates with business and entrepreneurial skills and financial literacy education; and
- (3) Appropriates moneys for the pilot program.

Your Committee received written comments in support of this measure from Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Hawaii Health and Harm Reduction Center, Resilience Education, University of Virginia Darden School of Business, and several individuals.

Your Committee received written comments on this measure from the Department of Public Safety, Department of Budget and Finance, and University of Hawaii.

Your Committee finds that the pilot program to be created by this measure will provide inmates with financial knowledge and business skills that inmates may use to increase their chances of success and reduce their risk of recidivism after their release.

Your Committee has amended this measure by:

- (1) Clarifying that the working group shall create a pilot program designed to reduce recidivism and that the Department of Public Safety shall establish the working group;
- (2) Clarifying that the Department of Public Safety, not the working group, shall contract with an educational institution to provide the instructional component of the pilot program;
- (3) Specifying that the working group shall submit a report to the Legislature;
- (4) Changing the appropriation from \$400,000 to an unspecified amount;
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (6) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2532, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2532, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3064 Ways and Means on S.B. No. 2616

The purpose and intent of this measure is to promote safer outdoor recreation.

More specifically, the measure requires government entities to seek reimbursement for the expenses arising from the search and rescue of persons who ignore posted warnings, intentionally leave a hiking trail to enter a prohibited area, or hike on a trail that is closed to the public.

Your Committee received written comments in support of this measure from one individual.

Your Committee received written comments in opposition to this measure from the Honolulu Police Department.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that this measure's directive for government entities to seek reimbursement of search and rescue expenses from persons who unreasonably disregarded their own safety will allow government entities to offset the costs of search and rescue efforts and, additionally, encourage outdoor enthusiasts to act with greater care and responsibility.

Your Committee has amended this measure by:

- (1) Clarifying that the requirement for a government entity to seek reimbursement of search or rescue expenses applies if the search or rescue was necessary because the person who was the subject of the search or rescue unreasonably disregarded the person's safety;
- (2) Clarifying that the act of leaving a managed and authorized hiking trail, or park boundary, for the purpose of entering an area or trail that is closed to the public, will require a government entity to seek reimbursement from the person searched for or rescued as a result;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2616, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2616, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3065 Ways and Means on S.B. No. 2708

The purpose and intent of this measure is to amend the definition of "employee-beneficiary", as the term relates to the Hawaii Employer-Union Health Benefits Trust Fund, to include the surviving unmarried adult child of a deceased retired member if the child is incapable of self-support due to a mental or physical incapacity that existed before the child's reaching the age of nineteen years.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board; Hawaii Government Employees Association; United Public Workers, AFSCME Local 646; and one individual.

Your Committee received written comments on this measure from the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee finds that this measure will ensure that certain disabled adults continue to receive health benefits or long-term care benefits.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2708 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3066 Ways and Means on S.B. No. 2726

The purpose and intent of this measure is to allow for the efficient and timely procurement of parking lot operation services located on all public properties.

Specifically, this measure expands the exemption from mandatory public bidding requirements under state procurement law currently provided to parking concessions at airports to all parking concessions located on public property.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee received written comments in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee finds that the public bidding process required by section 102-2(a), Hawaii Revised Statutes, can create significant delays when a department attempts to replace a parking vendor. Your Committee further finds that the ability for a department to quickly respond to a need to change parking vendors or other extenuating circumstances is essential to ensure uninterrupted parking services for the public.

Your Committee has amended this measure by:

- (1) Removing the proposed language that expanded the exemption from the mandatory bidding requirements of section 102-1, Hawaii Revised Statutes, to all parking concessions on public property;

- (2) Restoring the existing narrow exemption provided for the operation of parking lot operations and ground transportation services at airports, and expanding that exemption to include parking lot operations and ground transportation services at small boat harbors;
- (3) Correcting the text of section 102-2(b), Hawaii Revised Statutes, to correspond to the printed version of the Hawaii Revised Statutes; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2726, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2726, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3067 Ways and Means on S.B. No. 2731

The purpose and intent of this measure is to appropriate moneys to support the Bernice Pauahi Bishop Museum.

Your Committee received written comments in support of this measure from the State Foundation on Culture and the Arts, Hawaii Tourism Authority, and Bishop Museum.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Bernice Pauahi Bishop Museum has lost significant operating revenue due to a decrease in visitors during the pandemic and is in need of additional funds. As the Museum is a distinguished institution and is officially designated as the State of Hawaii Museum of Natural and Cultural History, your Committee believes that an appropriation to support the Museum is warranted.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$2,000,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2731, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2731, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3068 Ways and Means on S.B. No. 2735

The purpose and intent of this measure is to address gaps in the State's mental health system.

Specifically, this measure appropriates moneys to the Adult Mental Health Division of the Department of Health for behavioral health crisis stabilization beds.

Your Committee received written comments in support of this measure from the Judiciary, Department of Health, Hawaii Substance Abuse Coalition, Hawaii Health and Harm Reduction Center, Hawaii Primary Care Association, Hawaii Psychiatric Medical Association, Catholic Charities Hawaii, Partners in Care, Hawaii Medical Association, Hawaii Psychological Association, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the moneys appropriated by this measure will help to address the gap in the number of behavioral health crisis stabilization beds available to treat individuals having severe behavioral health needs but who do not require emergency room-level crisis care.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2735, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3069 Ways and Means on S.B. No. 2736

The purpose and intent of this measure is to appropriate moneys to the Adult Mental Health Division of the Department of Health to support the development of a statewide crisis outreach program.

More specifically, the measure appropriates moneys to develop a crisis outreach program modeled on the Crisis Assistance Helping Out On The Streets (CAHOOTS) program created in Eugene, Oregon.

Your Committee received written comments in support of this measure from the Hawaii State Department of Health, Hawaii Substance Abuse Coalition, Hawaii Health and Harm Reduction Center, Hawaii Psychiatric Medical Association, Partners in Care, Hawaii Medical Association, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the development of a statewide crisis outreach program will help ensure that persons in need receive appropriate crisis support from workers and medical professionals who are trained in de-escalation and crisis intervention.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2736, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3070 Ways and Means on S.B. No. 2737

The purpose and intent of this measure is to authorize the Director of Finance to issue general obligation bonds to develop a long-term care facility at the Guensberg Building at Hawaii State Hospital.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Hawaii Health and Harm Reduction Center, Hawaii Psychiatric Medical Association, Partners in Care, and Hawaii Psychological Association.

Your Committee finds that certain individuals with behavioral health needs, developmental disabilities, intellectual disabilities, and cognitive needs would be best served by an appropriate facility at Hawaii State Hospital.

Your Committee has amended this measure by:

- (1) Changing the amount of the bond authorization from \$53,500,000 to an unspecified amount to facilitate further discussion on the measure;
- (2) Inserting language that explicitly appropriates the bond revenues for the construction project; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2737, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2737, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3071 Ways and Means on S.B. No. 2757

The purpose and intent of this measure is to appropriate moneys for the Department of Land and Natural Resources to develop a comprehensive inventory of historic properties and burial sites.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Society for Hawaiian Archaeology, Historic Hawaii Foundation, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the proper management and protection of historic properties and burial sites across the State will require a comprehensive inventory of those properties and sites. Accordingly, your Committee further finds that the State should devote resources to the development of such an inventory.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2757, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3072 Ways and Means on S.B. No. 2768

The purpose and intent of this measure is to authorize the Governor to designate the Department of Land and Natural Resources to administer or enter into an agreement for the administration of a green jobs youth corps to provide temporary work and training in natural resource management, agriculture, or other sustainability-related professions.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, Food+ Policy, The Nature Conservancy Hawaii, Kua'aina Ulu 'Auamo, Hawaii Fish Company Inc., Kupu, Re-use Hawai'i, and eight individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the green jobs youth corps enabled by this measure will help to promote Hawaii's clean energy goals, expand Hawaii's green workforce, and develop clean energy leaders.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2768, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2768, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3073 Ways and Means on S.B. No. 2772

The purpose and intent of this measure is to appropriate moneys to the Judiciary to create new and expand existing community-based furlough programs and residential drug treatment, therapeutic living, and mental health programs for judicial process-involved women.

Your Committee received written comments in support of this measure from the Hawaii Substance Abuse Coalition, Women's Prison Project, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Judiciary, Department of Budget and Finance, and ACLU of Hawaii.

Your Committee finds that because there is a limited number of programs that allow minors to remain with their mothers while their mothers are in treatment, funding would help expand these existing programs and create new programs to accommodate more participants.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$200,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2772, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2772, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3074 Ways and Means on S.B. No. 2787

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (6), which consists of educational officers and other personnel of the Department of Education under the same pay schedule, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance and University of Hawaii.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (6) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2787, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2787, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3075 Ways and Means on S.B. No. 2789

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (8), which consists of non-faculty personnel of the University of Hawaii and the community college system, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, University of Hawaii, and Hawaii Government Employees Association.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (8) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2789, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2789, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3076 Ways and Means on S.B. No. 2791

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items for the members of collective bargaining unit (10), which consists of institutional, health, and correctional workers, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Health Systems Corporation, and United Public Workers, AFSCME Local 646.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that negotiations between the exclusive representative of collective bargaining unit (10) and the public employer are ongoing. Your Committee further finds that allowing this measure to continue to advance through the legislative process will provide a vehicle to appropriate or authorize funds if an agreement is reached or an arbitration award is issued before the end of the current legislative session.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2791, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2791, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3077 Ways and Means on S.B. No. 2805

The purpose and intent of this measure is to establish and provide moneys for the Hawaii start-up business loan program.

More specifically, the measure:

- (1) Establishes the Hawaii start-up business loan program;
- (2) Establishes the Hawaii start-up business loan program revolving fund to provide moneys for the loan program; and
- (3) Appropriates moneys into and out of the Hawaii start-up business loan program revolving fund.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation; Department of Business, Economic Development, and Tourism; Hawaii Food Industry Association; Chamber of Commerce Hawaii; and Right to Start.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the start-up loan program established by this measure will help create jobs, grow the State's economy, increase incomes and community wealth, and fight inequality and poverty by supporting entrepreneurs and new businesses.

Your Committee has amended this measure by:

- (1) Clarifying that the Business Development and Support Division of the Department of Business, Economic Development, and Tourism shall adopt administrative rules necessary for administering the Hawaii start-up business loan program;
- (2) Amending the definition of "financial institution" to include nonprofit loan funds, as recommended in written comments from the Department of Business, Economic Development, and Tourism;
- (3) Changing the source of moneys appropriated into the Hawaii start-up business loan program revolving fund from federal funds to the State's general fund;
- (4) Changing the amounts appropriated into and out of the Hawaii start-up business loan program revolving fund to unspecified sums;
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (6) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2805, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2805, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3078 Ways and Means on S.B. No. 2609

The purpose and intent of this measure is to authorize the issuance of no more than \$750,000,000 in special purpose revenue bonds to finance the construction, improvement, and equipping of health care facilities by The Queen's Health Systems and its nonprofit affiliates.

Your Committee received written comments in support of this measure from The Queen's Health Systems.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the activities and facilities of The Queen's Health Systems and its nonprofit affiliates constitute a project that qualifies for special purpose revenue bonds that are intended to assist not-for-profit corporations that provide health care facilities to the general public.

Your Committee has amended this measure by:

- (1) Changing the amount of the bond authorization from \$750,000,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2609, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2609, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3079 Ways and Means on S.B. No. 2612

The purpose and intent of this measure is to establish and appropriate moneys for a reusable utensil pilot project in Department of Education schools on the island of Molokai.

Your Committee received written comments in support of this measure from the Department of Education and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the single-use plastic utensils used in Department of Education schools are major contributors to plastic waste in the State. The pilot project established by this measure will help to reduce this waste and aid the State in determining the feasibility of implementing the program in Department of Education schools statewide.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education to submit an interim report to the Legislature prior to the Regular Session of 2023 and a final report prior to the Regular Session of 2024 on the feasibility of statewide implementation;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 2612, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3080 Ways and Means on S.B. No. 2622

The purpose and intent of this measure is to establish and provide moneys for a two-year pilot project on the island of Molokai to grow crops for biodiesel fuel production.

Your Committee received written comments in support of this measure from Pacific Biodiesel Technologies and the Hawaii Farm Bureau.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Agriculture, Hawaii State Energy Office, and Pacific Agricultural Land Management Systems and Hawaii Oil Seed Producers.

Your Committee finds that supporting local agricultural production is critical to diversifying Hawaii's economy. The feedstock produced through this pilot project can be processed into biofuels and other value-added products, benefiting farmers, feedstock processors, and the environment while also creating jobs. Your Committee also finds that the production of biofuels will help the State reach the goal of one hundred percent renewable energy by 2045.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified sum to facilitate further discussion on the measure; and
- (2) Making a technical nonsubstantive change for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2622, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2622, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3081 Ways and Means on S.B. No. 2624

The purpose and intent of this measure is to establish and appropriate moneys for telehealth and rural health care pilot projects.

More specifically, the measure establishes and funds:

- (1) A telehealth pilot project to evaluate the efficacy of various telehealth delivery models; and
- (2) A rural health care pilot project to pay additional fees and expenses for physicians and nurse practitioners who practice in certain medically underserved areas and have medical specialties that are typically difficult for residents in rural areas to access.

Your Committee received written comments in support of this measure from the Department of Health, University of Hawaii, State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Substance Abuse Coalition, Hawaii Public Health Institute, Queen's Health Systems, Hawaii Primary Care Association, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance, State Council on Mental Health, and Hawaii State Center for Nursing.

Your Committee finds that the pilot projects established and funded by this measure will help improve the quality and availability of health care in the State by offering incentives to doctors to practice in rural areas. Your Committee further finds that this measure will help to provide health care access to residents who are elderly, have transportation barriers, or may otherwise benefit from telehealth.

Your Committee has amended this measure by:

- (1) Requiring the Department of Health to provide an evaluation report on the outcomes of the rural health care pilot project, within six months of the exhaustion of all project funds;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2624, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2624, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3082 Ways and Means on S.B. No. 2629

The purpose and intent of this measure is to require the Department of Agriculture, in consultation with the Department of Health, to develop and implement a pesticide disposal collection program no later than June 30, 2023, and operate the program for a duration to be determined by the Department of Agriculture.

Your Committee received written comments in support of this measure from the Department of Health; Department of Agriculture; Food+ Policy Internship 2022; Larry Jefts Farms, LLC; Hawaii Crop Improvement Association; Hawai'i Alliance for Progressive Action; Hawaii Pest Control Association; Hawaii Farm Bureau; and five individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the disposal of agricultural pesticides in sanitary landfills is prohibited. However, no safe or legal alternatives for their disposal are currently available. Your Committee recognizes that other states have successfully created low-cost pesticide disposal collection programs to ensure that unwanted agricultural pesticides are discarded in a safe manner. Your Committee believes that the State's implementation of a similar program would be a critical component of the State's environmental management efforts.

Your Committee has amended this measure by:

- (1) Explicitly including pest control operators licensed under Chapter 460J, Hawaii Revised Statutes, among the entities that may participate in the pesticide disposal collection program;
- (2) Requiring the Advisory Committee on Pesticides to serve as a steering committee to guide and monitor the program;
- (3) Changing the appropriation from \$800,000 to an unspecified amount;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2629, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2629, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3083 Ways and Means on S.B. No. 2634

The purpose and intent of this measure is to appropriate moneys from general revenues to extend Medicaid postpartum coverage to twelve months following the end of pregnancy.

Your Committee received written comments in support of this measure from the Department of Human Services; Executive Office on Early Learning; Disability and Communication Access Board; Hawaii State Commission on the Status of Women; Healthcare Association of Hawaii; AlohaCare; Hawaii Medical Service Association; United Healthcare; Hawaii Public Health Association; Hawaii

Women's Coalition; Hawaii Primary Care Association; American Academy of Pediatrics, Hawaii Chapter; Hawaii Medical Association; American Heart Association; Planned Parenthood Alliance Advocates - Hawaii; Save Medicaid Hawaii; Hawaii Association of Health Plans; Hawaii Public Health Institute; American Association of University Women of Hawaii; Hawaii Pacific Health; American College of Obstetricians and Gynecologists, Hawaii Section; Ahahui o na Kauka - Association of Native Hawaiian Physicians; Hawaii Family Forum; Midwives Alliance of Hawaii; Hawaii Women Lawyers; Hawaii Maternal and Infant Health Collaborative; Early Childhood Action Strategy; Children's Action Network Speaks!; and fifteen individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that it is important for the State to support women who are otherwise ineligible for postpartum health coverage, as these women often struggle to receive necessary care during the twelve months that immediately follow childbirth.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2634, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3084 Ways and Means on S.B. No. 2640

The purpose and intent of this measure is to appropriate moneys for the second year of the education program for imprisoned women.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Public Safety, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Hawaii Health and Harm Reduction Center, Women's Prison Project, and three individuals.

Your Committee received written comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committee finds that the educational opportunities provided by this measure will help to reduce recidivism and assist incarcerated women integrating back into society by developing their employment skills, helping them to obtain their General Educational Development diploma, providing them with college-level education, enhancing their self-esteem, and providing them with beneficial parenting skills.

Your Committee has amended this measure by:

- (1) Changing the amount appropriated from \$250,000 to an unspecified amount;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2640, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2640, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3085 Ways and Means on S.B. No. 2662

The purpose and intent of this measure is to encourage and facilitate the recycling of construction and demolition waste.

Specifically, this measure:

- (1) Establishes a state and county bid preference for construction and demolition services that use the most recycled materials or recycle the most demolition materials;
- (2) Updates the state building codes to include the latest edition of the International Green Construction Code; and
- (3) Updates the state building codes to require the recycling of not less than twenty-five percent of non-hazardous construction, deconstruction, or demolition waste from public buildings and not less than twenty percent of non-hazardous construction, deconstruction, or demolition waste from private buildings.

Your Committee received written comments in support of this measure from the City and County of Honolulu, Department of Environmental Services; Hawai'i Reef and Ocean Coalition; Re-use Hawaii; Environmental Caucus of the Democratic Party of Hawai'i; Mokulua High Performance Builder; and one individual.

Your Committee received written comments in opposition to this measure from the Building Industry Association of Hawaii; General Contractors Association of Hawaii; American Institute of Architects, Hawaii State Council; and one individual.

Your Committee received written comments on this measure from the State Procurement Office and Hawaii Gas.

Your Committee finds that construction and demolition waste account for approximately thirty percent of the material sent to landfills. Your Committee further finds that increasing the amount of recycled waste materials will help to reduce landfill use and increase environmental sustainability efforts of the construction industry.

Your Committee has amended this measure by:

- (1) Clarifying that each priority offeror's bid amount for construction or demolition services procured by the State or any county shall not be more than ten percent greater or less than all other bids;
- (2) Including the conversion of waste material to renewable gaseous fuel as a permissible form of recycling;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2662, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2662, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3086 Ways and Means on S.B. No. 2664

The purpose and intent of this measure is to improve protections for taro lands and production.

Specifically, this measure:

- (1) Establishes a fourth class of land for lands having cultural, social, economic, and food self-sufficiency value if preserved for wetland taro cultivation;
- (2) Authorizes the Land Use Commission to create an inventory of taro lands and to submit that inventory to the Board of Land and Natural Resources for approval; and
- (3) Appropriates moneys for the purpose of creating the inventory.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; 'Ai Pohaku; Kipahulu Ohana, Inc.; Green Party Hawaii; Environmental Caucus of the Democratic Party of Hawaii; Hawaii Farm Bureau; and twelve individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the additional protections afforded to taro lands and production by this measure will help to improve food security and agricultural diversity in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 2664, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3087 Ways and Means on S.B. No. 2665

The purpose and intent of this measure is to improve protections for taro lands and production.

Specifically, this measure:

- (1) Establishes a fourth classification of land for intensive agricultural use designated for certain taro land;
- (2) Prohibits the Board of Land and Natural Resources from disturbing certain ancient taro lands, systems, and elements; and
- (3) Requires the Land Use Commission to create an inventory.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources; 'Ai Pohaku; Kipahulu Ohana, Inc.; Green Party Hawaii; Environmental Caucus of the Democratic Party of Hawaii; Hawaii Farm Bureau; and ten individuals.

Your Committee finds that the additional protections afforded to taro lands and production by this measure will help to improve food security and agricultural diversity in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2665, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2665, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3088 Ways and Means on S.B. No. 2670

The purpose and intent of this measure is to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community.

Specifically, this measure:

- (1) Establishes the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission and provides for the commission's membership, powers, and duties;
- (2) Establishes a committee on lesbian, gay, bisexual, transgender, queer, plus affairs in each county; and
- (3) Appropriates moneys to establish and operate the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission.

Your Committee received written comments in support of this measure from the Hawaii Civil Rights Commission, Stonewall Caucus of the Democratic Party of Hawaii, Pride @ Work – Hawaii, LGBTQ+ Center at the University of Hawaii at Manoa, Rainbow Family 808, Common Cause Hawaii, North Shore Koolau Diversity Collective, Hawaii Health and Harm Reduction Center, AF3IRM Hawaii, Americans for Democratic Action, and eleven individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Health.

Your Committee finds that the commission established by this measure will help the State identify and meet the needs of the lesbian, gay, bisexual, transgender, queer, plus community.

Your Committee has amended this measure by:

- (1) Adding one member to the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission to represent the Hawaii sexual and gender minority work group of the Department of Health;
- (2) Requiring that the Governor appoint members of the commission that reflect the diversity of the lesbian, gay, bisexual, transgender, queer, plus community by including individuals from different lesbian, gay, bisexual, transgender, queer, plus identities;
- (3) Appropriating an unspecified sum of general funds to the counties to fulfill the State's obligation to share the cost of any new mandated program pursuant to Article VIII, section 5, of the Hawaii State Constitution;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making a technical nonsubstantive amendment for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2670, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2670, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3089 Ways and Means on S.B. No. 2675

The purpose and intent of this measure is to establish a three-year cover crop reimbursement pilot program.

More specifically, this measure:

- (1) Requires the Department of Agriculture to establish and implement a three-year cover crop reimbursement pilot program to reimburse farming operations in the State for the costs of cover cropping;
- (2) Establishes requirements for the pilot program, including application requirements and requirements for the allocation and distribution of payments;
- (3) Establishes within the Department of Agriculture a cover crop reimbursement pilot program manager position;
- (4) Establishes requirements for, and the duties of, the cover crop reimbursement pilot program manager;
- (5) Requires the Department of Agriculture to submit a report to the Legislature; and
- (6) Appropriates moneys to the Department Agriculture to establish, implement, and administer the pilot program.

Your Committee received written comments in support of this measure from 350Hawaii; Climate Protectors Hawaii; Food+ Policy; Green Party Hawaii; Growing Together Edible Landscaping; Hawaii Alliance for Progressive Action; Hawaii Cattlemen's Council; Hawaii Farm Bureau; Hawaii Farmers Union United; Hydroponics Alternatives, LLC; Kipahulu Ohana, Inc.; Larry Jefts Farms, LLC; Malama Kauai; Pele Lani Farm, LLC; and numerous individuals.

Your Committee received written comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that cover cropping promotes healthier soils and is an important component of regenerative agriculture, which helps to sequester carbon emissions. Accordingly, your Committee believes that this measure will help to promote food security in the State while helping to address the ongoing climate change crisis.

Your Committee has amended this measure by:

- (1) Clarifying the allocation categories for disbursement of moneys through the cover crop reimbursement pilot program;
- (2) Amending the definition of "cover crop" to exclude invasive or fast-growing grasses, or both, including Bermuda grass;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2675, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2675, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3090 Ways and Means on S.B. No. 2677

The purpose and intent of this measure is to establish the long-term rental assistance pilot program to provide long-term rental assistance to individuals who are sixty-two years of age or older and are homeless or at imminent risk of becoming homeless.

More specifically, this measure:

- (1) Establishes the long-term rental assistance pilot program to be administered by the Hawaii Public Housing Authority;
- (2) Authorizes the Hawaii Public Housing Authority to enter into memoranda of agreement with the counties or specialized nonprofit organizations to implement the pilot program;
- (3) Establishes the duties and requirements of the Hawaii Public Housing Authority in relation to the pilot program, including the submittal of a report to the Legislature;
- (4) Dissolves the pilot program on June 30, 2025; and
- (5) Appropriates moneys to the Hawaii Public Housing Authority for the pilot program, including the establishment of two full-time equivalent (2.0 FTE) public housing specialist positions.

Your Committee received written comments in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Catholic Charities Hawaii, Hawaii Health and Harm Reduction Center, Partners In Care, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that as the cost of living in the State continues to increase, many senior citizens are experiencing, or are at risk of experiencing, homelessness. Your Committee believes that this measure is an appropriate way to help these kupuna obtain or retain long-term or permanent housing.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2677, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3091 Ways and Means on S.B. No. 2678

The purpose and intent of this measure is to appropriate moneys for the Executive Office on Aging to expand the Hawaii State Health Insurance Assistance Program (SHIP) by contracting with third-party service providers and staffing consultants and recruiting more volunteers.

Your Committee received written comments in support of this measure from the Executive Office on Aging, Hawaii State Health Insurance Assistance Program, Policy Advisory Board on Elder Affairs, AARP Hawaii, Catholic Charities Hawaii, and seven individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the appropriation of moneys for expansion of the Hawaii State Health Insurance Assistance Program will provide stability for, and ensure the continuity of, this critical program that helps individuals navigate the complexities of the federal Medicare program and make informed health insurance decisions.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2678, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2678, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3092 Ways and Means on S.B. No. 2700

The purpose and intent of this measure is to ensure that the data in the Department of Human Services' early childhood registry is consistently collected and analyzed.

More specifically, this measure:

- (1) Requires the Department of Human Services to direct staff of certain childcare programs to update information in the Department's early childhood registry;
- (2) Requires the Department of Human Services to submit a report to the Legislature regarding updates to the early childhood registry; and
- (3) Appropriates moneys for the Department of Human Services to improve the early childhood registry.

Your Committee received written comments in support of this measure from the Early Learning Board, Executive Office on Early Learning, AAUW of Hawaii, AF3IRM Hawaii, Early Childhood Action Strategy, Faith Action for Community Equity, Hawaii Association for the Education of Young Children, Hawaii Children's Action Network Speaks!, Neighborhood Place of Kona, Save Medicaid Hawaii, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that by improving the collection and analysis of data in the early childhood registry, this measure will help to expand the availability of access to high-quality early childcare and education programs in the State.

Your Committee has amended this measure by:

- (1) Codifying in statute, rather than session law, the requirement that the Department of Human Services direct staff of certain childcare programs to update information in the Department's early childhood registry;
- (2) Clarifying the Department of Human Services' reporting requirements;
- (3) Changing the appropriation from \$80,000 to an unspecified amount to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2700, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2700, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3093 Ways and Means on S.B. No. 3106

The purpose and intent of this measure is to permanently exempt from civil service eight positions within the Department of Human Services.

Your Committee received written comments in support of this measure from the Department of Human Services, Neighborhood Place of Kona, Parents and Children Together, Early Childhood Action Strategy, and three individuals.

Your Committee finds that all eight positions addressed by this measure are currently temporarily exempt from civil service. Your Committee further finds that permanently exempting these critical positions from civil service is necessary for the Department of Human Services to continue to be competitive in attracting and retaining qualified individuals who have the knowledge and experience necessary to effectively lead and manage the Department's programs.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3106, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3106, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3094 Ways and Means on S.B. No. 3111

The purpose and intent of this measure is to provide to families with children additional support and resources to prevent child abuse and neglect, and to ensure family and child well-being.

More specifically, the measure:

- (1) Establishes within the Department of Human Services a five-year family resource centers pilot program and one family resource centers coordinator position, to further develop and implement a statewide network of school- and community-based family resource centers;
- (2) Requires the Department of Human Services to submit to the Legislature annual reports containing specified information relating to the pilot program; and

(3) Appropriates moneys for the establishment of the pilot program and specified related expenses.

Your Committee received written comments in support of this measure from the Department of Human Services, Department of Health, Waimanalo Elementary and Intermediate School, Kailua High School Parent Community Network, Hawaii Children's Action Network Speaks!, Blueprint for Change, Hawaii Afterschool Alliance, Ohana Support Network, Family Programs Hawaii, Neighborhood Place of Kona, and five individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that a statewide network of family resource centers, as established by the pilot program created by this measure, will increase access to resources and supportive services for at-risk families and children across the State.

Your Committee has amended this measure by:

- (1) Clarifying that the pilot program's areas of responsibility include the establishment of definitions, standards, and best practices and the identification and alignment of available services, goals, and outcomes;
- (2) Requiring, rather than authorizing, the Director of Human Services to appoint a family resource centers coordinator to carry out the functions of the pilot program;
- (3) Changing the appropriation from \$350,000 to an unspecified amount to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3111, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3111, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3095 Ways and Means on S.B. No. 3113

The purpose and intent of this measure is to improve government efficiency by incorporating the kupuna caregivers program into the kupuna care program.

More specifically, the measure:

- (1) Specifies that the kupuna care program, among other things, shall provide support services to caregivers and employed caregivers who assist older adults to age in place;
- (2) Expands the services available to caregivers, employed caregivers, and care recipients; and
- (3) Sets out procedures and information that may be used to determine program eligibility.

Your Committee received written comments in support of this measure from the Executive Office on Aging, Maui County Office on Aging, Disability and Communication Access Board, AARP Hawaii, Alzheimer's Association, American Association of University Women of Hawaii, and three individuals.

Your Committee finds that this measure's incorporation of the kupuna caregivers program into the kupuna care program will streamline the administrative and programmatic burdens of maintaining two separate programs while continuing to provide an array of seamless services and supports that meet the needs of older adults and their caregivers.

Your Committee has amended this measure by:

- (1) Amending the definition of "care recipient" in section 349-16, Hawaii Revised Statutes, to achieve consistency between the names of long-term care facilities referenced therein and the names of those facilities as referenced in Chapter 321, Hawaii Revised Statutes;
- (2) Deleting the definition of "coach" from section 349-16, Hawaii Revised Statutes, which is rendered unnecessary by the measure's deletion of all references to that term in Chapter 349, Hawaii Revised Statutes; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3113, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3113, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3096 Ways and Means on S.B. No. 3126

The purpose and intent of this measure is to allow the Director of Labor and Industrial Relations to authorize certain qualified boiler inspectors to perform safety inspections of pressure retaining items.

More specifically, this measure:

- (1) Allows the Director of Labor and Industrial Relations to authorize qualified boiler inspectors in the exclusive employment of an owner-user inspection organization to perform safety inspections of pressure retaining items; and

- (2) Provides the Director of Labor and Industrial Relations an additional three years to reimburse the general fund for the initial appropriation made into the Boiler and Elevator Revolving Fund.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Hawaiian Electric Company, and Par Hawaii.

Your Committee finds that by allowing the Director of Labor and Industrial Relations to authorize inspections by owner-user organizations, this measure will enhance the Department of Labor and Industrial Relations' ability to inspect, and ensure the safe operation and use of, boilers, pressure vessels, and pressure systems in the State. Your Committee also finds that providing the Director of Labor and Industrial Relations additional time to reimburse the general fund will help to ensure the continued safe operation of boilers, pressure vessels, pressure systems, amusement rides, and elevator and kindred equipment throughout the State.

Your Committee has amended this measure by:

- (1) Clarifying the authority of the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 3126, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3097 Ways and Means on S.B. No. 3135

The purpose and intent of this measure is to transfer to the counties, the responsibility to review certain projects that may affect a historic property, an aviation artifact, or a burial site; provided that the counties meet certain requirements.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, the Chair of the Maui County Council, and NAIOP.

Your Committee received written comments in opposition to this measure from the Society for Hawaiian Archaeology and one individual.

Your Committee received written comments on this measure from the Historic Hawaii Foundation and Hawaii Government Employees Association.

Your Committee finds that transferring the historic review process to the counties will bring Hawaii in conformity with other states while helping to address the Department of Land and Natural Resources' backlog of unprocessed historic reviews.

Your Committee has amended this measure by:

- (1) Deleting the provision that third-party reviewers shall be used to address permit review backlogs experienced by the Department of Land and Natural Resources and may be released when the volume of permit reviews reaches a level that is manageable by Department staff; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3135, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3135, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3098 Ways and Means on S.B. No. 3143

The purpose and intent of this measure is to conform state income tax law and estate and generation—skipping transfer tax law to the Internal Revenue Code of 1986, as amended as of December 31, 2021.

Your Committee received written comments in support of this measure from the Department of Taxation.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee recognizes that this gubernatorial administration measure serves as legislation to comply with sections 235-2.5(c) and 236E-4(c), Hawaii Revised Statutes, which require the Department of Taxation to submit to the Legislature for each Regular Session legislation to adopt the Internal Revenue Code as it exists on the December 31 preceding the Regular Session, to conform relevant state tax laws to those changes made to the federal Internal Revenue Code during the past year, to the extent that those changes are appropriate for the State.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3143 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3099 Ways and Means on S.B. No. 3152

The purpose and intent of this measure is to make an emergency appropriation to the Department of Transportation Highways Division for the highway special maintenance program.

Your Committee received written comments in support of this measure from the Department of Transportation.

Your Committee finds that the highway maintenance and repair projects funded by this measure will help improve roads, create jobs, and support the State's economic recovery from the effects of the coronavirus disease 2019 pandemic.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$20,000,000 to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3152, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3152, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3100 Ways and Means on S.B. No. 3158

The purpose and intent of this measure is to establish a rebate program for purchases of electric vehicles, electric bicycles, mopeds, and motorcycles.

More specifically, this measure:

- (1) Requires the Department of Transportation to administer a rebate program to provide incentives for the purchase of electric vehicles, electric bicycles, mopeds, and motorcycles, subject to certain conditions;
- (2) Authorizes the Department of Transportation to contract with a third-party administrator to operate and manage the rebate program;
- (3) Establishes the electric vehicle, electric bicycle, moped, and motorcycle rebate special fund;
- (4) Requires that a portion of the environmental response, energy, and food security tax be deposited into the electric vehicle, electric bicycle, moped, and motorcycle rebate special fund; and
- (5) Appropriates a portion of the funds received by the State from the federal Infrastructure Investment and Jobs Act for the electric vehicle, electric bicycle, moped, and motorcycle rebate program.

Your Committee received written comments in support of this measure from the Department of Transportation, Hawaii State Energy Office, 350Hawaii, Alliance for Automotive Innovation, Big Island Electric Vehicle Association, Blue Planet Foundation, Climate Protectors Hawaii, Hawaii Bicycling League, Hawaii EV Association, Hawaiian Electric Company, KauaiEV, Ulupono Initiative, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Hawaii Automobile Dealers Association.

Your Committee finds that by incentivizing the proliferation of electrically powered conveyances in the State, this measure will help to ensure that the State meets its statutory target of sequestering more greenhouse gases than emitted by 2045.

Your Committee has amended this measure by:

- (1) Limiting the scope of the rebate program to electric bicycles and electric mopeds;
- (2) Requiring that, for a period of five years, three cents of the environmental response, energy, and food security tax assessed on each barrel of petroleum product be deposited into the electric bicycle and electric moped rebate special fund instead of the electric vehicle charging system subaccount of the public utilities commission special fund;
- (3) Appropriating out of the moneys received by the State from the federal Infrastructure Investment and Jobs Act an unspecified amount to be deposited into the electric vehicle charging system subaccount of the public utilities commission special fund; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3101 Ways and Means on S.B. No. 3179

The purpose and intent of this measure is to establish a pilot program to provide feral herd management on the islands of Maui, Molokai, and Lanai.

More specifically, this measure:

- (1) Requires the Division of Forestry and Wildlife of the Department of Land and Natural Resources to establish a pilot program to issue moneys to licensed hunters for feral herd population management; and
- (2) Appropriates moneys to the Department of Land and Natural Resources to establish the pilot program.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, a member of the Maui County Council, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Kalamaula Mauka Homestead Association, Maui Chamber of Commerce, Maui County Farm Bureau, Molokai Farm Bureau, The Nature Conservancy, and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that feral axis deer destroy crops and pasture lands by devouring living vegetation. Your Committee also finds that feral axis deer populations have increased dramatically, especially in the County of Maui. Accordingly, your Committee believes that this measure will help to mitigate the ecological and financial damage caused by feral axis deer.

Your Committee has amended this measure by:

- (1) Clarifying that the intent of the pilot program is to manage feral axis deer herds;
- (2) Clarifying that the Division of Forestry and Wildlife of the Department of Land and Natural Resources is required to consult with the Department of Agriculture on the development and management of the pilot program;
- (3) Amending the appropriation to include the purchase of equipment and establishment of three full-time equivalent (3.0 FTE) technician positions within the Maui Branch of the Division of Forestry and Wildlife; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3179, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3179, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3102 Ways and Means on S.B. No. 3181

The purpose and intent of this measure is to reimburse certain agricultural producers for costs incurred in transporting agricultural commodities.

More specifically, this measure:

- (1) Establishes a local agriculture transportation cost reimbursement incentive program to reimburse eligible agricultural producers for a portion of each producer's costs to transport agricultural commodities;
- (2) Establishes eligibility requirements for agricultural producers to participate in the program;
- (3) Establishes a cap on the total reimbursement payments that may be disbursed; and
- (4) Appropriates moneys for the Department of Agriculture to fund and administer the program.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Hawaii Food Industry Association, Ulupono Initiative, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that this measure will help to mitigate the increasingly burdensome expense of interisland transportation that is borne by neighbor island agricultural producers.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3181, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3181, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3103 Ways and Means on S.B. No. 3192

The purpose and intent of this measure is to protect, restore, and build the resilience of Hawaii's natural and outdoor recreational resources.

Specifically, this measure:

- (1) Establishes a visitor green fee program to collect fees from visitors who visit a state park, beach, state-owned forest, hiking trail, or other state-owned natural area;

- (2) Establishes the Environmental Legacy Commission to allocate the revenues from the visitor green fee to protect and manage Hawaii's natural resources;
- (3) Establishes the visitor green fee special fund; and
- (4) Appropriates moneys into and out of the green fee special fund.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Tourism Authority, Kua'aina Ulu 'Auamo, Surfrider Foundation, Malama Pupukea-Waimea, Hawaii Green Fee, Wild Kids, Lailima Conservation LLC, Hawaii Alliance for Progressive Action, The Nature Conservancy Hawaii, Hawaii Alliance for Community-Based Economic Development, Hawaii Reef and Ocean Coalition, Maui Chamber of Commerce, The Trust for Public Land, Ka Leo O Na Opio, and twenty-six individuals.

Your Committee received written comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Tax Foundation of Hawaii, Hawaii Lodging and Tourism Association, and one individual.

Your Committee finds that the fee established by this measure would provide additional revenue to bolster the State's existing investments in natural resource management and help to fill Hawaii's conservation funding gap.

Your Committee has amended this measure by:

- (1) Renaming the "visitor green fee", "visitor green fee program", and "visitor green fee special fund" as the "visitor impact fee", "visitor impact fee program", and "visitor impact fee special fund", respectively;
- (2) Clarifying that revenues from the visitor impact fee special fund shall be allocated by the Environmental Legacy Commission for projects that offset adverse environmental impacts caused by licensees or ensure that the State's natural resources are maintained for continued use by licensees, or both;
- (3) Establishing qualifications and conditions for grants awarded pursuant to the visitor impact fee program;
- (4) Deleting provisions that would have established a maximum percentage of moneys that could be allocated for administration of the program or establishment, implementation, and enforcement of regulations;
- (5) Authorizing the Department of Land and Natural Resources to adopt or amend rules to ensure that persons who purchase a license are not assessed a separate entrance fee to visit state parks, beaches, state-owned forests, hiking trails, or other state-owned natural areas on state-owned lands;
- (6) Clarifying that certain Environmental Legacy Commission members shall be nominated to serve by either the Chairperson of the Board of Land and Natural Resources or the Chief Executive Officer of the Hawaii Tourism Authority for appointment by the Governor, subject to Senate confirmation; and
- (7) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3192, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3192, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3104 Ways and Means on S.B. No. 3197

The purpose and intent of this measure is to invest in the future of Hawaii's farming industry by increasing the number of new farmers and providing more support for aspiring farmers in the State.

More specifically, the measure:

- (1) Establishes a beginning farmer training program, to be administered by the Department of Agriculture in conjunction with qualified farmer training providers;
- (2) Requires the Department of Agriculture, among other things, to:
 - (A) Collaborate with and support qualified farmer training providers;
 - (B) Implement strategies to increase the number of new farmers in the State;
 - (C) Distribute any available funding to as many training programs as is practicable to achieve the purpose of the program; and
 - (D) Submit annual reports to the Legislature containing specified information, including an evaluation of program results; and
- (2) Appropriates moneys to establish and implement the program.

Your Committee received written comments in support of this measure from Hawaii Farmers Union United, Hawaii Food+ Policy, and nine individuals.

Your Committee received written comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that the program created by this measure will help to achieve a more robust agricultural industry by providing needed training to new and aspiring farmers across the State.

Your Committee has amended this measure by:

- (1) Establishing, in place of the beginning farmer training program, a farmer apprentice mentoring program having substantially similar characteristics, and amending the measure's preamble to reflect the purpose of the farmer apprentice mentoring program;
- (2) Requiring the Department of Agriculture, among other things, to collaborate with, and provide funding and information to, qualified farmer mentorship providers to fund apprenticeships for bona fide Hawaii farmers;
- (3) Specifying that a farmer apprentice shall be eligible to receive training for a maximum of one year;
- (4) Setting limits on: the maximum dollar amount of apprenticeship stipends that a farmer mentorship provider may receive per year; the maximum percentage of total farmer apprentice wages that may be funded by the program in a given year; and the maximum aggregated dollar amount that a farmer mentorship provider may receive during any five-year period for services procured by the Department of Agriculture;
- (5) Changing all dollar amounts, and the appropriation amount, to unspecified amounts to facilitate further discussion on the measure; and
- (6) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3197, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3197, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3105 Ways and Means on S.B. No. 3201

The purpose and intent of this measure is to simplify the accounting of income for nonprofit organizations.

Specifically, this measure:

- (1) Exempts a tax-exempt nonprofit organization's fundraising income from the general excise tax; and
- (2) Retains the general excise tax for gross income derived by those organizations from any "unrelated trade or business" activities, as defined by the Internal Revenue Code.

Your Committee received written comments in support of this measure from PHOCUSED; Hawaii Substance Abuse Coalition; Hawaii Youth Services Network; Aloha Harvest; Hawaii Children's Action Network Speaks!; Aloha United Way, Inc.; Hawaii Alliance of Nonprofit Organizations; Hawaii Health and Harm Reduction Center; Big Brothers Big Sisters Hawaii; Kua'aina Ulu 'Auamo; Catholic Charities Hawaii; Hawaiian Humane Society; Samaritan Counseling Center Hawaii; Hawaii Pacific Health; Hawaii Public Health Institute; Hawaii Coalition Against Domestic Violence; Habilitat, Inc.; Na Hale O Maui; and one individual.

Your Committee received written comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee notes the testimony of the Department of Taxation, which recognizes this measure's intent to establish congruity between the income tax and general excise tax treatment of tax-exempt organizations. Specifically, this measure exempts a tax-exempt organization's fundraising income and other receipts from the general excise tax, except those sourced from an unrelated trade or business. These changes would conform with federal and state income tax treatment.

Your Committee also notes that the Department of Taxation indicated in its testimony that the department would be able to administer the measure, but it requests that the effective date be changed to January 1, 2023, to provide the time necessary to make form and instruction changes.

Your Committee has amended this measure by:

- (1) Amending the preamble to accurately reflect the purpose of the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3201, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3201, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3106 Ways and Means on S.B. No. 3221

The purpose and intent of this measure is to appropriate to the Department of Business, Economic Development, and Tourism \$200,000 from general funds to support international sister-state relations.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and Japan-American Society of Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee recognizes that sister-state relations raise Hawaii's profile internationally; attract cooperative programs, including mutual exchanges in business, culture, tourism, and education; and positively impact Hawaii's economic growth. Your Committee finds that an appropriation for these relations will support existing relationships and activities that will continue to assist Hawaii in its international role.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$200,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3221, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3221, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3107 Ways and Means on S.B. No. 3226

The purpose and intent of this measure is to facilitate voter education regarding elections.

Specifically, the measure:

- (1) Requires the Office of Elections to:
 - (A) Prepare and post on its website a digital voter information guide in a screen reader-accessible format;
 - (B) Provide on its website an Olelo Hawaii translation of the digital voter information guide;
 - (C) Mail hardcopies of the guide to voters, upon request; and
 - (D) Prepare, mail, and email a notice regarding the availability of the digital voter information guide;
- (2) Requires that the digital voter information guide include candidate statements and photographs and explanations of state constitutional amendments and county ballot issues; and
- (3) Appropriates moneys for the Office of Elections to prepare and mail notices to voters regarding the digital voter information guide.

Your Committee received written comments in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, Community Alliance on Prisons, Americans for Democratic Action, and five individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Office of Elections, and Disability and Communication Access Board.

Your Committee believes that an informed electorate is an important component of a healthy democracy, and that the distribution of informational guides prepared by the Office of Elections, an apolitical entity, will help the electorate in making informed voting decisions.

Your Committee has amended this measure by:

- (1) Requiring that certain information that is made available over the Internet comply with certain accessibility standards; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3226, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3226, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3108 Ways and Means on S.B. No. 3229

The purpose and intent of this measure is to amend the distribution scheme for geothermal royalties received by the State.

Specifically, this measure:

- (1) Caps the amount of royalties from geothermal resources that can be paid to the State or a county in which the geothermal resources are located;
- (2) Establishes the University of Hawaii geothermal exploration special fund to further the discovery and development of geothermal resources;
- (3) Provides for the deposit of excess royalties into the University of Hawaii geothermal exploration special fund; and
- (4) Requires annual reports to the Legislature.

Your Committee received written comments in support of this measure from the University of Hawaii and one individual.

Your Committee received written comments on this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, and Department of Budget and Finance.

Your Committee finds that the development of geothermal resources will be important for achieving the State's goal of transitioning to one hundred percent renewable energy generation statewide.

Your Committee has amended this measure by:

- (1) Clarifying that, after other required distributions are made, any excess royalties received by the State annually from geothermal resources on lands not under the jurisdiction of the Department of Hawaiian Home Lands, up to a maximum of \$1,000,000, shall be deposited into the University of Hawaii geothermal exploration special fund;
- (2) Appropriating an unspecified sum out of the University of Hawaii geothermal exploration special fund; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3229, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3229, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3109 Ways and Means on S.B. No. 3236

The purpose and intent of this measure is to provide a one-time enhanced payment of fifteen percent to each nursing facility, community care foster family home, and expanded adult residential care home caring for Medicaid patients.

Your Committee received written comments in support of this measure from The Villas, Garden Isle Rehab and Nursing, Legacy Hilo Rehabilitation and Nursing, Hale Makua Health Services - Wailuku, Ohana Pacific Health, Pu'uwai 'O Makaha, Healthcare Association of Hawaii, Palolo Chinese Home, Ohana Pacific Management Company, Adult Foster Care, Hawaii Pacific Health, Adult Foster Homecare Association of Hawaii, Kaiser Permanente, Aloha Nursing Rehab Centre, Queen's Health Systems, United Caregivers of Hawaii, and six individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Human Services, and Hawaii Health Systems Corporation.

Your Committee finds that the additional moneys provided by this measure will help mitigate the substantial financial impact that the coronavirus disease 2019 pandemic has had on the State's nursing facilities, community care foster family homes, and expanded adult residential care homes.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3236, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3236, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3110 Ways and Means on S.B. No. 2724

The purpose and intent of this measure is to establish a pilot project for a working group convened by the Office of Planning and Sustainable Development to develop the framework for a Waikiki adaptation and resilience plan addressing the impacts of projected climate change and sea level rise in the State.

Your Committee received written comments in support of this measure from the University of Hawaii, Department of Land and Natural Resources, Waikiki Beach Special Improvement District Association, Hawaii Chapter of the American Society of Landscape Architects, and three individuals.

Your Committee received written comments on this measure from the Office of Planning and Sustainable Development, Office of the Attorney General, and Department of Budget and Finance.

Your Committee finds that the adaptation and resilience plan supported by this measure will provide a useful model for other coastal communities in the State that are similarly threatened by sea level rise.

Your Committee has amended this measure by:

- (1) Requiring the Office of Planning and Sustainable Development to develop an adaptation and resilience plan for the Waikiki special district, rather than establishing a working group to develop the plan;
- (2) Making conforming amendments to the measure, including deleting the provision indicating the working group's dissolution date;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2724, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2724, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3111 Ways and Means on S.B. No. 3247

The purpose and intent of this measure is to address the housing needs of Native Hawaiians on the Department of Hawaiian Home Lands application waitlist for homestead leases by requiring the Department to build additional rental housing, including apartment units and rent-with-option-to-buy housing units.

Your Committee received written comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the construction of rental housing units by the Department of Hawaiian Home Lands, as required by this measure, would be a significant step toward reducing the Department's waitlist backlog, which has not significantly decreased despite plans to develop more Hawaiian home lands lots.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3247, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3247, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3112 Ways and Means on S.B. No. 3252

The purpose and intent of this measure is to lower the public's cost to access to government records.

More specifically, the measure:

- (1) Imposes a cap on the costs charged for the reproduction of certain government records;
- (2) Waives reproduction costs for the first one hundred pages if disclosure of a record is in the public interest;
- (3) Waives the cost of duplication of government records in an electronic format;
- (4) Imposes a cap on costs charged for searching for, reviewing, and segregating records; and
- (5) Provides for a waiver of fees when the public interest is served by a record's disclosure.

Your Committee received written comments in support of this measure from Common Cause Hawaii, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, All Hawaii News, Big Island Press Club, Hawaii Chapter of the Society of Professional Journalists, and one individual.

Your Committee received written comments in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu.

Your Committee received written comments on this measure from the Office of Information Practices, Professional Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Employees' Retirement System, Department of Land and Natural Resources, Department of Budget and Finance, Department of Human Services, Honolulu Police Department, and Grassroot Institute of Hawaii.

Your Committee finds that this measure establishes a more uniform approach to determining the costs charged for public records requests and the application of fee waivers thereto, and will promote more equitable access to government records.

Your Committee has amended this measure by:

- (1) Clarifying, where applicable, that references to "disclosure" pertain to disclosure of a record in the public interest, and references to "public interest" pertain to the public interest served by a record's disclosure;
- (2) Clarifying that, although reproduction costs shall not be charged for documents maintained by an agency in an electronic format and provided to requesters in an electronic format, requesters shall be charged for an agency's provision of documents requested in an electronic format that are not maintained by the agency in an electronic format and must be faxed or converted into an electronic format;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3252, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3252, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3113 (Majority) Ways and Means on S.B. No. 3254

The purpose and intent of this measure is to propose amendments to article IV, sections 4 and 6, of the Hawaii State Constitution to specify that reapportionment shall be based on the resident population, as reported by the most recent decennial census of the United States.

Your Committee received written comments in support of this measure from Common Cause Hawaii.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of the Attorney General and Office of Elections.

Your Committee recognizes that reapportionment is the process of redistributing seats for elected officials, so that the seats are evenly distributed, based on the residential population. Your Committee also recognizes that since 1992, sections 4 and 6 of Article IV of the Hawaii State Constitution have required that reapportionment for state senators and representatives be based upon the average number of "permanent" residents in each district. Your Committee notes that Hawaii is the only state that reapportions its districts in this manner, and is therefore the only state in which thousands of military personnel, military dependents, and non-resident college students are excluded from reapportionment.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3254, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3254, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, 2 (Inouye, Kanuha). Excused, none.

SCRep. 3114 Ways and Means on S.B. No. 3274

The purpose and intent of this measure is to facilitate and improve transportation in the State.

Specifically, the measure:

- (1) Establishes expenditure requirements for funding pedestrian and bicycle infrastructure and projects; and
- (2) Establishes and appropriates moneys for grant writing positions within the Department of Transportation to pursue funding from federal sources, including the Infrastructure Investment and Jobs Act.

Your Committee received written comments in support of this measure from the Ulupono Initiative, Hawaii Bicycling League, Hawaii Public Health Institute, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Transportation, and Hawaii State Energy Office.

Your Committee finds that the cost of transportation is an increasing burden to residents of the State and exacerbates its high cost of living. Your Committee also finds that Hawaii lacks a safe pedestrian and bicycle commuting infrastructure. Accordingly, your Committee believes that the State must take steps to reduce the cost of transportation for residents and provide safe networks of cost-efficient pedestrian and bicycle commuting infrastructure.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3274, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3274, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3115 Ways and Means on S.B. No. 3280

The purpose and intent of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist Saint Joseph School in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving its educational facilities.

Your Committee received written comments in support of this measure from the Cardinal Legacy Foundation.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the proposed uses of the special purpose revenue bonds constitute a project that qualifies for special purpose revenue bonds that are intended to assist a not-for-profit private enterprise sectarian elementary and secondary school that serves the public.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3280, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3280, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3116 Ways and Means on S.B. No. 3295

The purpose and intent of this measure is to ensure that the State is effectively responding to the unique needs of women involved in the criminal justice system.

More specifically, the measure:

- (1) Establishes the Women's Corrections Implementation Commission within the Department of Public Safety to:
 - (A) Provide oversight over state correctional facilities that incarcerate women;
 - (B) Receive and investigate complaints from incarcerated women;
 - (C) Monitor the criminal justice system's progress in implementing reforms; and
 - (D) Monitor programs and data that are important to ensuring successful outcomes for women in the correctional system;
- (2) Requires annual reports to the Legislature; and
- (3) Appropriates moneys to fund the Commission's operations, including the hiring of necessary staff.

Your Committee received written comments in support of this measure from the Women's Prison Project, Hawaii Health and Harm Reduction Center, and one individual.

Your Committee received written comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that the establishment of a Women's Corrections Implementation Commission to monitor the criminal justice system's interactions with women will help to ensure that the system is responsive to women's needs by addressing gender-specific issues and ensuring that these offenders have access to appropriate programs and services.

Your Committee has amended this measure by:

- (1) Making consistent the references to the Commission's name that appear throughout the measure;
- (2) Clarifying that the Commission's purview includes community correctional centers, in addition to state correctional facilities, to ensure that the Commission may address all incarcerated women in state custody;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3295, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3295, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3117 Ways and Means on S.B. No. 3296

The purpose and intent of this measure is to designate interscholastic sports as co-curricular activities.

Your Committee received written comments in support of this measure from Cultural Sports Connection LLC, Hawaii Iron Workers Stabilization Fund, Hawaii Building and Construction Trades Council, Ho'ākeolapono Trades Academy, Smart Money Hawaii, and numerous individuals.

Your Committee received written comments in opposition to this measure from Roosevelt High School, Radford High School, Hawaii High School Athletic Association, and one individual.

Your Committee received written comments on this measure from the Department of Education.

Your Committee finds that youth athletics support character development, improve academic achievement, and establish a foundation for a healthy lifestyle. Designating interscholastic sports as co-curricular activities will elevate them to essential status within the Department of Education and ensure that sports are an indispensable part of each student-athlete's education.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3296, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3118 Ways and Means on S.B. No. 3298

The purpose and intent of this measure is to establish a working group to determine potential locations and requirements for a shooting facility in the County of Hawaii and to appropriate moneys for the shooting facility if the County of Hawaii provides matching funds.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Department of Public Safety, Hawaii County Game Management Advisory Commission, Hawaii Firearms Coalition, and eight individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the shooting facility proposed by this measure will provide a safe and organized place on the island of Hawaii to learn firearms safety, develop hunting skills, train law enforcement officers, and practice recreational shooting.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3298, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3298, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3119 Ways and Means on S.B. No. 3299

The purpose and intent of this measure is to establish a policy guideline for the Department of Land and Natural Resources to balance hunting with the management of healthy ecosystems.

Specifically, this measure:

- (1) Requires the Department of Land and Natural Resources to recognize that:
 - (A) Game mammals and game birds provide a sustainable food source; provided that certain negative impacts on the environment are sufficiently minimized or offset;
 - (B) Proper management of game populations can minimize or reduce negative impacts to agriculture, watersheds, and native habitats; and
 - (C) 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) Requires state agencies to update agency rules and policies to integrate local hunting and fishing industries into the agency's food security or sustainability strategies; and
- (3) Requires reports to the Legislature.

Your Committee received written comments in support of this measure from the Hawaii County Game Management Advisory Commission, Hawaii Forest Industry Association, Hawaii Cattlemen's Council, Hawaii Firearms Coalition, and nine individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Land and Natural Resources and Good Shepherd Foundation.

Your Committee finds that it is important to balance the management of game populations with the sustainability of their natural habitats to minimize the potential negative impacts of these populations on critical watersheds.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Land and Natural Resources recognizes that game mammals and game birds, managed in appropriate areas, can provide sustainable food sources that merit quality habitats having sufficient food, water, and refuge to support viable populations sufficient for hunting; provided that negative impacts to the environmentally are sufficiently minimized or offset through native ecosystem protections; and
- (2) Making a technical nonsubstantive amendment for the purposes of consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3299, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3299, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3120 Ways and Means on S.B. No. 3311

The purpose and intent of this measure is to reduce transportation emissions.

Specifically, the measure:

- (1) Establishes long-term goals for zero emissions transportation in the State and abroad to reduce and eliminate transportation emissions;
- (2) Commits to and supports emerging companies that are looking to demonstrate and pioneer new technologies and services; and
- (3) Establishes working groups comprising government agencies and expert stakeholders to develop plans and recommendations for achieving zero emissions transportation.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Ulupono Initiative, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, Alliance for Automotive Innovation, and ten individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Transportation and Climate Protectors Hawaii.

Your Committee finds that Hawaii is ideally suited for the electrification of ground transportation and the exploration of innovative new technologies and services that will help the State achieve zero emissions transportation. Accordingly, your Committee believes that the State should make a commitment to support these technologies.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to the ground transportation working group;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3311, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3311, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3121 Ways and Means on S.B. No. 3316

The purpose and intent of this measure is to improve support for employed individuals providing care to a new child, or to a family member suffering from a serious health condition, by establishing a paid family leave program that takes effect on July 1, 2024.

More specifically, the measure:

- (1) Provides eligible employed individuals, through an employer-based private insurance program currently used for temporary disability benefits, with up to:
 - (A) Eight weeks of paid family leave during the first year after birth of the individual's child, adoption of a child by the individual, or placement of a child with the individual through foster care; and
 - (B) Eight weeks of paid family leave to care for the individual's family member having a serious health condition during any benefit year; and
- (2) Appropriates moneys to the Department of Labor and Industrial Relations for implementation of the program, including the hiring of additional staff.

Your Committee received written comments in support of this measure from the Disability and Communication Access Board, American Association of University Women of Hawaii, Hawaii Government Employees Association, United Public Workers AFSCME Local 646, Hawaii State Teachers Association, Hawaii Children's Action Network Speaks!, Labor Caucus of the Democratic Party of Hawaii, Education Caucus of the Democratic Party of Hawaii, American Cancer Society Cancer Action Network, Hawaii Women Lawyers, Hawaii Alliance for Progressive Action, UNITE HERE Local 5, Imua Alliance, and three individuals.

Your Committee received written comments in opposition to this measure from the Department of Labor and Industrial Relations, Hawaii Restaurant Association, Retail Merchants of Hawaii, Chamber of Commerce Hawaii, Maui Chamber of Commerce, Society for Human Resource Management Hawaii, and Hawaii Food Industry Association.

Your Committee received written comments on this measure from the Department of Budget and Finance, American Council of Life Insurers, Building Industry Association of Hawaii, and Hawaii Credit Union League.

Your Committee finds that the paid family leave program established by this measure will help to alleviate the financial strain experienced by employees taking a leave of absence to fulfill caregiving responsibilities, by ensuring that eligible employees receive reasonable compensation for wage loss associated with their leave of absence.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3316, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3316, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3122 Ways and Means on S.B. No. 3325

The purpose and intent of this measure is to establish and provide moneys for the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program to provide incentive contracts to agricultural landowners and lessees who engage in certain carbon sequestration activities.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Recycle Hawaii and Clean the Pacific, Kauai Climate Action Coalition, Kauai Women's Caucus, 350Hawaii, Hawaii Gas, Climate Protectors Hawaii, Puamana Gardens, Nature Conservancy Hawaii, Hawaii Farm Bureau, Hawaii Cattlemen's Council, Environmental Caucus of the Democratic Party of Hawaii, and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Agriculture, Department of Budget and Finance, and Office of Planning and Sustainable Development.

Your Committee finds that the incentive program established by this measure will help support forestry and regenerative agriculture, improve soil health, increase carbon sequestration, and curb the detrimental impacts of climate change.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3325, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3325, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3123 Ways and Means on S.B. No. 3335

The purpose and intent of this measure is to appropriate moneys for the Department of Defense to fund the operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee received written comments in support of this measure from the Civil Air Patrol, Hawaii Emergency Management Agency, Hawaii Wing of the Civil Air Patrol, Kauai Squadron of the Hawaii Wing of the Civil Air Patrol, Kahului Squadron of the Hawaii Wing of the Civil Air Patrol, Maui Squadron of the Hawaii Wing of the Civil Air Patrol, Wheeler Composite Squadron of the Hawaii Wing of the Civil Air Patrol, The Maritime Group, and five individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that providing funding for the operational expenses of the Hawaii Wing of the Civil Air Patrol will help to ensure that it has the resources needed to support its response and recovery efforts during and after a disaster.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$150,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3335, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3335, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3124 Ways and Means on S.B. No. 3337

The purpose and intent of this measure is to authorize projects that address specific policy goals in economic disaster mitigation and economic diversification.

Specifically, this measure:

- (1) Establishes a public policy framework that addresses state goals in the areas of economic disaster mitigation and economic diversification;
- (2) Appropriates moneys to the Department of Business, Economic Development, and Tourism to implement specific projects that address those goals;

- (3) Requires the Department of Business, Economic Development, and Tourism to submit annual reports to the Legislature summarizing project outcomes, including an assessment of each project's effectiveness in achieving the goals; and
- (4) Appropriates moneys to staff the Hawaii Center for Advanced Transportation Technologies.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Housing Finance and Development Corporation; Office of Planning and Sustainable Development; Hawaii Technology Development Corporation; Hawaii Green Infrastructure Authority; Natural Energy Laboratory of Hawaii Authority; Hawaii State Energy Office; Hawaii Tourism Authority; Hunt Companies; Maui Chamber of Commerce; and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Hawaii Community Development Authority.

Your Committee finds that the projects authorized and funded by this measure will help to align the State with the emerging knowledge-based, zero emission, and digital global economy.

Your Committee notes that this measure, as received by your Committee, appropriated moneys for the following projects:

- (1) \$500,000 for community-based economic development revitalization grants;
- (2) \$1,000,000 for digital literacy training;
- (3) \$500,000 for Instant Teams' phase 2;
- (4) \$300,000 for remote work website business resources;
- (5) \$1,310,000 to expand creative space studio at Entrepreneurs Sandbox;
- (6) \$50,000 for a film permitting digital system; and
- (7) \$500,000 for a cyber leaders program.

Your Committee also recognizes the request from the Hawaii Technology Development Corporation for an appropriation of \$150,000 for two full-time equivalent positions at the Hawaii Center for Advanced Transportation Technologies, as provided in section 5 of the measure.

Your Committee further recognizes the following additional appropriation requests from the Department of Business, Economic Development, and Tourism:

- (1) An additional \$100,000 for the Creative Industries Division to build an online hub for all creative sectors, including a film component;
- (2) \$1,000,000 for carrier-neutral cable landing infrastructure;
- (3) \$400,000 to establish an office of international affairs;
- (4) \$2,500,000 for Solarize Waianae;
- (5) \$12,125,000 for Saratoga Avenue electrical and communications infrastructure improvements;
- (6) \$25,000,000 for repair of the Fisherman's Wharf bulkhead;
- (7) \$13,000,000 for expansion of the research campus at the Natural Energy Laboratory of Hawaii Authority;
- (8) \$10,000,000 to fund a sustainable aviation fuel program in the Hawaii Technology Development Corporation; and
- (9) \$5,000,000 to accelerate the transition of the state fleet to zero emission vehicles.

Your Committee has amended this measure by:

- (1) Amending the preamble to reflect the measure's contents;
- (2) Changing the amounts appropriated for the various projects in the measure to unspecified sums;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3337, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3337, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3125 Ways and Means on S.B. No. 3338

The purpose and intent of this measure is to appropriate moneys to the Department of Health for designing, planning, and constructing the Kalaupapa Memorial.

Your Committee received written comments in support of this measure from the Maui County Council, Damien Museum, IDEA Center for the Voices of Humanity, Ka 'Ohana O Kalaupapa, 'Ahahui o na Kauka - Association of Native Hawaiian Physicians, and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Kalaupapa Memorial will serve as a symbol of justice for the estimated eight thousand individuals forcibly sent to and isolated at Kalaupapa, and as a place of healing and reconnection for their families.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$5,000,000 to an unspecified sum;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3338, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3338, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3126 Ways and Means on S.B. No. 3374

The purpose and intent of this measure is to appropriate moneys for the University of Hawaii Community Colleges' workforce development programs to fund administration, training, employment positions, and student support.

Your Committee received written comments in support of this measure from the University of Hawaii.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the workforce development programs funded by this measure will help prepare students for immediate employment, contribute to the State's economic recovery from the coronavirus disease 2019 pandemic, and support Hawaii's evolving workforce needs.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3374, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3374, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3127 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2442

The purpose and intent of this measure is to streamline the medical records review process for physician assistants by including the review of prescriptions for controlled substances issued by physician assistants.

Your Committees received testimony in support of this measure from the Hawai'i Medical Board, Hawai'i Academy of Physician's Assistants, Kaiser Permanente Hawai'i, and Hawai'i Public Health Association. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the State has an unmet need for over seven hundred full time physicians across the State with neighbor islands facing the most severe shortages. Your committees find that in order to address the physician shortage, physician's assistants should be permitted to practice at the top of their training, education, experience, and licensure. Your Committees further find that requiring a supervising physician to review all medical records that contain written orders or prescriptions for controlled substances is unnecessarily burdensome. This measure streamlines the medical records review process for physician assistants by including review of prescriptions for controlled substances issued by physician assistants and helps to bring Hawai'i physician assistants' scope of practice into alignment with national practices.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2442, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2442, S.D. 2.

Signed by the Chairs on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).
Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3128 (Joint/Majority) Commerce and Consumer Protection and Judiciary on S.B. No. 2680

The purpose and intent of this measure is to:

- (1) Authorize advanced practice registered nurses, in addition to physicians, to practice medical-aid-in-dying in accordance with their scope of practice and prescribing authority;

- (2) Authorize licensed psychiatric mental health nurse practitioners, clinical nurse specialists, and marriage and family therapists, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient;
- (3) Strengthen the nondisclosure protections of the Our Care, Our Choice Act;
- (4) Reduce the mandatory waiting period between oral requests from twenty days to fifteen days, for a prescription for self-administered medication for the purpose of ending the requestor's life; and
- (5) Authorize the waiver of the mandatory waiting period for those terminally ill individuals not expected to survive the mandatory waiting period for a prescription for self-administered medication for the purpose of ending the requestor's life.

Your Committees received testimony in support of this measure from Hawai'i Pacific Health, Hawai'i – American Nurses Association, Compassion & Choices, Hawai'i Society of Clinical Oncology, AlohaCare and twenty-six individuals. Your Committees received testimony in opposition to this measure from the Hawai'i Psychiatric Medical Association, Hawai'i Family Forum, Hawai'i Association for Justice, and four individuals. Your Committees received comments on this measure from the Department of Health, Board of Nursing, and Hawai'i State Center for Nursing.

Your Committees find that in 2018, the Legislature passed Act 2, Session Laws of Hawai'i 2018, known as the Our Care, Our Choice Act, which allows mentally capable, terminally ill individuals with six months or less to live to voluntarily request and receive prescription medication that allows the person to die in a peaceful, humane, and dignified manner. Since the passage of the Our Care, Our Choice Act, there have been only a limited number of physicians throughout the State willing or able to be an attending physician for purposes of the Act. Your Committees find that there are advanced practice registered nurses willing to participate in providing care under the Our Care, Our Choice Act and that allowing them to do so would enable residents in rural communities to have better access care. Therefore, this measure aims to ease the regulatory requirements of the Our Care, Our Choice Act to assist those terminally ill patients with difficulty accessing end-of-life care options.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2680, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2680, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 4. Noes, 1 (Fevella). Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 5; Ayes with Reservations (Kim). Noes, 2 (Gabbard, Fevella). Excused, none.

SCRep. 3129 (Joint) Commerce and Consumer Protection and Judiciary on S.B. No. 2460

The purpose and intent of this measure is to allow temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country who are seeking a state license by endorsement.

Your Committees received testimony in support of this measure from the East Hawai'i Region of Hawai'i Health Systems Corporation, Hawai'i Pacific Health, Hawai'i Medical Service Association, Healthcare Association of Hawai'i, Hawai'i - American Nurses Association, Hawai'i Primary Care Association, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, The Legal Clinic, and four individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Board of Nursing, The Queen's Health Systems, and Hawai'i State Center for Nursing.

Your Committees find that certain nurses that are both licensed in another state and applying for licensure in Hawai'i by endorsement are eligible for a temporary permit to practice within the State while their applications are reviewed and verified. According to testimony received by your Committees, foreign nurses must have at least a bachelor's degree from an accredited academic nursing institution, a minimum of two years relevant work experience, and pass rigorous background checks by the United States Citizenship and Immigration Services to obtain a work visa to enter the United States. This measure will not only align the licensure by endorsement procedures between nurses who have been licensed in a territory or a foreign country with those nurses who have been licensed in another state, but also help decrease the nursing shortage within the State.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2460, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2460, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Nishihara, Riviere).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3130 Ways and Means on S.B. No. 2946

The purpose and intent of this measure is to appropriate moneys to the Department of Agriculture for maintaining and improving the Peekauai Ditch irrigation system on the island of Kauai.

Your Committee received written comments in support of this measure from the Department of Agriculture; Office of Economic Development for the County of Kauai; Ulupono Initiative; Local Food Coalition; Larry Jeffs Farms, LLC; Hawaii Farm Bureau; Land Use Research Foundation of Hawaii; Hawaii Crop Improvement Association; and Hawaii Cattlemen's Council.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that investing in agricultural water systems is key to growing the State's diversified agriculture industry. Your Committee further finds that maintaining and improving the Peekauai Ditch irrigation system will help provide agriculturalists on Kauai's west side with adequate amounts of water to operate their agribusinesses.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2946, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2946, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3131 Ways and Means on S.B. No. 2960

The purpose and intent of this measure is to require and appropriate moneys for the Department of Agriculture to establish and implement a food safety certification training program to help small- to medium-sized farms comply with federal food safety certification mandates.

Your Committee received written comments in support of this measure from the North Shore Economic Vitality Partnership; Hawaii Food Industry Association; Ohana Hui Ventures, Inc.; Lanakila Pacific; Get Fit Kauai; Ulupono Initiative; Hawaii Farm Bureau; Hawaii Fish Company, Inc.; Hawaii Cattlemen's Council; Food+ Policy Internship; and five individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee finds that the food safety certification training program established and funded by this measure will help the State's small farms access new, larger, and more stable markets by helping them obtain the required food safety certifications.

Your Committee has amended this measure by:

- (1) Clarifying that the moneys appropriated shall be expended under (AGR192), general administration for agriculture, as suggested in written comments from the Department of Agriculture;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2960, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2960, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3132 Ways and Means on S.B. No. 2990

The purpose and intent of this measure is to establish and appropriate moneys for a cover crop reimbursement pilot program to reimburse qualifying farming operations for acquisition costs for cover crop seeds, green manure, and compost.

Your Committee received written comments in support of this measure from a member of the Hawaii County Council; Malama Kauai; 350Hawaii; Larry Jeffs Farms, LLC; Hawaii Farmers Union United; Hawaii Farm Bureau; Hawaii Cattlemen's Council; Hawaii Alliance for Progressive Action; Green Party Hawaii; Climate Protectors Hawaii; Food+ Policy Internship; Pele Lani Farm, LLC; Kauai Climate Action Coalition; Growing Together Edible Landscaping; and numerous individuals.

Your Committee received written comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that the use of cover crops, green manure, and compost facilitates agricultural productivity and is consistent with the State's sustainability goals. Your Committee believes that appropriate incentives for the acquisition and use of these materials will improve the quality and sustainability of the State's agricultural lands.

Your Committee has amended this measure by:

- (1) Excluding bermuda grass and other invasive or fast-growing grasses from the definitions of "cover crop" and "green manure";
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2990, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2990, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3133 Ways and Means on S.B. No. 2998

The purpose and intent of this measure is to require the Department of Health to implement the Auditor's 2019 recommendations for the Deposit Beverage Container program.

More specifically, the measure requires the Department of Health to develop a risk-based process to select, for periodic audit, certain deposit beverage distributor and redemption center reports.

Your Committee received written comments in support of this measure from the Department of Health, Department of Environmental Management for the County of Hawaii, and American Beverage Association.

Your Committee finds that the periodic report audits required by this measure will help improve the performance of, and restore public trust in, the Deposit Beverage Container program.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2998, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2998, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Taniguchi).

SCRep. 3134 Ways and Means on S.B. No. 3019

The purpose and intent of this measure is to require and appropriate moneys for the Department of Land and Natural Resources to obtain accreditation for its Conservation and Resources Enforcement program from the Commission on Accreditation for Law Enforcement Agencies, Inc.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Government Employees Association, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Conservation and Resources Enforcement Program helps preserve public peace and safety, and is responsible for enforcing laws on public lands and waters of the State. Consequently, Conservation and Resources Enforcement Officers should be required to obtain certification from the Commission on Accreditation for Law Enforcement Agencies, Inc.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3019, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3135 Ways and Means on S.B. No. 3025

The purpose and intent of this measure is to establish a program for the licensure, regulation, and oversight of digital currency companies.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation and eleven individuals.

Your Committee received written comments in opposition to this measure from Coin Center, Libertarian Party of Hawaii, and two individuals.

Your Committee received written comments on this measure from the Division of Financial Institutions of the Department of Commerce and Consumer Affairs, Electronic Transactions Association, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that, although digital currency has grown in popularity and acceptance worldwide, there is little regulation of the industry in the United States, with a few states treating digital currency activities as within the scope of their money transmitter laws. Your Committee also finds that a study conducted by the Department of Commerce and Consumer Affairs and the High Technology Development Corporation determined that digital currency transactions are not best regulated through existing money transmitter laws and that a new regulatory framework is appropriate.

Your Committee has amended this measure by:

- (1) Clarifying the definition of the term "digital currency business activity";
- (2) Removing a reference to the Electronic Fund Transfer Act of 1978; and
- (3) Clarifying the financial institutions that are exempt from the digital currency licensing program established by this measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3025, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3025, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3136 Ways and Means on S.B. No. 3027

The purpose and intent of this measure is to include as a policy of the State the development of a statewide beach assessment study and a restoration and conservation plan.

Your Committee received written comments in support of this measure from Napili Bay and Beach Foundation, Inc.

Your Committee received written comments on this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

Your Committee finds that by helping to safeguard the health of the State's beaches and shorelines, this measure will benefit coastal ecosystems, public beach and shoreline access, recreational opportunities, cultural practices, and the State's tourism-based economy.

Your Committee has amended this measure by:

- (1) Clarifying that the scope of the restoration and conservation plan is to include beaches and shorelines; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3027, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3027, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3137 Ways and Means on S.B. No. 3040

The purpose and intent of this measure is to improve procurement efficiency.

Specifically, this measure:

- (1) Authorizes the administrator of the State Procurement Office to:
 - (A) Develop and administer procurement automation systems; and
 - (B) Charge and collect a transaction fee from all vendors using the procurement automation systems;
- (2) Creates a state procurement automation system special fund;
- (3) Amends section 103D-1010, Hawaii Revised Statutes, to conform that section with amendments made by Act 55, Session Laws of Hawaii 2021; and
- (4) Establishes five full-time equivalent (5.0 FTE) positions in the State Procurement Office.

Your Committee received written comments in support of this measure from the Department of Transportation, State Council on Developmental Disabilities, and State Procurement Office.

Your Committee received written comments in opposition to this measure from the Hawaii Alliance of Nonprofit Organizations.

Your Committee received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that the government purchasing offices of several other states are self-funded using revenues raised through transaction fees that are charged on all public contracts. Your Committee further finds that authorizing the State Procurement Office to charge a transaction fee would raise the funds necessary to develop, implement, and manage procurement automation systems.

Your Committee has amended this measure by:

- (1) Correcting the text of section 103D-1010(a), Hawaii Revised Statutes, for consistency with the printed version of the Hawaii Revised Statutes;
- (2) Changing the amount appropriated to the State Procurement Office from \$350,000, to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 3040, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3138 Ways and Means on S.B. No. 3048

The purpose and intent of this measure is to authorize the Director of Finance to transfer from the rental housing revolving fund to the dwelling unit revolving fund tax-exempt general obligation bond proceeds and accrued interest.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; and Hawaii Housing Finance and Development Corporation.

Your Committee finds that the rental housing revolving fund contains legacy funds derived from tax-exempt general obligation bond proceeds. As these moneys cannot be used to finance projects that use low-income housing tax credits, your Committee believes that it is appropriate to transfer the money to the dwelling unit revolving fund, so that the moneys may be used for the financing of public infrastructure projects.

Your Committee also finds that general fund appropriations are necessary to finance certain hardware, software, and digitization efforts of the Hawaii Housing Finance and Development Corporation (HHFDC). More specifically, appropriations are needed for the following items in the listed amounts:

Hardware	
<u>Integration and Migration of the HHFDC domain into the State of Hawaii Enterprise Active Directory (EAD) Domain:</u>	\$55,000
<u>New Monitors for HHFDC staff:</u>	\$20,000
<u>New computers, computer accessories, and peripherals for HHFDC staff:</u>	\$82,000
<u>Videoconferencing Upgrades for HHFDC Board Room:</u>	\$60,000
<u>Industrial/Office Capacity Paper Shredders, with service and warranty:</u>	\$12,000
Software	
<u>Property Inventory and Lease Management Software:</u>	\$200,000
<u>Microsoft Dynamic Great Plains (GP) Software Upgrade:</u>	\$125,000
Digitization	
<u>Local Shared Drives to State Sharepoint:</u>	\$52,000
<u>Contract with a private scanning company to scan Consolidated Applications to digitized copies:</u>	\$352,000
<u>Contract with a private scanning company to digitize the paper documents of Development, PECEB, and Finance branches of HHFDC:</u>	\$636,000

Your Committee has amended this measure by:

- (1) With respect to the statutory section that establishes the rental housing revolving fund:
 - (A) Providing that the fund may be used for administrative expenses incurred by the Hawaii Housing Finance and Development Corporation in administering the Corporation's housing finance programs; and
 - (B) Inserting a conforming amendment relating to the payment of the conveyance taxes into the fund;
- (2) Establishing one full-time equivalent (1.0 FTE) housing finance specialist I position (BED160HF);
- (3) Inserting unspecified general fund appropriations to the Department of Business, Economic Development, and Tourism for the hardware, software, and digitization efforts of the Hawaii Housing Finance and Development Corporation discussed above; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3048, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3048, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3139 Ways and Means on S.B. No. 3054

The purpose and intent of this measure is to support the State's creative industries.

Specifically, this measure:

- (1) Expands the sources of funding for and authorized uses of the Hawaii film and creative industries development special fund by;
 - (A) Establishing that, effective July 1, 2022, all revenues, fees, and income received by the Department of Business, Economic Development, and Tourism from its management of public facilities that support media and entertainment and business development, except for revenues, fees, and income derived from the Hawaii Film Studio, shall be deposited into the special fund; and
 - (B) Authorizing the use of special fund moneys for the repair, maintenance, and related costs of the department's management of such facilities; and
- (2) Appropriates moneys from the Hawaii film and creative industries development special fund.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and Academy for Creative Media of the University of Hawaii at Manoa.

Your Committee received written comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that establishing an additional revenue source for the Hawaii film and creative industries special fund will help to sustainably support the State's creative media and entertainment sectors and maintain public facilities used in the creative industries.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3054, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3054, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Taniguchi).

SCRep. 3140 Ways and Means on S.B. No. 3072

The purpose and intent of this measure is to ensure that the Hawaii Employer-Union Health Benefits Trust Fund is not disadvantaged as a competitive investor.

Specifically, this measure allows the Hawaii Employer-Union Health Benefits Trust Fund to withhold certain types of alternative investment fund information from public disclosure pursuant to the Uniform Information Practices Act.

Your Committee received written comments in opposition to this measure from UNITE HERE Local 5 and one individual.

Your Committee received written comments on this measure from the Office of Information Practices.

Your Committee finds that this measure would allow the Hawaii Employer-Union Health Benefits Trust Fund to withhold, from public disclosure, the same type of alternative investment fund information that the Employees' Retirement System is allowed to withhold, pursuant to Act 71, Session Laws of Hawaii 2021. Your Committee further finds that maintaining confidentiality of information relating to alternative investments will help to ensure that the trust fund is not disadvantaged as a competitive investor.

Your Committee has amended this measure by:

- (1) Making corrections to the text of section 87A-31, Hawaii Revised Statutes, to accurately reflect the printed version of the Hawaii Revised Statutes; and
- (2) Making technical nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 Third Reading in the form attached hereto as S.B. No. 3072, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3141 Ways and Means on S.B. No. 3092

The purpose and intent of this measure is to facilitate the increased implementation of commercial enterprises in public schools.

Specifically, the measure:

- (1) Provides that student interns engaging in commercial enterprises shall be considered employees of the State; and
- (2) Authorizes the Department of Education to use revenue generated from school commercial enterprises.

Your Committee received written comments in support of this measure from the Department of Education.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that students who participate in commercial enterprises may gain hands-on and real-world experiences that are vital for post-secondary education and success in the workforce. Your Committee also finds that revenues generated from these

enterprises can support various school programs. Your Committee recognizes that deeming student interns of commercial enterprises to be employees of the State would provide some degree of protection for businesses and thus encourage their participation in the commercial enterprise program. This will enable more schools to offer students the opportunity to participate in those enterprises.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3092, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3092, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3142 Ways and Means on S.B. No. 3101

The purpose and intent of this measure is to promote the development of homesteads for Native Hawaiians.

Specifically, this measure exempts any homestead development for the Department of Hawaiian Home Lands from the general excise tax and use tax.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands; Department of Taxation; Dowling Company, Inc.; and two individuals.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that lands utilized by the Department of Hawaiian Home Lands to provide homesteads for Native Hawaiians are offered at lower costs when compared to similar developments available in Hawaii. Your Committee also finds that the tax exemption proposed in this measure could result in cost savings that would allow the Department of Hawaiian Home Lands to develop more homestead lots.

Your Committee has amended this measure by:

- (1) Correcting a reference to the Hawaiian Home Administration Account;
- (2) Providing rulemaking authority regarding the tax exemption to the Director of Taxation and the Department of Hawaiian Home Lands by statute, rather than session law;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee notes that the Department of Taxation requests that the measure be amended to become effective on January 1, 2023, in order to allow time to make necessary form, instruction, and computer system changes.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3101, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3101, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3143 Ways and Means on S.B. No. 3103

The purpose and intent of this measure is to authorize the Department of Hawaiian Home Lands to assume sole jurisdiction over the review of any effect that a proposed project may have on historic properties or burial sites on certain lands under its jurisdiction.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Department of Land and Natural Resources, and Hawaii State Aha Moku.

Your Committee received written comments in opposition to this measure from the Historic Hawaii Foundation and Society for Hawaiian Archaeology.

Your Committee finds that granting the Department of Hawaiian Home Lands the authority proposed by this measure will expedite reviews of the effects of proposed projects.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3103, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3103, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3144 Ways and Means on S.B. No. 2989

The purpose and intent of this measure is to establish the healthy soils grant program to determine, and incentivize the implementation of, practices that contribute to healthy soils.

More specifically, this measure:

- (1) Requires the Department of Agriculture to establish a healthy soils grant program;
- (2) Establishes requirements and long-term goals of the healthy soils grant program;
- (3) Establishes the healthy soils grant program special fund;
- (4) Requires the Department of Agriculture to submit a report to the Legislature on the healthy soils grant program; and
- (5) Appropriates moneys for the establishment of the healthy soils grant program and awarding of grants pursuant to the program.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Alliance for Progressive Action, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Hawaii Farmers Union United, and one individual.

Your Committee received written comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that by protecting and improving the health of soils throughout the State, this measure will help to strengthen the State's food security and create positive impacts on the environment.

Your Committee has amended this measure by:

- (1) Changing the name of the healthy soils grant program and healthy soils grant program special fund to "healthy soils program" and "healthy soils program special fund", respectively;
- (2) Clarifying that the purpose of the healthy soils program is to issue awards instead of grants;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2989, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2989, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3145 Judiciary on S.B. No. 3085

The purpose and intent of this measure is to update the Hawaii Code of Military Justice by repealing chapter 124A, Hawaii Revised Statutes, and adding a new chapter to promote order and discipline in the State Military Forces by fostering an independent military justice system and updating nonjudicial punishment and courts-martial procedures.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that chapter 124, Hawaii Revised Statutes, relating to the Hawaii Code of Military Justice, was enacted in 1982 and was the first major update to the code of military justice for the State Military Forces since 1895. Your Committee further finds that the current form Hawaii Code of Military Justice lacks the necessary disciplinary options to provide for effective and efficient good order and discipline in the State Military Forces. This measure will remedy those issues and bring the military justice process in line with the Uniform Code of Military Justice by repealing chapter 124A, Hawaii Revised Statutes, and adding a new chapter to promote order and discipline in the State Military Forces by fostering an independent military justice system and updating nonjudicial punishment and courts-martial procedures.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3085, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3085, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3146 Judiciary on S.B. No. 2764

The purpose and intent of this measure is to expand exclusions from the definition of "development" as it applies to special management areas to reduce the need for special management area permits for certain activities.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, one member of the Maui County Council, and Hawai'i State Association of Counties.

Your Committee finds that targeted amendments to the definition of “development” as it relates to special management areas will promote, not undercut, the environmental controls and quality that special management area regulations are intended to protect. Currently, the broad definition of “development” coupled with rising labor and material costs can result in a special management area use permit review being required for improvements, facilities, and incidental structures that may not warrant such intense scrutiny and the associated costs and delays that go along with it. This measure will streamline special management area permitting procedures and reduce costs for certain activities that do not have adverse environmental impacts on the special management area.

Your Committee has amended this measure by:

- (1) Adopting the recommendations proposed by the Office of Planning and Sustainable Development as follows:
 - (A) Specifying that the exclusions from the special management areas definition of “development” include the installation, maintenance, repair, and replacement of traffic control barriers;
 - (B) Clarifying that the exclusions from the special management areas definition of “development” include the installation of fencing, including associated improvements and incidental structures, for invasive species control or preservation of native habitats on conservation land;
 - (C) Clarifying that the exclusions from the special management areas definition of “development” include the installation, maintenance, repair, and replacement of lighting, fixtures, and equipment to establish compliance with current standards at existing public facilities; and
 - (D) Specifying that the exclusions from the special management areas definition of “development” include the installation, maintenance, repair, and replacement of security measures, including fencing, to existing public facilities; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2764, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2764, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Keohokalole, Lee).

SCRep. 3147 Judiciary on S.B. No. 2679

The purpose and intent of this measure is to extend the renewal period from two years to four years for licensees who are seventy-two years of age or older.

Your Committee received testimony in support of this measure from the Department of Transportation, AARP Hawai‘i, Rainbow Family 808, Retirement Issues Committee of the Hawaii State Teachers Association, and twenty-four individuals. Your Committee received comments on this measure from the Executive Office on Aging and two individuals.

Your Committee finds that the Department of Transportation has not found local data to indicate drivers seventy years of age or older are at higher risk of causing or being involved in crashes. Your Committee further finds that the Mini-Mental State Examination and the Montreal Cognitive Assessment test for dementia require a fee to use and may put an unnecessary financial burden on drivers over seventy years old. Therefore, the current approach of relying on self-disclosure and observations by licensing clerks is the most reasonable. This measure will lessen the burden on older drivers by extending the renewal period from two years to four years for licensees who are seventy-two years or older, but less than eighty years of age.

Your Committee has amended this measure by:

- (1) Requiring applicants eighty years of age or older to remain subject to the two-year renewal period; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2679, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2679, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3148 Judiciary on S.B. No. 2115

The purpose and intent of this measure is to protect minors who are being confined at detention and shelter facilities by defining specific conditions and time limits under which they may be confined.

Your Committee received testimony in support of this measure from the Department of Health, Judiciary, Office of the Public Defender, Office of Youth Services, American Civil Liberties Union of Hawai‘i, Opportunity Youth Action Hui, and one individual.

Your Committee finds that solitary confinement is actively harmful to youth health and development. Studies show that extreme social isolation and lack of environmental stimulation can impose serious cognitive, emotional, and psychological harm, even after only a short period of confinement and even absent additional harsh conditions. Your Committee further finds that juvenile solitary confinement in Hawai‘i has been used as punishment, despite the purpose of detention being rehabilitation. Using solitary confinement as punishment is retaliatory in nature, overly punitive, and creates tension within the facility when therapies and educational services are also provided. Your Committee further finds that solitary confinement is often disproportionately applied to native Hawaiian or Pacific Islander youth, youth with disabilities, and LGBTQ youth. This measure will better protect minors by codifying room confinement conditions and limitations.

Your Committee has amended this measure by:

- (1) Requiring that any decision to place or hold a minor in room confinement due to a mental health emergency be made by a mental health professional and based upon the mental health professional's examination of the minor;
- (2) Replacing "qualified mental health professional" with "mental health professional";
- (3) Prohibiting the use of consecutive periods of room confinement to evade the spirit and purpose of this measure;
- (4) Requiring the Department of Human Services to post on the Department of Human Services' official website quarterly reports listing all shelters' and detention centers' compliance with this measure; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2115, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2115, S.D. 1.

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

SCRep. 3149 Judiciary on S.B. No. 2111

The purpose and intent of this measure is to allow government agencies under certain circumstances to publish public notices on an official website as an alternative to a newspaper.

Your Committee received testimony in support of this measure from the Department of Health, Department of Taxation, Department of Transportation, Department of Land and Natural Resources, City and County of Honolulu Department of Planning and Permitting, Hawai'i Tourism Authority, and Hawai'i State Association of Counties. Your Committee received testimony in opposition to this measure from the Disability and Communication Access Board, Oahu Publications Inc., and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Information Practices, Common Cause Hawaii, and AARP Hawai'i.

Your Committee finds that improving government efficiency without compromising public engagement and transparency is ideal. This can be accomplished by authorizing executive agencies the option to publish certain public notices on official websites in lieu of in printed newspapers. This measure will make the public notification process for certain notices more effective and efficient.

Your Committee has amended this measure by:

- (1) Incorporating a technical amendment recommended by the Office of Information Practices;
- (2) Incorporating a recommendation proposed by the Disability and Communication Access Board specifying that the government agency shall post documents in accessible formats on an accessible official website;
- (3) Specifying that the government agency shall provide a disclaimer in any public notice from January 1, 2023, through June 30, 2023, that states that the government agency may begin to post notices online after July 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2111, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2111, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Fevella).

SCRep. 3150 Judiciary on S.B. No. 3165

The purpose and intent of this measure is to:

- (1) Lengthen the driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant who do not install an ignition interlock device; and
- (2) Allow early termination of driver's license revocation after nine months upon showing three consecutive months of ignition interlock use without any violations.

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, Smart Start LLC, and Mothers Against Drunk Driving HAWAII. 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 Judiciary.

Your Committee finds that an increasing number of traffic fatalities involve alcohol and drugs. Your Committee further finds that an ignition interlock device is an effective tool to physically separate drinking alcohol from driving and thereby enhance public safety. This measure will help strengthen the State's ignition interlock laws which is critically important to help save lives and keep the roads safe.

Your Committee has amended this measure by:

- (1) Incorporating recommendations proposed by the Judiciary as follows:

- (A) Specifying that a person may file for a motion for early termination if the person includes with their motion a certified court abstract establishing that they were not sentenced to any additional mandatory revocation period; and
- (B) Specifying that a person may file a motion for early termination if the person includes with their motion a certified statement from the Director of Transportation establishing that they actually installed and maintained an ignition interlock device in one or more vehicles for a continuous period of six months and after the six-month period, they maintained the ignition interlock device in one or more vehicles for a continuous period of three months without violation;
- (2) Incorporating a recommendation proposed by the Department of Transportation to insert a definition for “violation”; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3165, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3165, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Acasio, Kim). Noes, none. Excused, 1 (Fevella).

SCRep. 3151 (Majority) Judiciary on S.B. No. 2065

The purpose and intent of this measure is to prohibit the possession or use of unmanned aerial vehicles in state waters for purposes of fishing.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Hawai'i Reef and Ocean Coalition, For the Fishes, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that in recent years, the innovation of unmanned aerial vehicles has become a new tool within the fishing community. Drones allow shore fishers to deploy baited hooks farther offshore and more efficiently than traditional shore fishing methods. This has resulted in increased interactions with protected species, such as monk seals and turtles, as well as increased user conflicts with boaters, swimmers, divers, surfers, kayakers, and other offshore ocean users. The use of drones has also vastly expanded the footprint of fishing-related tackle becoming debris in the ocean. This measure will help ensure that drones are used in a safe and responsible way.

Your Committee has amended this measure by:

- (1) Deleting section 1, which would have included unmanned aerial vehicles among the articles prohibited for use in state waters for purposes of fishing under section 188-23, Hawaii Revised Statutes;
- (2) Deleting section 2, which would have made fishing in state waters with an unmanned aerial vehicle a class C felony;
- (3) Adding a new section to chapter 188, Hawaii Revised Statutes, that prohibits the possession or use of unmanned aerial vehicles in state waters for the purpose of taking aquatic life, except under the terms and conditions of a permit first obtained by the user from the Department of Land and Natural Resources; provided that unmanned aerial vehicles may be used for the purpose of simple reconnaissance;
- (4) Specifying that any person who violates the prohibition against possession or use of unmanned aerial vehicles in state waters for the purpose of taking aquatic life is guilty of a misdemeanor; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2065, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2065, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio). Noes, 1 (Fevella). Excused, 1 (Keohokalole).

SCRep. 3152 Judiciary on S.B. No. 2393

The purpose and intent of this measure is to enact the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that Canada is the second largest international market for Hawai'i and Canadian visitors spend long periods of time in Hawai'i during the winter months, with many owning real estate throughout the islands. Despite this, Canadians with active domestic violence protective orders currently lack sufficient protection while visiting Hawai'i. Your Committee further finds that the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act was developed by the Uniform Law Commission with input from judges and practicing lawyers from both the United States and Canada. To date, the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act has been enacted in California, Delaware, Minnesota, Nevada, North Dakota, Washington, and Wisconsin. This measure will protect Canadian travelers who have domestic violence protection orders while they are visiting Hawai'i by allowing Hawai'i courts and law enforcement agencies to enforce domestic violence protection orders issued by Canadian courts.

As affirmed by the record of votes of 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. 2393, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Lee).

SCRep. 3153 Judiciary on S.B. No. 3372

The purpose and intent of this measure is to authorize, where it is determined that a solicitation or award of a contract is in violation of law, government contracts to be rescinded and awarded to the next lowest responsive, responsible bidder to whom the contract would have been awarded were it not for the violation of law.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that currently, if it is determined that a solicitation or award of a contract is in violation of the law, the contract may be modified or terminated. This measure adds a third option to rescind the award and present it to the next lowest responsive, responsible bidder.

As affirmed by the record of votes of 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. 3372, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3154 Judiciary on S.B. No. 3251

The purpose and intent of this measure is to:

- (1) Require that hunting guides obtain written permission from the landowner or other appropriate person before taking clients to hunt on private lands; and
- (2) Require hunting guides to provide copies of the written permission to the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Maui County Council; Hawaii Cattlemen's Council, Inc.; and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Maui Chamber of Commerce.

Your Committee finds that some hunting guides have taken their clients onto private land without permission from the landowner, prompting panic from landowners who witnessed unknown armed individuals walking on their property. To support existing laws that prohibit hunting guides from taking clients on to private property without permission, this measure requires that the guides obtain written permission from landowners, which must then be submitted to the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3251, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3155 Judiciary on S.B. No. 3206

The purpose and intent of this measure is to require first responders to record the type of snorkel and mask, if any, worn by the person who was rescued or recovered in the incident report for each water rescue event.

Your Committee received testimony in support of this measure from Mālama Pūpūkea-Waimea and forty-two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that, according to the Hawaii Tourism Authority's snorkel safety study, conducted from August 2017 to April 2021, drowning is the leading cause of injury-related death among visitors to the State and snorkeling is the most common activity associated with visitor drownings. However, due to a lack of evidence, it is difficult for researchers to determine whether the type of snorkel or mask worn increases the risk of drowning. This measure will allow the State to make well-informed policy changes to decrease the number of snorkeling deaths in the State by requiring first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, that were worn by the person who was rescued or recovered.

As affirmed by the record of votes of 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. 3206 and recommends that it pass Third Reading.

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

SCRep. 3156 Judiciary on S.B. No. 3223

The purpose and intent of this measure is, upon the finding of the Department of Labor and Industrial Relations, to impose penalties on both the person and firm for repeat violations of the state law governing the wages and hours of employees on public works projects.

Your Committee received testimony in support of this measure from the Hawai'i State AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Operating Engineers Local 3; Hawai'i Nurses Association - OPEIU Local 50; and Hawai'i Ports Maritime Council. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that it is important to avoid repeat offenders who try to circumvent the law. This measure will protect Hawai'i's workers from wage theft and help ensure that repeat offenders do not have the privilege of working on public works projects in the future.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3223, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3157 Judiciary on S.B. No. 2034

The purpose and intent of this measure is to:

- (1) Require assessment of patients who are subject to emergency hospitalization, diagnosed with a mental illness or severe substance use disorder, and found to be lacking decisional capacity to determine if a surrogate or guardian needs to be appointed to make appropriate health care decisions for the patient; and
- (2) Authorize certain health care providers to make determinations on the presence of mental illness, substance abuse disorder, and decisional capacity of the patient.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board; Institute for Human Services, Inc.; Hina Mauka; and five individuals. Your Committee received comments on this measure from the Hawaii Medical Association, Hawai'i Pacific Health, Queen's Health Systems, and Hawaii Disability Rights Center.

Your Committee finds that many persons suffering from serious mental illness do not receive timely and appropriate care or treatment because emergency response procedures in the State generally do not permit involuntary emergency hospitalization except in very narrow circumstances. Your Committee further finds that these procedures often result in a cycle of crisis response and short-term emergency treatment, after which the person receives no further care. This measure will increase the likelihood that persons suffering from serious mental illness or severe substance abuse will receive timely and appropriate care and treatment, whether when brought to an emergency department for evaluation, hospitalized in a psychiatric facility under an emergency hospitalization or involuntary commitment order, or while being considered for assisted community treatment, by requiring the assessment of certain patients subject to emergency hospitalization to determine if a surrogate or guardian should be appointed to make appropriate health care decisions for the patient.

As affirmed by the record of votes of 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. 2034, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3158 Judiciary on S.B. No. 3344

The purpose and intent of this measure is to restrict the use of solitary confinement whether for punitive or prison management purposes, as follows:

- (1) Prohibiting indefinite solitary confinement;
- (2) Prohibiting prolonged solitary confinement;
- (3) Prohibiting placement of an inmate in a dark or constantly lit cell;
- (4) Restricting the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions;
- (5) Prohibiting inmates incarcerated or detained in state-operated or state-contracted correctional facilities from being placed in solitary confinement, unless there is reasonable cause to believe that an inmate or other persons would be at substantial risk of immediate serious harm as evidenced by recent threats or conduct, and that a less restrictive intervention would be insufficient to reduce this risk; and
- (6) Prohibiting the use of solitary confinement for a member of a vulnerable population.

Your Committee received testimony in support of this measure from the American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawai'i Health & Harm Reduction Center, Hawaii Disability Rights Center, and nine individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety and one individual.

Your Committee finds that solitary confinement often causes negative psychological reactions in persons subjected to it and can bring on mental illness where it did not exist before. Your Committee further finds that solitary confinement results in extreme societal costs because incarcerated people deprived of normal human contact often cannot properly reintegrate into society, resulting in higher recidivism rates. This measure will promote more humane and effective practices in prisons and jails by restricting the use of solitary confinement in state-operated and state-contracted correctional facilities, with certain specified exceptions, and requiring the Department of Public Safety to use appropriate alternatives to solitary confinement for inmates who are members of a vulnerable population.

As affirmed by the record of votes of 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. 3344 and recommends that it pass Third Reading.

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

SCRep. 3159 Judiciary on S.B. No. 3112

The purpose and intent of this measure is to:

- (1) Authorize the Department of Human Services to conduct comprehensive background checks on current and prospective employees, volunteers, and contractors, and a contractor's employees, agents, or volunteers, in positions that require them to be in close proximity to minors, young adults, or vulnerable adults who are receiving child welfare services, social services, or other benefits and services from the Department of Human Services intended to prevent abuse or neglect or assist youth aging out of foster care with obtaining and maintaining independent living skills; and
- (2) Replace the term "foster boarding home" in sections 321-11.2(d), 571-32.1, and 846-2.7(b)(8), Hawaii Revised Statutes, with "resource family homes", to conform to Act 133, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, Department of Human Services, and two individuals.

Your Committee finds that the Department of Human Services' current pre-employment background clearance process includes a state name-based criminal history record check and relies on prospective new hires to self-report any convictions that occurred outside of the State of Hawaii. Your Committee believes that a comprehensive national and state fingerprint-based criminal history record check is more appropriate than the Hawaii name-based criminal history check currently utilized. This measure will ensure that the vulnerable population of minors and young adults is being served by individuals with reputable and responsible character by allowing the Department of Human Services to conduct comprehensive national and state fingerprint-based criminal history record checks.

As affirmed by the record of votes of 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. 3112, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3160 Judiciary on S.B. No. 2241

The purpose and intent of this measure is to:

- (1) Permit minors to consent to medical care related to the diagnosis or treatment of HIV or the prevention of HIV;
- (2) Provide that a minor, under certain circumstances, shall not be liable for the payment for treatment or prevention of HIV;
- (3) Provide that a health insurer of a minor's parent, guardian, custodian, or spouse shall not notify the parent guardian, custodian, or spouse of the minor's treatment or prevention of HIV; and
- (4) Authorize physician assistants, in addition to physicians and advanced practice registered nurses, to render medical care and services to minors.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Hawaii Medical Board, Hawaii Youth Services Network, Rainbow Family 808, Hawai'i Health & Harm Reduction Center, Kaiser Permanente Hawai'i, and twelve individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from Planned Parenthood Alliance Advocates - Hawai'i.

Your Committee finds that adolescents and young adults are the least likely of any age group to be in treatment or have a suppressed viral load for HIV. Your Committee further finds that addressing HIV infection and spread among adolescents and young adults requires that they have access to medical care to get the information and tools they need to make healthy decisions, reduce their risk factors, and secure treatment. However, adolescents and young adults may avoid seeking care for sexually transmitted diseases if they must involve their parents or guardian. This measure will enable and encourage minors to access potentially life-saving treatment by allowing minors age fourteen to seventeen to obtain treatment for sexually transmitted disease without parent or guardian involvement.

As affirmed by the record of votes of 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. 2241, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3161 Judiciary on S.B. No. 899

The purpose and intent of this measure is to require that members of the State Council on Mental Health receive annual training that includes topics such as cultural awareness and loss of ethnic identity, as well as other topics that address native Hawaiian healing and health practices.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Mental Health, Hawai'i Psychological Association, Mental Health America of Hawai'i, Hawaiian Islands Association for Marriage and Family Therapy, Health Committee of the Democratic Party of Hawai'i, National Association of Social Workers - Hawai'i Chapter, Queen's Health Systems, and two individuals.

Your Committee finds that native Hawaiians tend to underutilize existing mental health services, seek therapy only after their illness has become severe, or leave treatment prematurely. The State Council on Mental Health is responsible for advising, reviewing, and evaluating the allocation and adequacy of mental health resources and services in the State. Accordingly, requiring the Council to receive training that addresses native Hawaiian culture, identity, and health and healing practices will help to systemically advance culturally responsive policies and programs that may be critical to addressing the dire mental health needs of Hawai'i's native Hawaiian and Pacific Islander communities. This measure will bring greater understanding of native Hawaiian health and healing practices to members serving on the State Council on Mental Health.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 899, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 899, S.D. 2.

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

SCRep. 3162 Judiciary on S.B. No. 879

The purpose and intent of this measure is to:

- (1) Give counties jurisdiction over the infrastructure of the Department of Hawaiian Home Lands housing developments in their boundaries under specific conditions; and
- (2) Require counties, under specific conditions, to commence maintenance on that infrastructure within sixty days.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received comments on this measure from the Honolulu Board of Water Supply.

Your Committee finds that one of the most serious barriers to distribution of house lots under the Hawaiian Home Lands Program has been the lack of suitable infrastructure to serve those properties, including water, sewer, roads, and electricity primarily. This measure will help to address this barrier by requiring the counties to ensure that such infrastructure is properly maintained.

As affirmed by the record of votes of 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. 879, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 3163 Judiciary on S.B. No. 3333

The purpose and intent of this measure is to:

- (1) Authorize any person to commence a civil action in District Court on that person's own behalf against any owner of a dwelling unit if the owner advertises, solicits, offers, or provides the dwelling unit as a transient vacation unit and the owner is not authorized by the applicable county to provide the unit as a transient vacation unit; and
- (2) Authorize the court to order a plaintiff to pay reasonable attorney fees when it determines that a claim is fraudulent or frivolous.

Your Committee received testimony in support of this measure from Keep It Kailua, Hawai'i Hotel Alliance, and five individuals. Your Committee received testimony in opposition to this measure from Oracle Bookkeeping & Finance Inc., Association of Apartment Owners of Inn on the Park, Rental By Owner Awareness Association, Airbnb, and eighty-two individuals. Your Committee received comments on this measure from the Hawai'i Tourism Authority and one individual.

Your Committee finds that there should be more regulations and limitations on illegal short-term vacation rentals in the State. This measure would allow frustrated neighbors an opportunity to address operators of illegal transient vacation units in their neighborhoods.

Your Committee has amended this measure by:

- (1) Clarifying that no action may be commenced before sixty days after the potential plaintiff has given notice of the alleged violation to the owner; and
- (2) Inserting an effective date of July 30, 2075, 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. 3333, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3333, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Kim, Fevella).

SCRep. 3164 Judiciary on S.B. No. 2535

The purpose and intent of this measure is to establish the required distance from the shore of a main Hawaiian island where offshore wind turbines may be sited.

Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Hawaii State Energy Office, Public Utilities Commission, Hawaiian Electric Company, and Progression Energy.

Your Committee finds that offshore wind energy could play an important role in assisting the island of O'ahu and the State in achieving its goal of one hundred percent renewable energy by 2045. As O'ahu's high energy demand and consumption creates challenges to achieve electricity independence without off-island resources, wind energy may provide a solution to reduce fossil fuel dependence and consumption. Maximizing the State's clean energy resources allows for Hawai'i's communities, ratepayers, and environment to experience a clean energy future. Your Committee further finds that striking a key balance between the production of wind energy and the protection of Hawai'i's delicate, unique coral reef ecosystems is necessary to achieving both renewable energy and conservation goals.

Accordingly, your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 2535, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2535, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Fevella).

SCRep. 3165 Judiciary on S.B. No. 3323

The purpose and intent of this measure is to:

- (1) Increase the amount of interest in real property that is exempt from attachment and execution;
- (2) Amend the value of personal property that is exempt from attachment and execution, including increasing the exemption amount for a motor vehicle; and
- (3) Exempt from attachment or execution, an amount equivalent to one month of child support and one month of spousal support.

Your Committee received testimony in support of this measure from Neighboring Place of Puna, Hawai'i Health & Harm Reduction Center, and one individual. Your Committee received testimony in opposition to this measure from the Mortgage Bankers Association of Hawaii, Hawaii Financial Services Association, Hawaii Credit Union League, and Collection Law Section.

Your Committee finds that the current statutory exemptions from attachment or execution of real and personal property need to be updated to create a safety net of assets for Hawaii families who are struggling to earn a living under heavy debt obligations. These families include workers who live from paycheck to paycheck and have incurred debt due to an unexpected event such as a job layoff, accident, or illness. This measure will allow these families and others to retain some of their assets by increasing the statutory exemptions.

Your Committee has amended this measure by:

- (1) Specifying that the equivalent of one month of child support or \$5,000, whichever is lower, and one month of spousal support or \$5,000, whichever is lower, in the possession of a debtor who is the recipient of the support payment is exempt from attachment or execution; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3323, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3323, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3166 Judiciary on S.B. No. 2964

The purpose and intent of this measure is to authorize recreational athletic venues and cultural activities on existing golf courses within agricultural districts.

Your Committee received testimony in support of this measure from one member of the Honolulu City Council, Prince Waikiki Hotel & Hawaii Prince Golf Club, Hawaii Country Club, and three individuals. Your Committee received testimony in opposition from the Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Agriculture, Office of Planning and Sustainable Development, and City and County of Honolulu Department of Planning and Permitting.

Your Committee finds that utilizing the vast outdoor spaces that exist at golf courses throughout the State could provide safe, outdoor venues for appropriate and approved events. This measure would provide additional options for event venues in local communities.

As affirmed by the record of votes of 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. 2964, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 3167 Judiciary on S.B. No. 3089

The purpose and intent of this measure is to:

- (1) Clarify state and county emergency management authority;
- (2) Ensure effective and adaptable emergency responses; and
- (3) Further the goals of transparency and democratic accountability inherent within the Hawaii State Constitution.

Your Committee received testimony in support of this measure from the Department of Defense; Hawai'i Emergency Management Agency; State of Hawaii Organization of Police Officers; United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Grassroot Institute of Hawaii, Common Cause Hawaii, and one individual.

Your Committee finds that the coronavirus disease 2019 pandemic has highlighted the importance of clear legal frameworks for state and county emergency management to ensure the State and counties are ready for any type of emergency. Your Committee further finds that chapter 127A, Hawaii Revised Statutes, should clearly specify and articulate the bases for emergency actions. This measure will benefit the Department of Defense, state and county agencies, and the public by clarifying state and county emergency management authority, ensuring effective and adaptable emergency responses, and furthering the goals of transparency and democratic accountability inherent within the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Prohibiting the Governor or a mayor from suspending requests for public records or vital statistics during a declared state of emergency and allowing for a reasonable delay in an agency's response to a request as a result of extenuated circumstances;
- (2) Changing "severe weather warning" to "severe warning" and broadening the definition to include severe warnings by other entities;
- (3) Eliminating the need for most supplementary proclamations for permits, authorizations, or approvals to allow for repair work to continue beyond the emergency period;
- (4) Clarifying that the Governor's authority to be the sole judge of an emergency is subject to the Legislature's termination of a state of emergency;
- (5) Allowing a county council, by an affirmative vote of two-thirds, to terminate emergency proclamations made by a mayor; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3089, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3089, S.D. 2.

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

SCRep. 3168 (Joint) Ways and Means and Judiciary on S.B. No. 1046

The purpose and intent of this measure is to revise the membership, powers, and duties of the Law Enforcement Standards Board.

More specifically, this measure:

- (1) Appropriates moneys for the establishment of, and exempts from civil service, the Administrator for the Law Enforcement Standards Board position;
- (2) Revises the membership of the Law Enforcement Standards Board;
- (3) Requires the Board to consider certain law enforcement consolidation studies;
- (4) Requires the Board to conduct its own study to evaluate ways to satisfy its duties efficiently and effectively;
- (5) Revises the conditions and requirements for a person to be appointed or employed as a law enforcement officer;
- (6) Repeals the December 31, 2021, deadline for the Board to finalize the Board's standards and certification process; and
- (7) Appropriates moneys for copying and supply costs for the Board.

Your Committees received written comments in support of this measure from the Department of Public Safety, Department of Taxation, Department of the Attorney General, Department of Transportation, Law Enforcement Standards Board, and Hawaii County Police Department.

Your Committees received written comments in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committees find that, by increasing the size of the Law Enforcement Standards Board and allowing the designees of certain ex-officio members to serve on the Board, this measure will expand the perspective of the Board while increasing its operational flexibility.

Your Committees have amended this measure by:

- (1) Changing to June 30, 2024:
 - (A) The date after which each person seeking appointment as a law enforcement officer is required to meet certain conditions;
 - (B) The date on or after which the Law Enforcement Standards Board is required to issue certifications to certain applicants for appointments as law enforcement officers;
 - (C) The date after which each person appointed or employed as a law enforcement officer by any county police department or certain state departments is required to possess a valid certification issued by the Board; and
 - (D) The date before which a person shall have been employed by an applicable county police department or state department in order to be exempt from the law enforcement certification requirement;
- (2) Changing the appropriation amounts to unspecified amounts;

- (3) Clarifying that the appropriations are for fiscal year 2022-2023;
- (4) Correcting the text of section 76-16(b), Hawaii Revised Statutes, in section 2 of the measure to accurately reflect the current text of that statutory section;
- (5) Changing:
 - (A) The effective date of the measure's appropriation sections; and
 - (B) The effective date for the remainder of the measure, to July 1, 2050, to facilitate further discussion on the measure; and
- (6) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1046, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1046, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 7; Ayes with Reservations (Keith-Agaran). Noes, none. Excused, 4 (Inouye, Kanuha, Kidani, Wakai).
 Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3169 (Joint) Ways and Means and Water and Land on S.B. No. 3261

The purpose and intent of this measure is to facilitate affordable housing development.

More specifically, this measure:

- (1) Establishes the ALOHA Homes Program to facilitate the creation of low-cost leasehold homes for sale to Hawaii residents on state-owned land near public transit stations;
- (2) Authorizes the Hawaii Housing Finance and Development Corporation to sell the leasehold interest in residential condominium units located on state lands for lease terms of ninety-nine years;
- (3) Directs the Hawaii Housing Finance and Development Corporation to conduct a study and form a working group on the implementation of the ALOHA Homes Program;
- (4) Directs the Hawaii Housing Finance and Development Corporation to conduct a study of the market depth for leasehold housing; and
- (5) Appropriates funds to the Department of Business, Economic Development, and Tourism for the Hawaii Housing Finance and Development Corporation to implement the ALOHA Homes Program.

Your Committees received written comments in support of this measure from the Building Industry Association of Hawaii, Church of the Crossroads, Policy Advisory Board for Elder Affairs, and one individual.

Your Committees received written comments in opposition to this measure from the Hawaii Housing Finance and Development Corporation.

Your Committees received written comments on this measure from the Department of Budget and Finance, Grassroot Institute of Hawaii, and Sierra Club of Hawaii.

Your Committees find that the cost and availability of housing in the State are significant challenges facing Hawaii residents. Although Hawaii has the tenth-highest median wage nationally, living expenses are two-thirds higher than the rest of the nation, with the cost of housing being a major contributing factor. Your Committees also find that, due to many barriers hindering the production of new housing, such as geographic limitations, lack of major infrastructure, construction costs, and government regulation, the State and housing developers have not been able to produce enough housing for Hawaii residents. Your Committees further find that, despite previous legislative efforts, the amount of new construction of housing, especially for low- to middle-income families, continues to be inadequate as the supply of housing remains constrained while demand for housing increases.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Ways and Means and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3261, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3261, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 9. Noes, none. Excused, 2 (Shimabukuro, Wakai).
 Water and Land: Ayes, 5; Ayes with Reservations (Riviere). Noes, none. Excused, none.

SCRep. 3170 Ways and Means on S.B. No. 2295

The purpose and intent of this measure is to ensure that transportation projects in the State are adapted to, and help to mitigate, climate change and sea level rise.

More specifically, this measure:

- (1) Requires the Department of Transportation to plan for sea level rise in all future or amended transportation projects; and
- (2) Requires all Department of Transportation projects to conform to certain carbon concrete standards, subject to exemptions.

Your Committee received no written comments on this measure.

Your Committee finds that this measure will help the State to adapt to the effects of sea level rise while reducing carbon gas emissions.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2295, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2295, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3171 Ways and Means on S.B. No. 2799

The purpose and intent of this measure is to establish a Kaiwi coast state park.

Specifically, the measure authorizes the transfer and designation of lands, appropriates moneys, and establishes staff positions for the new park.

Your Committee received written comments in support of this measure from the Hawaii State Aha Moku, Sierra Club of Hawaii, and one individual.

Your Committee received written comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that establishing a Kaiwi coast state park will preserve for future generations the natural beauty of the Kaiwi coast lands.

Your Committee has amended this measure by:

- (1) Mandating, rather than authorizing, the transfer of certain lands, the designation of the transferred lands as a state park, and the naming of the park as "Kaiwi coast state park";
- (2) Establishing as a new section of the Hawaii Revised Statutes certain provisions of the measure that are of a general and permanent nature; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2799, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2799, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3172 Ways and Means on S.B. No. 2812

The purpose and intent of this measure is to facilitate the financing of affordable housing projects in the State by temporarily amending provisions that govern the allocation of the State's private activity bond ceiling.

Specifically, this measure:

- (1) Provides that the allocation of the State's portion of the private activity bond ceiling shall be used entirely for housing-related projects;
- (2) Facilitates the process for counties or issuers to assign their allocation back to the State by removing the requirement that an assignment be accomplished by a resolution or written certificate;
- (3) Repeals the authorization for counties or issuers to request additional allocations of the state bond ceiling;
- (4) Prioritizes projects of counties that assign their allocation back to the State over projects of counties that have their own bond issuance program;
- (5) Requires counties or issuers that retain their allocation to submit quarterly reports on the status or use of any allocation;
- (6) Requires a project to first apply to the county in which the project is located, if the county has a private activity bond issuance program, before applying to the State; and
- (7) Changes the dates for reverted or remaining allocations and requires certain reverted or remaining allocations to be used for housing-related projects.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Planning and Permitting of the City and County of Honolulu; Mutual Housing Association of Hawaii; Catholic Charities Hawaii; Stanford Carr Development, LLC; Pacific Resource Partnership; Schatz Collaborative, LLC; Highridge Costa Development Company; Hawaii LECET; NAIOP Hawaii; and EAH Housing.

Your Committee received written comments in opposition to this measure from the Kauai County Housing Agency.

Your Committee received written comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that the State is committed to the production and maintenance of affordable housing and that housing-related projects may benefit from having greater access to private activity bond financing.

Your Committee has amended this measure by:

- (1) Deleting a provision that would have required that the State's allocation of the private activity bond cap be used entirely for housing-related projects;
- (2) Deleting provisions requiring unused portions of the annual state ceiling allocation to be used for housing-related purposes and instead requiring that the unused allocation be allocated to the Hawaii Housing Finance and Development Corporation;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2812, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2812, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3173 Ways and Means on S.B. No. 2992

The purpose and intent of this measure is to establish an agricultural investment special fund to accept deposits of moneys to be expended for grants, real property acquisition, equipment, research, and other means of supporting agricultural producers.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Ulupono Initiative, Hawaii Farm Bureau, Food+ Policy, and Hawaii Food Industry Association.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that establishing the Hawaii Agricultural Investment Program, rather than a special fund, will better help the State meet its food self-sufficiency and sustainability goals and increase the production of locally grown food.

Your Committee has amended this measure by:

- (1) Establishing the Hawaii Agricultural Investment Program, rather than the agricultural investment special fund, to provide fifty percent matching grants for certain activities that increase local agricultural production or processing;
- (2) Appropriating an unspecified sum to the Department of Agriculture to establish and fund the Hawaii Agricultural Investment Program;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2992, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2992, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Fevella). Noes, none. Excused, 3 (Moriwaki, Taniguchi, Wakai).

SCRep. 3174 Ways and Means on S.B. No. 3282

The purpose and intent of this measure is to ensure the cost- and space-efficient management of state records.

More specifically, this measure:

- (1) Allows the Comptroller to direct the transfer of state records to the State Records Center and to determine the time period after which those records should be transferred; and
- (2) Appropriates moneys to the Department of Accounting and General Services for operating costs and equipment for the State Records Center and two full-time equivalent (2.0 FTE) positions at the Hawaii State Archives.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure will allow the State to make better use of the State Records Center, which offers the most cost-efficient space for the long-term bulk storage of government records. The measure will also reduce confusion among state workers as to when records should be sent for storage, by requiring the Comptroller to determine the transfer schedule. Your Committee further finds that the digitization of certain government records will afford the State and public better access to those records and provide virtually unlimited storage space.

Your Committee has amended this measure by:

- (1) Deleting the appropriation to the Department of Accounting and General Services;
- (2) Making numerous appropriations from the General Fund, special funds, and American Rescue Plan funds for the digitization of certain government records through the Office of Enterprise Technology Services; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3282, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3282, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Moriwaki, Taniguchi, Wakai).

SCRep. 3175 (Joint) Ways and Means and Judiciary on S.B. No. 3183

The purpose and intent of this measure is to require the Director of Transportation to establish and implement a pilot program for the issuance of digital identification.

Your Committees received written comments in support of this measure from the Department of Transportation, Hawaii Tourism Authority, and Office of Enterprise Technology Services.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees have amended this measure by:

- (1) Establishing the substantive provisions of this measure in session law, rather than statute;
- (2) Requiring the Director of Transportation to coordinate with the Office of Enterprise Technology Services, among others, to assess opportunities for the use of digital identification to improve government support to business operations, economic development, and tourism;
- (3) Establishing an unspecified dissolution date for the digital identification pilot program; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3183, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3183, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3176 (Joint) Ways and Means and Judiciary on S.B. No. 3237

The purpose and intent of this measure is to more effectively identify and prevent harm to at-risk children, including children who are or have been in the foster care system.

More specifically, the measure:

- (1) Expands the investigative power of the Department of Human Services to include children who:
 - (A) Have been adopted or have been placed in legal guardianship, and whose adoptive families or legal guardians are receiving federal or state financial assistance; and
 - (B) Are in the foster care system and have a pending petition for adoption, or for whom an adoption decree has been issued but the children have not yet been placed in the custody of the adoption petitioner;
- (2) Establishes a two-year crisis mobile outreach team pilot program within the Department of Health to expand and support existing crisis response services and programs for at-risk youth;
- (3) Appropriates moneys for the Department of Health to establish the crisis mobile outreach team pilot program, including the hiring and training of mental health professionals; and
- (4) Appropriates moneys for the Department of Human Services to hire additional case workers and support staff, and to fill vacancies and retain employees in existing child welfare services case worker positions.

Your Committees received written comments in support of this measure from four individuals.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees received written comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committees find that this measure's grant of expanded investigative powers to the Department of Human Services and establishment of a crisis mobile outreach team pilot program within the Department of Health will collectively strengthen the network of state systems that protect and ensure the safety of at-risk children and will improve mental health crisis intervention services for at-risk youth.

Your Committees have amended this measure by:

- (1) Changing the appropriation to the Department of Health for establishment of the crisis mobile outreach team pilot program from \$1,780,000 to an unspecified amount to facilitate further discussion on this measure; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3237, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3237, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3177 Ways and Means on S.B. No. 3330

The purpose and intent of this measure is to assess the carrying capacity of the Pupukea Marine Life Conservation District and develop recommendations on the conservation district's level of use.

Specifically, this measure:

- (1) Requires the Department of Land and Natural Resources to conduct a pilot program addressing the Pupukea Marine Life Conservation District to:
 - (A) Assess the carrying capacity of the conservation district;
 - (B) Monitor, document, and assess the effectiveness of restrictions on the conservation district; and
 - (C) Propose long-term management options for the conservation district;
- (2) Requires the Department of Land and Natural Resources to:
 - (A) Consult with various entities in conducting the pilot program; and
 - (B) Submit a report to the Legislature of its findings and recommendations; and
- (3) Appropriates funds for the pilot program.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Friends of Hanauma Bay, Malama Pupukea-Waimea, Center for Biological Diversity, Kua'aina Ulu 'Auamo, Surfrider Foundation Hawaii Region, and seven individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that thousands of people visit the Pupukea Marine Life Conservation District nearly every day, subjecting the area to constant trampling and disturbance. Your Committee further finds that a study to determine the carrying capacity of the Pupukea Marine Life Conservation District will help to ensure that the conservation district is preserved for future generations.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3330, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3178 (Joint) Ways and Means and Judiciary on S.B. No. 3139

The purpose and intent of this measure is to increase the efficiency and effectiveness of state public safety functions.

Specifically, this measure:

- (1) Establishes a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigative functions;
- (2) Transfers into the Department of Law Enforcement the law enforcement functions of the Department of Public Safety, Department of Transportation, the Office of Homeland Security, and the non-statutorily mandated functions of the Department of the Attorney General;
- (3) Reestablishes the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population; and
- (4) Appropriates moneys to the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committees received written comments in support of this measure from United States Immigration and Customs Enforcement, Homeland Security Investigations; the United States Bureau of Alcohol, Tobacco, Firearms and Explosives; Department of the Attorney General; Department of Defense; Department of Public Safety; Department of Transportation; Sheriff Division of the Department of Public Safety; Office of Homeland Security; Department of the Prosecuting Attorney of the City and County of Honolulu; State of Hawaii Organization of Police Officers; Hawaii Government Employees Association; and more than seventy individuals.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees received written comments on this measure from the Department of Budget and Finance; Office of Information Practices; and United Public Workers, AFSCME Local 646.

Your Committees find that consolidating state law enforcement responsibilities into a single state department will improve public safety, enhance decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.

Your Committees have amended this measure by:

- (1) Clarifying that the consolidation of state law enforcement officers does not relieve or diminish county police officers of any authority or responsibility to enforce laws or to maintain public safety on state lands, in state buildings, or in their respective counties;
- (2) Correcting the text of sections 76-16 and 291-31.5(a), Hawaii Revised Statutes, for consistency with the printed version of the Hawaii Revised Statutes;
- (3) Changing the amounts appropriated to the Department of Law Enforcement and Department of Corrections and Rehabilitation to unspecified sums;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3139, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3139, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Taniguchi).

Judiciary: Ayes, 6. Noes, none. Excused, 1 (Lee).

SCRep. 3179 (Joint) Ways and Means and Judiciary on S.B. No. 1105

The purpose and intent of this measure is to make administrative changes related to the mortgage loan recovery fund.

More specifically, the measure:

- (1) Allows a person who has been aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator or mortgage loan originator company licensee to receive restitution from the mortgage loan recovery fund after receiving a final court judgement;
- (2) Repeals certain fees paid by mortgage loan originator companies and their branches to the mortgage loan recovery fund; and
- (3) Provides the Commissioner of Financial Institutions with the authority to consider and approve an aggrieved person's application to recover from the mortgage loan recovery fund.

Your Committees received no written comments on this measure.

Your Committees find that the administrative changes made by this measure will allow more efficient management of the mortgage loan recovery fund.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1105, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1105, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Wakai).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3180 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 2068

The purpose and intent of this measure is to help to ensure the long-term, productive use of public lands leased for agricultural purposes.

Specifically, this measure:

- (1) Repeals the requirement that non-agricultural park lands transferred from the Department of Land and Natural Resources to the Department of Agriculture receive approval from the Board of Land and Natural Resources and Board of Agriculture before the transfer;
- (2) Requires, rather than permits, the Department of Agriculture to accept the transfer of and management of certain non-agricultural park lands, subject to the suitability of the land for agricultural activities;
- (3) Requires the Department of Agriculture, prior to offering a lease, to inquire with the Department of Land and Natural Resources regarding any necessary and reasonable easements on lands subject to the lease; and

- (4) Requires approval of the Board of Land and Natural Resources and Board of Agriculture before lands designated for pasture leases are removed for reforestation or other public purposes.

Your Committees received written comments in support of this measure from a member of the Hawaii County Council; Ulupalakua Ranch; Larry Jeffs Farms, LLC; Ponooho Ranch, Limited; Hawaii Meats, LLC; Ulupono Initiative; Hawaii Cattlemen's Council; Hawaii Cattlemen's Association; McCandless Ranch; Kaupo Ranch, Ltd.; Hawaii Farm Bureau; Local Food Coalition; Hawaii Farm Bureau – Molokai Chapter; Kapapala Ranch; Hawaii Aquaculture and Aquaponics Association; Hawaii Crop Improvement Association; Maui County Farm Bureau; and fourteen individuals.

Your Committees received written comments in opposition to this measure from the Department of Land and Natural Resources, Sierra Club of Hawaii, Food+ Policy, Conservation Council of Hawaii, Hawaii Alliance for Progressive Action, Hawaii Wildlife Fund, Kupuna for the Moopuna, The Nature Conservancy Hawaii, Hawaii's Thousand Friends, Hawaii Audubon Society, Climate Protectors Hawaii, Uprooted and Rising, and more than fifty individuals.

Your Committees received written comments on this measure from the Department of Agriculture and Land Use Research Foundation.

Your Committees find that the creation of a strong agricultural industry in the State is crucial to achieving Hawaii's goals of increasing food self-sufficiency and diversifying the economy.

Your Committees have amended this measure by:

- (1) Correcting the text of section 166E-1, Hawaii Revised Statutes, for consistency with the printed version of the Hawaii Revised Statutes;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2068, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2068, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10. Noes, 1 (Fevella). Excused, none.

Judiciary: Ayes, 5. Noes, 2 (Acasio, Fevella). Excused, none.

SCRep. 3181 (Joint) Ways and Means and Judiciary on S.B. No. 2378

The purpose and intent of this measure is to enhance the administration of the Taxation Board of Review.

Specifically, the measure:

- (1) Replaces the current, volunteer ten-member Taxation Board of Review with a salaried, full-time three-member board;
- (2) Authorizes board members to validate board actions by a majority of the members who heard the appeal;
- (3) Clarifies that board meetings are contested case hearings and provides notice requirements;
- (4) Clarifies the legal and evidentiary framework the board may use in reaching its decisions; and
- (5) Appropriates moneys for salaries for board members and staff.

Your Committees received written comments in support of this measure from the Department of Taxation.

Your Committees received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committees find that the establishment of a full-time, professional Taxation Board of Review will help reduce the Department of Taxation's significant backlog of appeals, and ensure the fair and expeditious resolution of those appeals.

Your Committees have amended this measure by:

- (1) Specifying that the three members of the new Taxation Board of Review are "salaried members;"
- (2) Clarifying that the existing volunteer members of the board may hold over in office until their successors are appointed and qualified;
- (3) Changing the appropriation from \$518,452 to an unspecified amount; and
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2378, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2378, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

Judiciary: Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3182 (Joint) Ways and Means and Judiciary on S.B. No. 2379

The purpose and intent of this measure is to authorize the Special Enforcement Section of the Department of Taxation to examine any sector of Hawaii's economy, initiate civil investigations, and refer certain matters to auditing branches within the Department for auditing.

Your Committees received written comments in support of this measure from the Department of Taxation.

Your Committees received written comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that codifying the authorized actions of the Special Enforcement Section would assist the Department of Taxation's efforts to ensure compliance with state tax law.

Your Committees have amended this measure by:

- (1) Replacing references to specific audit branches of the Department of Taxation with a reference to "appropriate auditors" within the Department, to accommodate administrative changes within the Department; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2379, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2379, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Judiciary: Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3183 (Joint) Ways and Means and Judiciary on S.B. No. 2398

The purpose and intent of this measure is to establish the Pulehunui Community Development District to assist in the development of public lands in Pulehunui, Maui.

Your Committees received written comments in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, Hawaii Community Development Authority, and the Chair of the Maui County Council.

Your Committees received written comments in opposition to this measure from the League of Women Voters of Hawaii.

Your Committees received written comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that establishing a dedicated development district will allow the governing board to access various forms of federal funding to develop lands within the district.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2398, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2398, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 9. Noes, none. Excused, 2 (Taniguchi, Fevella).

Judiciary: Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3184 (Joint) Ways and Means and Judiciary on S.B. No. 2583

The purpose and intent of this measure is to exempt from the definition of public lands, the non-ceded lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation.

Your Committees received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committees received written comments on this measure from the Department of Land and Natural Resources.

Your Committees find that this measure will allow the Hawaii Housing Finance and Development Corporation to treat all non-ceded lands under its control in the same manner, which will streamline the construction approval process and assist in building affordable housing units in the State.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2583, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2583, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Judiciary: Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3185 (Joint) Ways and Means and Judiciary on S.B. No. 3142

The purpose and intent of this measure is to include reserve public safety law enforcement officers among the volunteer positions covered by workers' compensation laws.

Your Committees received written comments in support of this measure from the Department of Labor and Industrial Relations and Department of Public Safety.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees find that the work performed by volunteer public safety law enforcement officers is both vital and potentially dangerous and that this measure will afford those unpaid individuals with coverage under workers' compensation laws should they sustain injuries in the line of duty.

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

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3142, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3142, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3186 (Joint) Ways and Means and Judiciary on S.B. No. 3347

The purpose and intent of this measure is to provide financial support for persons seeking to exit the sex trade.

More specifically, the measure establishes within the Department of Human Services a one-year pilot program to provide a basic monthly income of \$2,000, for a period of up to one year, to qualified adults who are verified victims of sex trafficking and are seeking to exit the sex trade.

Your Committees received written comments in support of this measure from the Hawaii State Commission on the Status of Women, Imua Alliance, AF3IRM Hawaii, and numerous individuals.

Your Committees received written comments in opposition to this measure from Harm Reduction Hawaii and one individual.

Your Committees received written comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committees find that the basic monthly income to be paid to eligible participants under the pilot program will provide a significant incentive, and necessary financial support, to sex trafficking victims who are considering leaving the sex trade.

Your Committees have amended this measure by:

- (1) Changing the appropriation from \$6,000,000 to an unspecified amount to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3347, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3347, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3187 (Joint) Ways and Means and Judiciary on S.B. No. 3350

The purpose and intent of this measure is to require any procurement change order that increases a contract cost by more than fifty percent of the original contract cost or substantially changes the scope of work to be considered a new contract for procurement purposes.

Your Committees received written comments in support of this measure from the Department of Transportation.

Your Committees find that this measure will help contracting agencies to more effectively manage contracting and address and mitigate, with appropriate and time-critical action, any unusual circumstances that may arise during the course of a project.

Your Committees have amended this measure by making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3350, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3350, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Taniguchi).
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Lee).

SCRep. 3188 (Joint) Ways and Means and Judiciary on S.B. No. 3039

The purpose and intent of this measure is to promote procurement efficiency, program success, and government accountability.

Specifically, this measure:

- (1) Requires an agency purchasing health and human services to analyze a proposed cost or price and to document the agency's determination that the cost or price is fair and reasonable;
- (2) Increases the small purchase threshold for health and human services and authorizes the Procurement Policy Board to adopt rules to provide an expedited method for purchasing agencies to competitively procure small purchases of health and human services;
- (3) Makes amendments to section 103F-404, Hawaii Revised Statutes, to increase the efficiency of short-term treatment purchase of services; and
- (4) Repeals section 103F-202, Hawaii Revised Statutes, thus abolishing the community council on purchase of health and human services.

Your Committees received written comments in support of this measure from the Department of Human Services, State Procurement Office, and one individual.

Your Committees received written comments in opposition to this measure from one individual.

Your Committees received written comments on this measure from the Hawaii Substance Abuse Coalition and Hawaii Alliance of Nonprofit Organizations.

Your Committees find that this measure will expedite the procurement of and reduce the administrative costs associated with urgently needed health and human services, while ensuring that transparency and accountability measures remain in effect.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3039, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.
 Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3189 (Joint) Ways and Means and Judiciary on S.B. No. 3124

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health for response and enforcement activities relating to the petroleum leaks and spills associated with the Red Hill Bulk Fuel Storage Facility.

Your Committees received written comments in support of this measure from the Department of Health, Board of Water Supply for the City and County of Honolulu, Environmental Caucus of the Democratic Party of Hawaii, 350Hawaii, and five individuals.

Your Committees received written comments on this measure from the Department of Budget and Finance.

Your Committees find that by funding the Department of Health's emergency response, regulatory oversight, and enforcement actions, the moneys appropriated by this measure will help the department address the ongoing public health impacts of the release of petroleum from the Red Hill Bulk Fuel Storage Facility.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3124, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.
 Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3190 (Joint/Majority) Ways and Means and Judiciary on S.B. No. 3133

The purpose and intent of this measure is to expedite the lease of public lands to establish long-term revenue streams.

Specifically, this measure makes leases for commercial, industrial, and hotel or resort purposes eligible for disposition by negotiation.

Your Committees received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committees received written comments in opposition to this measure from Sierra Club of Hawaii, Pono Hawaii Initiative, Hawaii Alliance for Progressive Action, Kupuna for the Moopuna, UNITE HERE Local 5, Uprooted and Rising, and twenty-seven individuals.

Your Committees find that leases disposed of by negotiation pursuant to this measure would be subject to approval by the Board of Land and Natural Resources in an open, public meeting that would offer members of the public, including any potential competing parties, the opportunity to review the proposed lease and provide testimony to the Board.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3133, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10. Noes, 1 (Fevella). Excused, none.

Judiciary: Ayes, 5; Ayes with Reservations (Keohokalole). Noes, 2 (Acasio, Fevella). Excused, none.

SCRep. 3191 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 2607

The purpose and intent of this measure is to:

- (1) Allow the Department of Hawaiian Home Lands to retain independent legal counsel as needed;
- (2) Authorize the Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned; and
- (3) Provide that funds owed to independent legal counsel shall be paid by the State.

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 the Department of the Attorney General.

Your Committees find that to fulfill its trust duty to beneficiaries of the Hawaiian home lands trust, the Department of Hawaiian Home Lands must have the authority to hire and retain legal counsel for the purposes of representing the Department of Hawaiian Home Lands in litigation, rendering legal counsel, and drafting legal documents. Your Committees further find that since the interests of the Department of Hawaiian Home Lands in fulfilling its trust obligations may at times be at odds with the interests of the State, any legal counsel retained by the Department of Hawaiian Home Lands must necessarily be independent of the Department of the Attorney General.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2607, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2607, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6. Noes, 1 (Fevella). Excused, none.

Ways and Means: Ayes, 10; Ayes with Reservations (Taniguchi). Noes, 1 (Fevella). Excused, none.

SCRep. 3192 (Joint) Judiciary and Ways and Means on S.B. No. 2284

The purpose and intent of this measure is to:

- (1) Establish provisions relating to the Department of Agriculture's jurisdiction over the business of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as may be necessary to protect indigenous species;
- (4) Require the Department of Agriculture to prepare programmatic environmental impact reports and acquire land for aquacultural purposes; and
- (5) Make an appropriation.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hatch Aquaculture Fund Management LLC, and one individual. 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 supporting local aquacultural productions can help the State move towards greater food sustainability and expand a home-based workforce. Your Committees further find that seafood demand outpaces supply and world fishery resources are quickly depleting. This measure will provide a pro-development framework that minimizes negative effects on the environment through monitoring and reporting using a science-based approach.

Your Committees note that questions arose about why the Chairperson of the Board of Agriculture would administer the business of aquaculture processing, distribution, and marketing. Your Committees also note that there were additional questions and discussion regarding brood stock acquisition and intellectual property rights.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2284, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2284, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Lee).

Ways and Means: Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Taniguchi).

SCRep. 3193 (Joint) Judiciary and Ways and Means on S.B. No. 3187

The purpose and intent of this measure is to:

- (1) Eliminate the University of Hawaii Board of Regents Candidate Advisory Council; and

- (2) Authorize the Governor to directly appoint members of the University of Hawaii Board of Regents.

Your Committees received testimony in opposition to this measure from the University of Hawaii Professional Assembly and two individuals.

Your Committees find that, while the University of Hawaii Board of Regents Advisory Council has served an important purpose as a source of oversight and accountability, it has also impeded the process of selecting new members for the Board of Regents. This measure allows the Governor to appoint members of the University of Hawaii Board of Regents directly, to promote greater expediency and efficiency in the replacement of the Board's members.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3187, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3187, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Lee).

Ways and Means: Ayes, 10; Ayes with Reservations (Inouye, Moriwaki). Noes, none. Excused, 1 (Taniguchi).

SCRep. 3194 (Joint) Judiciary and Ways and Means on S.B. No. 3186

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution to:

- (1) Repeal the Candidate Advisory Council for the Board of Regents of the University of Hawaii;
- (2) Authorize the Governor to appoint members to the Board of Regents of the University of Hawaii without being limited to selecting a candidate deemed qualified by the Council; and
- (3) Clarify the jurisdiction of the Board of Regents over the internal structure, management, and operations of the University of Hawaii.

Your Committees received testimony in opposition to this measure from the University of Hawai'i System, University of Hawaii Professional Assembly, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that due to a relatively small number of applicants, at times the Candidate Advisory Council has been unable to submit an adequate number of candidates to the Governor for selection on the Board of Regents of the University of Hawaii. Your Committees further find that recently, the Candidate Advisory Council has only been able to recommend a small number of individuals for the Governor's consideration. This measure proposes a constitutional amendment that will allow the Governor to directly appoint regents with the advise and consent of the Senate.

Your Committees have amended this measure by:

- (1) Incorporating recommendations proposed by the Department of the Attorney General:
 - (A) Clarifying that the Board of Regents shall continue to have exclusive jurisdiction over the internal structure, management, and operation of the University; and
 - (B) Clarifying that the question on the ballot shall state "Shall the requirement that the Governor appoint members of the Board of Regents of the University of Hawaii from a pool of candidates presented by the Candidate Advisory Council for the Board of Regents of the University of Hawaii be eliminated, thereby allowing the governor to appoint members to the Board of Regents without being limited to a list of candidates?" and
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3186, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3186, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Lee).

Ways and Means: Ayes, 10; Ayes with Reservations (Inouye, Moriwaki). Noes, none. Excused, 1 (Taniguchi).

SCRep. 3195 (Joint) Judiciary and Ways and Means on S.B. No. 2143

The purpose and intent of this measure is to define "board packet" and require each state board to make its board packets publicly available at least forty-eight hours prior to the board meeting, but only if the board uses board packets.

Your Committees received testimony in support of this measure from the Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Common Cause Hawaii, and seven individuals. Your Committees received comments on this measure from the Office of Information Practices and Hawai'i Tourism Authority.

Your Committees find that this measure would promote transparency and improve the public's ability to participate in government.

Your Committees have amended this measure by incorporating technical amendments recommended by the Office of Information Practices.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2143, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2143, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3196 (Joint/Majority) Judiciary and Ways and Means on S.B. No. 2987

The purpose and intent of this measure is to:

- (1) Impose extended terms of imprisonment for certain offenses against property rights when committed on agricultural land; and
- (2) Appropriate funds for the Department of the Attorney General to establish a Statewide Agricultural Theft Task Force.

Your Committees received testimony in support of this measure from the Department of Agriculture, Ulupono Initiative, Hawai'i Farm Bureau, and one individual. Your Committees received testimony in opposition to this measure from the Office of the Public Defender and Community Alliance on Prisons. Your Committees received comments on this measure from the Department of the Attorney General and the Department of Budget and Finance.

Your Committees find that agricultural lots are a prime target for thieves as there are many open entry points, farms are often located in rural and isolated areas, and punishments are minor relative to other crimes. Deterring theft often requires significant monetary investments in security infrastructure, monitoring, and labor, despite already tight profit margins for most agricultural operations. This measure will support local producers by imposing mandatory minimum terms of imprisonment for certain offenses against property rights when committed on agricultural land and appropriating funds for the Department of the Attorney General to establish a Statewide Agricultural Theft Task Force.

Your Committees have amended this measure by:

- (1) Replacing the extended terms of imprisonment with mandatory minimum terms of imprisonment of ninety days for a class B felony, sixty days for a class C felony, thirty days for a misdemeanor, and seven days for a petty misdemeanor;
- (2) Specifying that the mandatory minimums are in addition to any other jail term or punishment otherwise provided by law;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2987, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2987, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 5. Noes, 2 (Acasio, Fevella). Excused, none.
 Ways and Means: Ayes, 10. Noes, 1 (Fevella). Excused, none.

SCRep. 3197 (Joint) Judiciary and Ways and Means on S.B. No. 3114

The purpose and intent of this measure is to repeal fees related to obtaining a license to solemnize civil marriage ceremonies to conform to requirements of religious and judicial marriage performers.

Your Committees received testimony in support of this measure from the Department of Health.

Your Committees find that there are no fees for licenses to solemnize marriages for religious and judicial marriage solemnizers while recent legislation established fees for civil licenses to solemnize marriages. Your Committees further find that there are costs associated with issuing marriage licenses and therefore instead of repealing fees for civil solemnizers, the State should defray some of those costs with a modest license fee applicable to all solemnizers.

Your Committees have amended this measure by:

- (1) Incorporating the recommendations proposed by the Department of Health as follows:
 - (A) Establishing a \$25 fee for all licenses to solemnize a marriage to be deposited into the Vital Statistics Improvement Special Fund; and
 - (B) Specifying that the Department of Health is required to account for the collection and deposit of the fee into the Vital Statistics Improvement Special Fund; 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3114, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3114, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.
 Ways and Means: Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3198 (Joint) Judiciary and Ways and Means on S.B. No. 3293

The purpose and intent of this measure is to establish a pilot program to provide:

- (1) Housing and child care vouchers for a period of up to two years to persons leaving incarceration; provided that certain eligibility requirements are met; and
- (2) Income tax credits for taxpayers who employ qualified program participants to incentivize employers to hire persons leaving incarceration, to assist in the rehabilitation process.

Your Committees received testimony in support of this measure from Hawaii Substance Abuse Coalition. Your Committees received comments on this measure from the Department of Human Services, Department of Taxation, and Department of Budget and Finance.

Your Committees find that the number of women in the criminal justice system has skyrocketed and that the rates of women's incarceration exceed those of men. Your Committees believe that one way to support women inmates as they prepare for reentry, while addressing their unique characteristics, needs, and barriers to success, is to provide temporary assistance in the form of housing and child care vouchers. This measure will assist female inmates preparing for reentry by establishing a pilot program to provide housing and child care vouchers for a period of up to two years to persons leaving incarceration if certain eligibility requirements are met and income tax credits for taxpayers who employ qualified program participants.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3293, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3293, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3199 (Joint) Judiciary and Ways and Means on S.B. No. 2748

The purpose and intent of this measure is to require the Department of Health to submit a request, as authorized by federal regulation, to the United States Department of Education to allow parents of children with a disability to continue receiving early intervention services after the child turns three years of age and until the child enters kindergarten.

Your Committees received testimony in support of this measure from the Special Education Advisory Council, Hawai'i Association for Behavior Analysis, and three individuals. Your Committees received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committees find that young children with disabilities lose access to early intervention services when they turn three years of age and must transition to special education services provided by the State. However, some children may benefit more by continuing their early intervention services after turning three years of age, allowing them to work toward obtaining the goals and skills necessary to succeed in a school-based setting. This measure will begin the process to allow parents of children with a disability to continue receiving early intervention services after turning three years of age and close any current gaps in services.

Your Committees have amended this measure by 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2748, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2748, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3200 (Joint) Judiciary and Ways and Means on S.B. No. 2433

The purpose and intent of this measure is to:

- (1) Encourage inmates to participate in correctional educational programs and vocational training by offering subsidized tuition, housing, and health care benefits to qualifying inmates;
- (2) Increase the quality and quantity of correctional mentorship, counseling, educational, and vocational training programs available to interested inmates; and
- (3) Appropriate funds to expand model programs to include more quality educational and vocational programs and to fund rewards for inmates who participate in correctional education programs while incarcerated.

Your Committees received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Hawaii Substance Abuse Coalition, Common Cause Hawaii, Community Alliance on Prisons, Women's Prison Project, and two individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committees find that offering extensive and high-quality educational and vocational programs to inmates is effective in reducing rates of recidivism and the overall cost of the correctional system. Inmates who participate in education and mentorship programs while incarcerated are less likely to recidivate and are more likely to find employment after release. This measure will

incentivize inmates to participate in education, vocational, and mentorship programs while incarcerated and reduce recidivism rates by appropriating funds for reward programs for inmates who participate in certain model programs and increasing the quality and quantity of programs available to inmates.

Your Committees have heard the testimony of the Department of Human Services suggesting the addition of peer support programs, peer specialists, and culturally appropriate and gender-responsive programs as part of the reentry programs included in this measure. Your Committees find that peer specialists can offer non-judgmental support, general education development, and work skills to develop employability. Your Committees further find that addressing historical and intergenerational trauma through culturally responsive and appropriate rehabilitation programs will be key for the successes of those incarcerated individuals during and after incarceration.

Your Committees have amended this measure by inserting an effective date of July 30, 2025, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2433, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2433, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Ways and Means: Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3201 Ways and Means on S.B. No. 2302

The purpose and intent of this measure is to minimize conflicts of interest in procurement for the University of Hawaii System.

Specifically, this measure designates the Vice President for Budget and Finance and Chief Financial Officer of the University of Hawaii as the chief procurement officer for the university.

Your Committee received written comments on this measure from the University of Hawaii.

Your Committee finds that many institutions of higher education across the United States differentiate between institutional leadership and purchasing by assigning procurement authority to a person other than the institution's chief executive officer.

Your Committee further finds that the facilities of the University of Hawaii are in need of repairs and maintenance. Upon consultation with the Acting Administrator of the State Procurement Office and the chief procurement officer for the Executive Branch, your Committee is amending this measure to appropriate funds for this purpose, to be procured pursuant to chapter 103D, Hawaii Revised Statutes, and to be placed under the direction of the chief procurement officer of the University of Hawaii.

Accordingly, your Committee has amended this measure by:

- (1) Appropriating \$21,700,000 in general funds to program ID University of Hawaii – systemwide support (UOH900) for the repair and maintenance of campus buildings and infrastructure, to be procured under the direction of the chief procurement officer of the University of Hawaii;
- (2) Changing the effective date from upon its approval to July 1, 2022; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2302, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2302, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3202 Judiciary on S.B. No. 2008

The purpose and intent of this measure is to:

- (1) Remove the three-year limit on the exemption of the State and counties from the requirement to maintain or improve any condemned roads; and
- (2) Abolish joint and several liability of the State and counties for any condemned roads.

Your Committee received testimony in support of this measure from the Department of Transportation and one member of the Maui County Council. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that many privately owned roads exist throughout the State. Despite the public frequently using these roads, many people may not realize that the road is owned by a private entity and not a government entity, creating difficulties when individuals seek to have a private road repaired. This measure will reduce disincentives to state and county condemnation of private lanes so that the difficulties of repairing and maintaining private lanes do not continue.

Your Committee further finds that the counties and the State are already potentially liable for any improvements or repairs they have made to private roads or lanes. The fact that the counties or the State do not own these lanes does not exempt them from liability.

Your Committee further finds that the intent of this measure may be best explained through an illustration. If the city condemns Rawlins Lane in Palama and the owner cannot be found, the price of condemnation will be very little, if anything. Then, the city repaves the lane, but not up to the normal subdivision standard. Five years later, a culvert put in by a previous owner collapses due to an undetected negligent construction flaw and someone trips and falls in the resulting hole in the lane and sues the city and the previous owner. The plaintiff then reaches a settlement where the previous owner is eighty percent negligent for the construction

defect and the city is twenty percent negligent for not properly inspecting the culvert. Normally, under the joint and several liability rules, the plaintiff could collect one hundred percent of the damages from the city and the city would have to sue the previous owner for eighty percent of the damages. This measure would instead make the city liable to the plaintiff for twenty percent of the total damages and the plaintiff would have to collect the other eighty percent from the previous owner directly.

Your Committee has amended this measure by:

- (1) Limiting the applicability of the waiver of the joint and several liability rule to acts or omissions of the State or county that occurred prior to condemnation;
- (2) Allowing the State and counties to utilize flexibility in highway design pursuant to section 264-20, Hawaii Revised Statutes, regarding a privately owned condemned road where the owners are unknown;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2008, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2008, S.D. 1.

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

SCRep. 3203 Judiciary on S.B. No. 2383

The purpose and intent of this measure is to:

- (1) Amend the process for appointing the Administrator of the State Procurement Office;
- (2) Transfer the authority and responsibility of the State Procurement Policy Board to the Administrator of the State Procurement Office; and
- (3) Repeal the Procurement Policy Board Nominating Committee and the State Procurement Policy Board.

Your Committee received testimony in support of this measure from the State Procurement Office. Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu, UNITE HERE Local 5 Hawaii, and Hawai'i Alliance of Nonprofit Organizations.

Your Committee finds that the State Procurement Policy Board is one example where vacancies have hampered state processes. Unfortunately, because of vacancies on the Board, the Board has had challenges conducting its business and vital tasks are left pending. This measure will change the appointment process for the Board, which will increase efficiency in government and facilitate the procurement process in the State.

Your Committee has amended this measure by:

- (1) Restoring language that would have repealed the State Procurement Policy Board;
- (2) Removing language that would have transferred the authority and responsibility of the State Procurement Policy Board to the Administrator of the State Procurement Office;
- (3) Removing language that would have amended the appointment process of the Administrator of the State Procurement Office;
- (4) Specifying that the Governor shall appoint four members to the State Procurement Policy Board;
- (5) Specifying that the President of the Senate shall appoint one member to the State Procurement Policy Board;
- (6) Specifying that the Speaker of the House of Representatives shall appoint one member to the State Procurement Policy Board;
- (7) Repealing the Procurement Policy Board Nominating Committee;
- (8) Amending section 1 to reflect its amended purpose;
- (9) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2383, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2383, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Lee).

SCRep. 3204 Judiciary on S.B. No. 1411

The purpose and intent of this measure is to:

- (1) Define "pre-contact historic property";

- (2) Clarify that the historic preservation program includes providing consultation to counties and public and private agencies involved in historic preservation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board; and
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements and hold violators liable for costs associated with mitigation or restoration measures.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Land and Natural Resources, Hawaii State Aha Moku, Kūpuna Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology.

Your Committee finds that the Hawai'i historic preservation law, codified in chapter 6E, Hawaii Revised Statutes, was enacted to ensure that invaluable historic sites and archaeological resources are given appropriate consideration when they may be impacted by development activities. Historic cultural resources, burials, and sites protected under law embody the continued physical and spiritual connections between native Hawaiians, their ancestors, and their cultural heritage. Unfortunately, countless native Hawaiian historic sites and burials are threatened and an unknown number have likely been destroyed by individuals who knowingly commit violations to avoid state historic preservation review processes. This measure will help better deter violations from being committed against pre-contact historic properties and help raise awareness of the types of protections for burials and cultural sites that are currently available under existing statutes.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1411, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1411, S.D. 2.

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

SCRep. 3205 Ways and Means on S.B. No. 2372

The purpose and intent of this measure is to plan for the use of certain lands to establish temporary ohana zones pilot program housing or affordable housing.

More specifically, this measure requires the Governor's Coordinator on Homelessness to:

- (1) Review the July 2018 Affordable Rental Housing Report and Ten-Year Plan;
- (2) Determine whether any of the lands identified in the report are suitable for development of temporary housing for the ohana zones pilot program or other forms of affordable housing and the actions required to develop those lands; and
- (3) Submit a report of the Coordinator's findings and recommendations to the Legislature.

Your Committee received written comments in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee received written comments on this measure from the Department of Human Services and Governor's Coordinator on Homelessness.

Your Committee finds that this measure will help the State strategize how to house the many residents of the State who are experiencing homelessness or who require affordable housing.

Your Committee has amended this measure by:

- (1) Appropriating moneys into and out of the rental housing revolving fund for the purposes for which the revolving fund was established;
- (2) Requiring the Hawaii Housing Finance and Development Corporation to establish a five-year dwelling unit revolving fund equity pilot program to address the demand of for-sale units by residents having low or moderate income;
- (3) Requiring the Hawaii Housing Finance and Development Corporation to purchase equity in for-sale housing development projects to lower the per-unit purchase price to be paid by eligible buyers;
- (4) Requiring each buyer to repay to the Hawaii Housing Finance and Development Corporation an appreciated equity value upon reselling the unit or within thirty years of the date that the buyer purchased the unit;
- (5) Requiring the Hawaii Housing Finance and Development Corporation to adopt rules for, and submit reports on, the pilot program;
- (6) Appropriating moneys into and out of the dwelling unit revolving fund for the dwelling unit revolving fund equity pilot program;
- (7) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (8) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2372, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2372, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Moriwaki, Taniguchi, Wakai).

SCRep. 3206 Ways and Means on S.B. No. 2963

The purpose and intent of this measure is to promote energy efficiency.

More specifically, this measure:

- (1) Requires state facilities, with the exception of smaller facilities and facilities within the stadium development district, to implement cost-effective energy efficiency measures;
- (2) Directs the Hawaii State Energy Office to collect all state-owned facilities' electric utility bills and energy usage data and make this data publicly available;
- (3) Directs the Office of Planning and Sustainable Development to collect all state-owned facilities' water utility bills and water usage data and make this data publicly available;
- (4) Establishes a goal for the State to achieve at least a twenty-five percent reduction in the electricity consumption of state facilities;
- (5) Provides that certain agencies that perform energy efficiency retrofitting may continue to receive budget appropriations for energy expenditures;
- (6) Appropriates moneys to the Office of Planning and Sustainable Development to fund two full-time equivalent (2.0 FTE) positions to fulfill the agency's water efficiency management responsibilities; and
- (7) Beginning July 1, 2023, where feasible and cost-effective, requires the design of all new state building construction to maximize energy generation, water efficiency, energy efficiency, and energy generation potential, and to use building materials, such as post-industrial carbon dioxide mineralized concrete and clumping bamboo, that reduce the carbon footprint of the project.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services, Hawaii State Energy Office, 350Hawaii, Blue Planet Foundation, Hawaii Energy, Ulupono Initiative, and eleven individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Transportation, and Office of Planning and Sustainable Development.

Your Committee finds that improving energy efficiency is the most cost-effective way to reduce carbon emissions associated with electricity generation and consumption. Your Committee also finds that maximizing energy efficiency and thereby reducing demand for power generation is a necessary component of reaching the State's clean energy and decarbonization goals.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii State Energy Office, in consultation with the Research and Economic Analysis Division of the Department of Business, Economic Development, and Tourism, shall collect electric utility and energy usage data from all state-owned facilities and make this data publicly available;
- (2) Transferring the water efficiency management responsibilities from the Office of Planning and Sustainable Development to the Hawaii State Energy Office;
- (3) Changing the recipient of the appropriation from the Office of Planning and Sustainable Development to the Hawaii State Energy Office;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2963, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2963, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, none. Excused, 3 (Kidani, Taniguchi, Fevella).

SCRep. 3207 (Majority) Ways and Means on S.B. No. 3269

The purpose and intent of this measure is to establish statutory guidelines for tenure at the University of Hawaii, including criteria for tenure, requirements for periodic reviews for tenured or tenure-track faculty, and establishing which employees are not eligible for tenure.

Your Committee received written comments in opposition to this measure from the Office of Collective Bargaining; University of Hawaii; Hawaii Cattlemen's Council; Hawaii Library Association; Hawaii Farm Bureau; University of Hawaii Professional Assembly; Hawaii Community College Academic Support Division Faculty; Hawaii Government Employees Association; United Public Workers,

AFSCME Local 646, AFL-CIO; International Union of Bricklayers and Allied Craftworkers Local 1 of Hawaii; Hawaii State AFL-CIO; Windward Community College; and over one hundred individuals.

Your Committee finds that requiring the University of Hawaii Board of Regents, President of the University of Hawaii, faculty of the University of Hawaii, and the exclusive representative of each applicable bargaining unit to discuss and implement changes to the tenure process will help to align the employment of university faculty with the mission of the University of Hawaii.

Your Committee has amended this measure by:

- (1) Deleting all sections of the measure that statutorily establish guidelines for tenure at the University of Hawaii;
- (2) Providing that, out of the general funds appropriated to the University of Hawaii, the sum of \$37,951,232 shall be expended to restore personal services of the University of Hawaii, including:
 - (A) \$30,000,000 for the University of Hawaii at Manoa;
 - (B) \$1,200,000 for the University of Hawaii John A. Burns school of medicine;
 - (C) \$2,280,000 for the University of Hawaii at Hilo;
 - (D) \$1,080,000 for the University of Hawaii, West Oahu; and
 - (E) \$3,391,232 for University of Hawaii systemwide support;
- (3) Requiring the University of Hawaii Board of Regents and the President of the University of Hawaii to discuss and adopt the permitted interaction group on tenure's recommendations for tenure of faculty and to consult with the University of Hawaii faculty and the exclusive representative of each applicable collective bargaining unit in implementing the recommendations;
- (4) Changing the effective date to July 1, 2022; and
- (5) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3269, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3269, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, 1 (Taniguchi). Excused, none.

SCRep. 3208 Ways and Means on S.B. No. 3355

The purpose and intent of this measure is to require the University of Hawaii Board of Regents to establish a standing committee to examine issues regarding the community colleges and to require the Vice President of Community Colleges to report directly to the standing committee.

Your Committee received written comments in opposition to this measure from the University of Hawaii and University of Hawaii Professional Assembly.

Your Committee finds that a standing committee will provide the community colleges with a voice at the administrative level and a process for the University of Hawaii to more directly address issues with the community colleges.

Your Committee has amended this measure by appropriating out of the general funds appropriated to program ID University of Hawaii, Community Colleges (UOH 800), the following sums:

- (1) \$303,000 for the Culinary Institute of the Pacific, including seven full-time equivalent (7.0 FTE) positions;
- (2) \$2,650,000 for the Early College Program, including twenty full-time equivalent (20.0 FTE) positions;
- (3) \$1,400,000 for the Hawaii Promise Program;
- (4) \$385,000 for the Hawaii Nutrition Employment and Training Program, including five full-time equivalent (5.0 FTE) positions;
- (5) \$146,000 for the Maui Food Innovation Center, including three full-time equivalent (3.0 FTE) positions;
- (6) \$1,540,000 for workforce development programs, including eight full-time equivalent (8.0 FTE) positions;
- (7) \$1,274,100 for campus security officers, including thirty-one full-time equivalent (31.0 FTE) positions;
- (8) \$1,622,676 for the Wahiawa Value-Added Product Development Center, including nine full-time equivalent (9.0 FTE) positions;
- (9) \$4,600,000 to restore personal services to levels before the coronavirus disease 2019 pandemic began;
- (10) \$842,572 for clinical instructors for the nursing program; and
- (11) \$645,134 for the Learn and Earn Program, including four and three tenths full-time equivalent (4.3 FTE) positions.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3355, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3355, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 8; Ayes with Reservations (Inouye). Noes, none. Excused, 3 (Moriwaki, Taniguchi, Wakai).

SCRep. 3209 Ways and Means on S.B. No. 3359

The purpose and intent of this measure is to establish and appropriate moneys into and out of a Hawaiian home lands special fund, which shall be used by the Department of Hawaiian Home Lands to fulfill its fiduciary duties to beneficiaries of the Hawaiian Homes Commission Act, 1920.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, Catholic Charities Hawaii, Partners In Care, League of Women Voters of Hawaii, Hawaii Alliance for Community-Based Economic Development, Chamber of Sustainable Commerce, Hui of Native Hawaiian Organizations, Council for Native Hawaiian Advancement, and six individuals.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Department of Budget and Finance and Office of Hawaiian Affairs.

Your Committee finds that because more than twenty-eight thousand applicants for Hawaiian home lands leases remain on the waitlist, the Department of Hawaiian Home Lands must be provided with sufficient financial resources to ensure that it meets its fiduciary duty to provide funding for native Hawaiians to acquire residences.

Your Committee recommends that the Department of Hawaiian Home Lands consider offering up to \$100,000 to any applicant on the Hawaiian home lands residential waitlist, to be applied toward the purchase of a primary residence in the State, or to the applicant's existing mortgage on a primary residence; provided that the applicant agrees to the applicant's removal from the waitlist, and agrees to never reapply for Hawaiian home lands.

Your Committee has amended this measure by:

- (1) Correcting a reference to the Admission Act;
- (2) Deleting all provisions and appropriations relating to the Hawaiian home lands special fund;
- (3) Requiring the Department of Hawaiian Home lands to submit annual reports to the Legislature regarding expenditures from the native Hawaiian rehabilitation fund and the number of beneficiaries removed from the waitlist for Hawaiian home lands through the use of funds from the native Hawaiian rehabilitation fund;
- (4) Inserting an appropriation of \$600,000,000 from general revenues into the native Hawaiian rehabilitation fund;
- (5) Inserting an appropriation of \$487,614,000 from the native Hawaiian rehabilitation fund for Hawaiian home lands lots and related projects;
- (6) Inserting an appropriation of \$112,386,000 from the native Hawaiian rehabilitation fund for down payment assistance and mortgage payment assistance to Department of Hawaiian Home Lands beneficiaries;
- (7) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (8) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3359, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3359, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Moriwaki, Taniguchi, Wakai).

SCRep. 3210 (Joint) Education and Ways and Means on S.B. No. 3334

The purpose and intent of this measure is to:

- (1) Add the Director of Business, Economic Development, and Tourism (DBEDT) as an ex officio voting member to the Board of Directors of the:
 - (A) Hawaii Tourism Authority;
 - (B) Stadium Authority; and
 - (C) School Facilities Authority;
- (2) Transfer the Stadium Authority from the Department of Accounting and General Services (DAGS) to DBEDT, which includes:
 - (A) Clarifying that the designees of the President of the University of Hawaii and the Superintendent of Education may serve as ex officio nonvoting members of the Stadium Authority; and
 - (B) Increasing the amount in general obligation bonds that may be issued for the Stadium Development District; and
- (3) Transfer the School Facilities Authority from the Department of Education to DBEDT.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Department of Accounting and General Services. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Education, Hawai'i Tourism Authority, Stadium Authority, and School Facilities Authority.

Your Committees find that certain agencies with land development functions are fragmented and disbursed throughout the State's executive branch. This can lead to ineffective or inefficient development and redevelopment of state lands. Your Committees find that now, more than ever, smart, creative, and efficient uses of state lands and associated resources are crucial. Projects are in the pipeline and resources are ready to be deployed. Accordingly, this measure will improve the operation of state government and benefit the public by consolidating land development expertise within DBEDT.

Your Committees have amended this measure by:

- (1) Amending section 1 to reflect its amended purpose;
- (2) Amending two sections of chapter 109, Hawaii Revised Statutes, to clarify the subject of Stadium Authority management;
- (3) Amending various sections of chapter 206E, Hawaii Revised Statutes, by:
 - (A) Amending the Hawaii Community Development Authority membership to include the Chairperson of the Board of Land and Natural Resources; Director of Business, Economic Development, and Tourism; and Director of the Office of Planning and Permitting of each county, or their designee, in which a community development district is located;
 - (B) Amending the community representatives on each community development district board from three to two at-large members;
 - (C) Clarifying the subject of Stadium Authority management and the extent of its authority; and
 - (D) Making certain conforming amendments;
- (4) Making the effectiveness of this measure contingent on the completion of the land acquisition set forth by Act 40, Session Laws of Hawaii 2019, and Act 6, Session Laws of Hawaii 2020;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) 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 Education and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3334, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3334, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 5. Noes, none. Excused, none.

Ways and Means: Ayes, 10; Ayes with Reservations (Taniguchi). Noes, none. Excused, 1 (Shimabukuro).

SCRep. 3211 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 553 and 554

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY

G.M. No. 553 PETER APO, for a term to expire 06-30-2023; and

G.M. No. 554 SUSAN TODANI, for a term to expire 06-30-2023

Your Committee reviewed the personal histories, resumes, and statements submitted by Peter Apo and Susan Todani for service on the Hawaii Community Development Authority.

PETER APO

Your Committee received testimony in support of the nomination for the appointment of Peter Apo from Hawaii Community Development Authority and one individual.

Upon review of the testimony, your Committee finds that Mr. Apo's knowledge, experience, and dedication in serving the people of Hawaii qualify him for appointment to the Hawaii Community Development Authority as a cultural specialist, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Mr. Apo is a native Hawaiian who grew up in Makaha, Oahu and graduated from the University of Oregon after attending high school at the Mid-Pacific Institute. He has over forty years of public service, which includes serving on the first Board of Trustees of the Office of Hawaiian Affairs (OHA) from 1980 to 1982, as a state legislator in the Hawaii State House of Representatives from 1982 to 1994, as Special Assistant on Hawaiian Affairs to the Governor from 1996 to 1998, and again as an OHA trustee from 2010 to 2018. Your Committee further notes that Mr. Apo is a founding member of the Native Hawaiian Hospitality Association and is currently the president of Peter Apo Company, which provides Hawaiian cultural planning and consulting services. Your Committee further finds that Mr. Apo has chaired a number of boards and commissions and has a thorough understanding of the role and responsibilities of board members. Your Committee believes that his knowledge and experience will be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Mr. Peter Apo be appointed to the Hawaii Community Development Authority based on his experience, knowledge, and commitment to public service.

SUSAN TODANI

Your Committee received testimony in support of the nomination for the appointment of Susan Todani from the Hawaii Community Development Association, Waikiki Community Center, and eight individuals.

Upon review of the testimony, your Committee finds that Ms. Todani's knowledge, experience, and willingness to serve on the Hawaii Community Development Authority qualify her for appointment to the Hawaii Community Development Authority as an at-large member, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Ms. Todani was born and raised in

Honolulu and graduated with a Bachelor of Business Administration from the University of Hawaii at Manoa. Ms. Todani has over thirty-four years of experience in strategic planning and real estate development and, prior to her retirement, was the Area Development Director for Kamehameha Schools. Your Committee notes that Ms. Todani previously served on the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District from 1992 to 1995 and has been serving as the Chair of the Hawaii Community Development Authority since January 2022. Your Committee further finds that Ms. Todani has been a member and chair of a number of boards and associations and has a thorough understanding of the role and responsibilities of board members and that her experience and knowledge will continue to be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Ms. Susan Todani be appointed to the Hawaii Community Development Authority based on her experience, knowledge, and commitment to serve the community.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 3212 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 555 and 556

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY (HEEIA DISTRICT)

G.M. No. 555 KAIWIPUNI LIPE, for a term to expire 06-30-2023; and

G.M. No. 556 JO ANN LEONG, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Kaiwipuni Lipe and Jo Ann Leong for service on the Hawaii Community Development Authority for matters affecting the Heeia Community Development District.

KAIWIPUNI LIPE

Your Committee received testimony in support of the nomination for the appointment of Kaiwipuni Lipe from the Hawaii Community Development Authority and Ko'olau Foundation.

Upon review of the testimony, your Committee finds that Dr. Lipe's knowledge and desire to serve the Heeia Community Development District qualify her for appointment to the Hawaii Community Development Authority for matters affecting the Heeia Community Development District as a resident of the Heeia Community Development District or the Koolaupoko district, which consists of sections 1 through 9 of zone 4 of the first tax map key division, nominated by the county council of the county in which the Heeia Community Development District is located, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Dr. Lipe has been a resident of the Heeia district for over twenty-five years. Since 2017, Dr. Lipe has been both the Native Hawaiian Affairs Program Officer and the Director of the Truth, Racial Healing, and Transformation Campus Center of the University of Hawaii at Manoa. Your Committee notes that Dr. Lipe is not only an 'ōlapa (trained hula dancer) who has studied hula, mele (song), and oli (chant) for over twenty years, but is also a trained racial healing circle facilitator. Your Committee further finds that Dr. Lipe is a member of numerous boards and committees and, therefore, has an understanding of the roles and responsibilities of board members. Her illustrious academic background and knowledge of the Heeia community will be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Kaiwipuni Lipe be appointed to the Hawaii Community Development Authority for matters affecting the Heeia Community Development District based on her knowledge and willingness to serve the public.

JO ANN LEONG

Your Committee received testimony in support of the nomination for the reappointment of Jo Ann Leong from the Hawaii Community Development Authority, Ko'olau Foundation, and Ko'olaupoko Hawaiian Civic Club.

Upon review of the testimony, your Committee finds that Dr. Leong's experience, knowledge, and dedication to the development of the Heeia Community Development District qualify her for reappointment to the Hawaii Community Development Authority for matters affecting the Heeia Community Development District as a resident of the Heeia Community Development District or the Koolaupoko district, which consists of sections 1 through 9 of zone 4 of the first tax map key division, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that prior to her retirement in 2014, Dr. Leong was the Director for the Hawaii Institute of Marine Biology at the University of Hawaii at Manoa. Dr. Leong was appointed to the Hawaii Community Development Authority for matters affecting the Heeia Community Development District in 2017 and was instrumental in the designation of the Heeia National Estuarine Research Reserve. Her experience and knowledge will continue to be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Jo Ann Leong be reappointed to the Hawaii Community Development Authority for matters affecting the Heeia Community Development District based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 3213 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 557 and 558

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY (KAKAAKO DISTRICT)

G.M. No. 557 VERNON INOSHITA, for a term to expire 06-30-2025; and

G.M. No. 558 PHILLIP HASHA, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Vernon Inoshita and Phillip Hasha for service on the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District.

VERNON INOSHITA

Your Committee received testimony in support of the nomination for the appointment of Vernon Inoshita from the Hawaii Community Development Authority and one individual.

Upon review of the testimony, your Committee finds that Mr. Inoshita's experience, knowledge, and desire to serve the Kakaako Community Development District qualify him for appointment to the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District as a resident of the district, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Mr. Inoshita has been a resident of the Kakaako Community Development District for the past fifteen years. He is a registered architect and has managed his architecture, planning, and construction management firm, Design Partners Incorporated, for the past forty-three years. Your Committee further finds that Mr. Inoshita has an understanding of the roles and responsibilities of board members and that his experience and knowledge in urban planning and permitting will be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Vernon Inoshita be appointed to the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District based on his experience, knowledge, and willingness to serve the public.

PHILLIP HASHA

Your Committee received testimony in support of the nomination for the reappointment of Phillip Hasha from the Hawaii Community Development Authority.

Upon review of the testimony, your Committee finds that Mr. Hasha's experience, knowledge, and dedication to the development of the Kakaako Community Development District qualify him for reappointment to the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District as an owner of a small business in the district, nominated by the county council of the county in which the Kakaako Community Development District is located, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Mr. Hasha has worked in the Kakaako Community Development District for the past ten years and has been a resident of the district for the past seven years. Mr. Hasha is the president and CEO of The Redmont Group, LLC, a commercial real estate company that he co-founded in 2012. Your Committee further finds that Mr. Hasha was nominated to the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District in 2017. His experience and knowledge will continue to be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Phillip Hasha be reappointed to the Hawaii Community Development Authority for matters affecting the Kakaako Community Development District based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 3214 Energy, Economic Development, and Tourism on Gov. Msg. No. 638

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII GREEN INFRASTRUCTURE AUTHORITY

G.M. No. 638 DENNIS WONG, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Dennis Wong for service on the Hawaii Green Infrastructure Authority.

Your Committee received testimony in support of the nomination for the reappointment of Dennis Wong from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; and Hawaii State Energy Office.

Upon review of the testimony, your Committee finds that Mr. Wong's experience, knowledge, and dedication in serving on the Hawaii Green Infrastructure Authority qualify him for reappointment to the Hawaii Green Infrastructure Authority as a public member, pursuant to section 196-63, Hawaii Revised Statutes. Your Committee notes that Mr. Wong is currently a Senior Business Advisor at the Hawaii Small Business Development Center. Your Committee further notes that Mr. Wong has held various management and leadership roles throughout his forty-one years of experience in business and financial industries. Your Committee further finds that Mr. Wong was appointed to the Hawaii Green Infrastructure Authority in 2020 and has a thorough understanding of the role and responsibilities of a public member of the Hawaii Green Infrastructure Authority. His experience and knowledge in reviewing and approving loan requests will continue to be assets to the Hawaii Green Infrastructure Authority. Your Committee therefore recommends that Dennis Wong be reappointed to the Hawaii Green Infrastructure Authority based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 3215 Government Operations on Gov. Msg. No. 652

Recommending that the Senate advise and consent to the nomination of the following:

ENHANCED 911 BOARD

G.M. No. 652 STEPHEN COURTNEY, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Stephen Courtney for service on the Enhanced 911 Board.

Your Committee received testimony in support of the nomination for the appointment of Stephen Courtney from the City and County of Honolulu's Department of Information and Technology.

Upon review of the testimony and materials submitted, your Committee finds that Mr. Courtney's background and extensive experience qualify him to be nominated for appointment to the Enhanced 911 Board. Your Committee notes that Mr. Courtney has decades of experience leading large technical projects in federal and municipal government, and that he currently serves as the Deputy Director of Information Technology of the City and County of Honolulu's Department of Information and Technology. Your Committee further notes that Mr. Courtney's electrical engineering background provides highly relevant expertise to matters pertaining to critical emergency services infrastructure. Your Committee therefore recommends that Stephen Courtney be appointed to the Enhanced 911 Board based on his leadership, management experience, and technical expertise.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3216 Health on Gov. Msg. No. 518

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF CERTIFICATION OF OPERATING PERSONNEL IN WASTEWATER TREATMENT PLANTS

G.M. No. 518 VIRGILIO VIERNES, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Virgilio Viernes for service on the Board of Certification of Operating Personnel in Wastewater Treatment Plants.

Your Committee received testimony in support of the nomination for the appointment of Virgilio Viernes from the Department of Health.

Upon review of the testimony, your Committee finds that Mr. Viernes' experience in the field of wastewater treatment management, commitment to public service, and dedication to ensuring clean water in the State, qualify him for appointment to the Board of Certification of Operating Personnel in Wastewater Treatment Plants. Mr. Viernes was most recently a compliance specialist for the County of Maui's solid waste division and holds a Grade 4 wastewater treatment plant operator certificate. Prior to that, Mr. Viernes served in other positions for the County of Maui, including as a wastewater treatment operations manager and as the supervisor for the Lahaina wastewater reclamation facility. He has over twelve years of supervisory and operations in the wastewater industry. Your Committee notes that Mr. Viernes has also provided consulting services to small wastewater treatment facilities to ensure those facilities are in compliance with operational permits and requirements. Mr. Viernes studied kinesiology and leisure science at the University of Hawaii at Manoa in addition to earning his Associate's degree in General Education from Maui Community College. Mr. Viernes also served in the United States Navy and enlisted into the Surface Shop Nuclear Propulsion Plant Mechanical Operator Training Program among other programs. Your Committee further finds that Mr. Viernes' service on the Board would fulfill the requirement that one member be an individual employed at a wastewater treatment plant as a certified operator employed by the County of Maui.

Your Committee therefore recommends that Mr. Viernes be appointed to the Board of Certification of Operating Personnel in Wastewater Treatment Plants based on his experience in wastewater treatment plant management and commitment to ensuring clean water in the State.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3217 Health on Gov. Msg. No. 519

Recommending that the Senate advise and consent to the nomination of the following:

DISABILITY AND COMMUNICATION ACCESS BOARD

G.M. No. 519 CHARLOTTE TOWNSEND, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Charlotte Townsend for service on the Disability and Communication Access Board.

Your Committee received testimony in support of the nomination for the appointment of Ms. Townsend from the Disability and Communication Access Board and three individuals.

Upon review of the testimony, your Committee finds that Ms. Townsend's experience working with and for people with disabilities, commitment to public service, and dedication to ensuring that persons with disabilities have equal access and opportunities as persons without disabilities, qualify her for appointment to the Disability and Communication Access Board. Ms. Townsend most recently served as the vice president of Paratransit Services for Oahu Transit Services. Prior to that, Ms. Townsend served as the program and policy development supervisor for the Disability and Communication Access Board and as vice president and director of program services for Abilities Unlimited, an organization dedicated to providing employment and community based services to adults with developmental disabilities. Your Committee notes that Ms. Townsend also serves on the Advisory Board of Directors for Very Special Arts for the John F. Kennedy Center for the Performing Arts and the Board of Directors for the Hawaii Commission for National and Community Services. Ms. Townsend earned a Bachelor's degree from Whittier College and Master's degree in career and rehabilitation counseling from the University of Hawaii.

Your Committee further finds that Ms. Townsend would fill a position on the Board as a person with a mobility disability as a wheelchair user. Ms. Townsend's service on the Board would also fulfill the requirement that some representatives possess knowledge in areas for which the Disability and Communication Access Board has rulemaking authority. Your Committee notes that Ms. Townsend previously served as the program and policy development supervisor for the Disability and Communication Access Board and therefore is already familiar with its work.

Your Committee therefore recommends that Ms. Townsend be appointed to the Disability and Communication Access Board based on her experience working with and for persons with disabilities and commitment to ensuring that persons with disabilities have equal access and opportunities as persons without disabilities.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3218 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 559, 560, and 561

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY (KALAELOA DISTRICT)

G.M. No. 559 DAVID RAE, for a term to expire 06-30-2022;

G.M. No. 560 DAVID RAE, for a term to expire 06-30-2026; and

G.M. No. 561 JOE LEWIS, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by David Rae and Joe Lewis for service on the Hawaii Community Development Authority for matters affecting the Kalaeloa Community Development District.

DAVID RAE

Your Committee received testimony in support of the nominations for the appointment and reappointment of David Rae from Hawaii Community Development Authority.

Upon review of the testimony, your Committee finds that Mr. Rae's experience, knowledge, and willingness to serve the Kalaeloa Community Development District qualify him for appointment and reappointment to the Hawaii Community Development Authority for matters affecting the Kalaeloa Community Development District as a resident of the Ewa Zone (Zone 9, Sections 1 through 2) or the Waianae Zone (Zone 8, Sections 1 through 9) of the First Tax Map Key Division, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Mr. Rae has been a resident of the Makakilo area for the past thirty years. Your Committee notes that Mr. Rae has over forty years in land use planning and development and, before his retirement in 2015, he was the Vice President of Development for Aina Nui Corporation and Kapolei Property Development LLC. Your Committee further finds that Mr. Rae has an understanding of the role and responsibilities of board members as he was not only a founding member of the Kapolei Chamber of Commerce and Move Oahu Forward coalition, but has also served as a member on various commissions, such as the 2001 Reapportionment Commission. His experience and knowledge in urban regional planning will be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that David Rae be appointed and reappointed to the Hawaii Community Development Authority for matters affecting the Kalaeloa Community Development District based on his experience, knowledge, and desire to serve the public.

JOE LEWIS

Your Committee received testimony in support of the nomination for the appointment of Joe Lewis from Hawaii Community Development Authority.

Upon review of the testimony, your Committee finds that Mr. Lewis's knowledge and willingness to serve the Kalaeloa Community Development District qualify him for appointment to the Hawaii Community Development Authority for matters affecting the Kalaeloa

Community Development District as an officer or director of a nonprofit organization in the Ewa or Waianae Zone that is nominated by the county council of the county in which the Kalaeloa Community Development District is located, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Mr. Lewis has been the president and CEO of the Council for Native Hawaiian Advancement, a nonprofit community development financial institution based in Kapolei, since 2018. Your Committee notes that Mr. Lewis is well-known for his work in the Hawaiian community and, prior to leading the Council for Native Hawaiian Advancement, was the Community Outreach Manager of the Office of Hawaiian Affairs. Your Committee further finds that Mr. Lewis is a member of a number of community organizations, such as the Kapolei Hawaiian Civil Club, West Oahu Professional Network, and the Native Hawaiian Chamber of Commerce, and has an understanding of the role and responsibilities of board members. His experience and knowledge will be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Joe Lewis be appointed to the Hawaii Community Development Authority for matters affecting the Kalaeloa Community Development District based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 3219 Ways and Means on H.B. No. 2500

The purpose and intent of this measure is to appropriate moneys for the legislative branch of the State of Hawaii.

Specifically, this measure appropriates moneys for:

- (1) The Senate and the House of Representatives for the period up to and including June 30, 2023; and
- (2) The Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, and State Ethics Commission for fiscal year 2022-2023.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau, Office of the Auditor, Office of the Ombudsman, Hawaii State Ethics Commission, League of Women Voters Hawaii, and 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.

Your Committee finds that this measure appropriates sufficient funds to defray necessary expenses of the Senate and House of Representatives, including expenses for a legislative information system and legislative broadcasting system, along with funds necessary to support the operations of the Office of the Auditor, Legislative Reference Bureau, Office of the Ombudsman, and State Ethics Commission.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2500, H.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, none.

SCRep. 3220 Energy, Economic Development, and Tourism on Gov. Msg. No. 552

Recommending that the Senate advise and consent to the nomination of the following:

STADIUM AUTHORITY

G.M. No. 552 CLAIRES TAMAMOTO, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Claire Tamamoto for service on the Stadium Authority.

Your Committee received testimony in support of the nomination for the appointment of Claire Tamamoto from the Stadium Authority, Department of Accounting and General Services, Ali'i Pauahi Hawaiian Civic Club, 'Aiea Community Association, and five individuals.

Upon review of the testimony, your Committee finds that Ms. Tamamoto's experience, knowledge, and willingness to serve qualify her for appointment to the Stadium Authority as a resident of the area described in section 109-1(1)(A), Hawaii Revised Statutes. Your Committee finds that Ms. Tamamoto was born and raised in Aiea, Oahu, and graduated with her Bachelor's degree in Sociology and her Master's degree in Education Administration at the University of Hawaii at Manoa. She is currently the Director and President of Pep Hawai'i, Inc., a corporation that provides sales representatives for various domestic manufacturers. Your Committee notes that Ms. Tamamoto is well-known for her service to the Aiea community, and especially for her active participation in the adoption of the City and County of Honolulu's Halawa Area Transit Oriented Development Master Plan and for current efforts with the New Aloha Stadium Entertainment District. Ms. Tamamoto has served in a number of roles for various community organizations, and continues to serve and lead in numerous capacities, including but not limited to the President of the Aiea Community Association, member of the City and County of Honolulu Neighborhood Commission, and member of the Pali Momi Board of Directors. Your Committee further finds that she has a thorough understanding of the role and responsibilities of board members and that her experience working with state, county, and local leaders and her knowledge of the Aiea community will be assets to the Stadium Authority. Your Committee

therefore recommends that Claire Tamamoto be appointed to the Stadium Authority based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 3221 Water and Land on H.B. No. 1631

The purpose and intent of this measure is to create a nonrefundable water catchment income tax credit for homeowners who install a water catchment system meeting certain requirements on residential property in the State owned by the homeowner.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Honolulu Board of Water Supply. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, and Tax Foundation of Hawaii.

Your Committee finds that water catchment systems can be cost-effective, reliable, and safe fresh water sources that reduce consumer demand on existing fresh water. Factors such as population growth, climate change, resource depletion, drought, and risks to groundwater are considerable threats to Hawaii's existing fresh water, prompting a need for innovative solutions to incentivize conservation and protection of water resources. Currently, the Hawaii Water Conservation Plan recognizes various rebate programs offered by municipal water departments as a proven and effective way to reach its customers and reduce their water demands and water bills. While a tax credit is not identified as one of the recommended programs within the Hawaii Water Conservation Plan, the creation of a tax credit may incentivize water conservation efforts in Hawaii for residential property owners who may not be customers of the Honolulu Board of Water Supply, County of Maui Department of Water Supply, County of Kauai Department of Water, and County of Hawaii Department of Water Supply.

Accordingly, your Committee has amended this measure by:

- (1) Making the tax credit applicable to taxable years after December 31, 2022; and
- (2) Inserting an effective date of July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1631, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1631, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

SCRep. 3222 Water and Land on H.B. No. 1656

The purpose and intent of this measure is to appropriate funds for the establishment of a permanent full-time equivalent land and access specialist position and a permanent full-time equivalent abstractor position within the Nā Ala Hele program for the protection and expansion of public trail access statewide.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, Kaua'i Visitors Bureau, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that many residents and visitors utilize and enjoy the trails under the stewardship of the Nā Ala Hele program. Currently, the Department of Land and Natural Resources is facing a staffing shortage that minimizes the capacity to manage and maintain existing forest recreation resources. The addition of positions for an abstractor and land and access specialist will expand the Department of Land and Natural Resources' capacity to manage and maintain trails across the State. With a high volume of visitor traffic at state parks, there is a growing need for maintenance and management of trails to maintain safe conditions for all users.

Additionally, your Committee has heard the concerns of the Department of Land and Natural Resources regarding its ability to manage and maintain existing forest recreation resources.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation to the Department of Land and Natural Resources' operating fund to address trail management and maintenance;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1656, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1656, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3223 Water and Land on H.B. No. 2016

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources to prepare a master plan for the Sand Island State Recreation Area.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, The Pillars LLC, Mountain View Community Church, Slapp Radio, and forty-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 Budget and Finance.

Your Committee finds that providing outdoor recreational opportunities, safe and well-maintained park infrastructure and facilities, and the protection of cultural and historic resources is paramount to the well-being of Hawaii's people. The previous Sand Island State Recreation Area plan was completed in 1973 but was never fully implemented, as the focus was on comprehensive development of shoreline pathways and passive recreational sites to support water sports. Since 1973, the Sand Island State Recreation Area has developed into a diverse use park unit, providing opportunities for day use, camping, fishing, surfing, softball play, canoe paddling, non-motorized BMX bicycle use with additional areas of open grass fields that can accommodate a variety of passive recreation and general open space for picnic and family gatherings.

However, the Sand Island State Recreation Area is in a deleterious condition with aging infrastructure, irrigation deficiencies, and is currently undergoing a new sewer line repair. Additionally, other challenges include a constant homeless population, invasive kiawe in the undeveloped area, an entrenched feral cat population, and shoreline impacts from climate change and sea level rise. Recent King Tides are also eroding the shoreline, which includes remnants of wartime materials and objects. As the Sand Island Recreation Area was originally envisioned to be a "People's Park", an updated master plan may address the weathered and antiquated facilities, create increased outdoor recreation opportunities, plans for underutilized spaces, and provide new methods for adaptive management and resilience to impacts from climate change and sea level rise.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2016, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2016, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3224 Education on H.B. No. 2248

The purpose and intent of this measure is to amend the definition of "private schools" under the compulsory attendance law to require unlicensed but accredited private schools to annually submit health and safety documentation to the Hawaii Council of Private Schools or the Hawaii Catholic Schools office, as appropriate.

Your Committee received testimony in support of this measure from the Hawaii Association of Independent Schools.

Your Committee finds that, to maintain state licensure, Hawaii schools are required to annually submit health and safety compliance verification as required by various state and county agencies. Your Committee further finds, however, that schools that are accredited but not licensed are not presently subject to this annual requirement. This accredited-but-not-licensed status results in health and safety compliance verification occurring only during reaccreditation visits every five to ten years. As noted in testimony, this method of verifying health and safety compliance is inconsistent, at best, and could be described as a "loophole". Accordingly, this measure will close that loophole and help ensure that private schools follow best practices regarding student health and safety by establishing a uniform annual health and safety compliance verification requirement for schools in the State.

Your Committee has amended this measure by inserting an effective date of July 1, 2051, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2248, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2248, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3225 Education on H.B. No. 2000

The purpose of this measure is to appropriate funds to the School Facilities Authority for the construction of preschool facilities.

Your Committee received testimony in support of this measure from the School Facilities Authority, Executive Office on Early Learning, State Public Charter School Commission, Early Learning Board, Hawaii Children's Action Network Speaks!, Hawaii State Teachers Association, and Kamehameha Schools.

Your Committee finds that high quality early education improves future outcomes for Hawaii's young children in education and beyond. Your Committee further finds, however, that there is presently a critical shortage of preschool and related early education facilities throughout the State. Accordingly, this measure will increase access to high quality early education in the State by appropriating funds for the construction of preschool facilities, and is intended to include Department of Education schools and state public charter schools.

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 Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2000, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2000, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3226 Water and Land on H.B. No. 2446

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Land and Natural Resources to establish positions in parks administration and operation (LNR 806) to implement visitor reservation systems in Hawaii state parks; and
- (2) Appropriate additional funds to the Department of Land and Natural Resources from the State Parks Special Fund for purposes of state park management.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, Kaua'i Visitors Bureau, Historic Waimea Theater and Cultural Arts Center, and Maui Hotel and Lodging Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii has the least staffed state park system in the United States at one hundred twenty-eight positions and in the bottom five in funding. For decades, the Division of State Parks has been struggling financially to deliver quality management and service for a globally patronized park system. In recent years, staffing has decreased, from a peak of two hundred in the 1990s, to the current one hundred twenty-eight, while new park units have been added and are now patronized well beyond management expectations at the inception of the state parks. In addition, despite approval for capital improvement projects aimed for upgrades and new improvements, the Department of Land and Natural Resources currently has a \$42 million backlog in routine repair and maintenance not eligible or subject to capital improvement project funding. The lack of upgrades and new improvements places a continued strain on aging fleet vehicles, equipment, and maintenance for state parks. While the Division of State Parks is posed to achieve relative self-sufficiency, additional, critical funding sources are needed to address the maintenance backlog and staffing shortages.

Your Committee has amended this measure by inserting an effective date of July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2446, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2446, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3227 Hawaiian Affairs on S.C.R. No. 15

The purpose and intent of this measure is to request that the Department of Hawaiian Home Lands implement programs that would support very low income beneficiaries and establish various prospective plans that could be used.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, Environmental Caucus of the Democratic Party of Hawai'i, M.A.H.A. Homestead Association, and four individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and Kūpuna for the Mo'opuna.

Your Committee finds that the waitlist for residential and farming homesteads reached 28,500 native Hawaiian adults in 2019 and remains around 28,000 adults today, despite pledges of money and programs to rectify the situation. Furthermore, Hawaii has one of the worst homeless rates in the country, with some of the highest average mortgage rates. Considering that the public land trust is for the benefit of the native Hawaiian people, this measure requests the Department of Hawaiian Home Lands to implement programs to support these very low income native Hawaiian beneficiaries.

Your Committee notes that some counties currently allow living in temporary structures with wheels on vacant lands.

Your Committee has amended this measure by clarifying the potential solutions requested to be considered by the Department of Hawaiian Homelands to be:

- (1) Awarding vacant land leases which could be used to live in county approved temporary structures with an accompanying Department of Health approved wastewater treatment system;
- (2) Duplicating the Puuhonua O Waianae model on every island possibly through awarding general leases to homestead groups; and
- (3) Requesting the Department of Hawaiian Home Lands to provide rental assistance, mortgage assistance, and down payment assistance subject to eligibility criterion and sufficient funds.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 15, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 15, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3228 Hawaiian Affairs on S.R. No. 9

The purpose and intent of this measure is to request that the Department of Hawaiian Home Lands implement programs that would support very low income beneficiaries and establish various prospective plans that could be used.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and Kūpuna for the Mo'opuna.

Your Committee finds that the waitlist for residential and farming homesteads reached 28,500 native Hawaiian adults in 2019 and remains around 28,000 adults today, despite pledges of money and programs to rectify the situation. Furthermore, Hawaii has one of the worst homeless rates in the country, with some of the highest average mortgage rates. Considering that the public land trust is for the benefit of the native Hawaiian people, this measure requests the Department of Hawaiian Home Lands to implement programs to support these very low income native Hawaiian beneficiaries.

Your Committee notes that some counties currently allow living in temporary structures with wheels on vacant lands.

Your Committee has amended this measure by clarifying the potential solutions requested to be considered by the Department of Hawaiian Homelands to be:

- (1) Awarding vacant land leases which could be used to live in county approved temporary structures with an accompanying Department of Health approved wastewater treatment system;
- (2) Duplicating the Puuhonua O Waianae model on every island possibly through awarding general leases to homestead groups; and
- (3) Requesting the Department of Hawaiian Home Lands to provide rental assistance, mortgage assistance, and down payment assistance subject to eligibility criterion and sufficient funds.

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

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3229 Education on Gov. Msg. Nos. 568, 569, 570, 571, and 573

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII TEACHER STANDARDS BOARD

- G.M. No. 568 KRISTI MIYAMAE, for a term to expire 06-30-2025;
- G.M. No. 569 DAWN RAYMOND, for a term to expire 06-30-2025;
- G.M. No. 570 BRANDEN KAWAZOE, for a term to expire 06-30-2024;
- G.M. No. 571 KIM SANDERS, for a term to expire 06-30-2025; and
- G.M. No. 573 KATINA SOARES, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Kristi Miyamae, Dawn Raymond, Branden Kawazoe, Kim Sanders, and Katina Soares for service on the Hawaii Teacher Standards Board.

KRISTI MIYAMAE

Your Committee received testimony in support of the nomination for the reappointment of Kristi Miyamae from two individuals.

Your Committee finds that Ms. Miyamae's professional and leadership experience, and desire to contribute to the teaching community, will be valuable assets to the Hawaii Teacher Standards Board. Ms. Miyamae is a licensed teacher at Mililani Middle School with nearly twenty years of experience in education. She has been described in testimony as a diligent and organized professional. Ms. Miyamae is currently a member of the Hawaii Teacher Standards Board and has served in leadership roles with the Hawaii State Teachers Association. Ms. Miyamae holds a Master's degree in Special Education and is a professional development trainer for the Hawaii State Teachers Association. Your Committee therefore recommends that Kristi Miyamae be reappointed to the Hawaii Teacher Standards Board based on her knowledge, background, and dedication to public service.

DAWN RAYMOND

Your Committee received testimony in support of the nomination for the reappointment of Dawn Raymond from three individuals.

Your Committee finds that Ms. Raymond's professional and leadership experience, and desire to contribute to the teaching community, will be valuable assets to the Hawaii Teacher Standards Board. Colleagues report that Ms. Raymond is a dedicated and energetic educator, and a recognized leader in the school community. Ms. Raymond holds a Master's degree in Autism Spectrum Disorder and has worked in education for over a decade. She is presently a special education teacher at Chiefess Kapiolani Elementary School and presently serves as a member of the Hawaii Teacher Standards Board. Ms. Raymond also has extensive community service experience. Your Committee therefore recommends that Dawn Raymond be reappointed to the Hawaii Teacher Standards Board based on her knowledge, background, and dedication to public service.

BRANDEN KAWAZOE

Your Committee received testimony in support of the nomination for the reappointment of Branden Kawazoe from two individuals.

Your Committee finds that Mr. Kawazoe's knowledge, professional and leadership experience, and desire to contribute to the teaching community will be valuable assets to the Hawaii Teacher Standards Board. Mr. Kawazoe holds a Master's degree in Counseling Psychology and has nearly a decade's worth of experience serving as a school counselor at Kaiser High School. He has also been a Director at the Assets School Summer Camp since 2012. Mr. Kawazoe was the head basketball coach of Kaiser High School's boys varsity basketball team from 2013 to 2018 and led the team to its first ever state championship. Additionally, Mr. Kawazoe has extensive community service experience and presently serves as Chairperson of the Hawaii Teacher Standards Board. Your Committee therefore recommends that Branden Kawazoe be reappointed to the Hawaii Teacher Standards Board based on his knowledge, background, and dedication to public service.

KIM SANDERS

Your Committee received testimony in support of the nomination for the reappointment of Kim Sanders from four individuals.

Your Committee finds that Ms. Sanders' knowledge, professional and leadership experience, and desire to contribute to the teaching community will be valuable assets to the Hawaii Teacher Standards Board. Ms. Sanders has more than forty years of experience in education and is currently the principal of Ewa Makai Middle School. She earned a Bachelor's of Arts Degree in Education from Arizona State University and a Master of Education in Educational Administration K-12 from the University of Hawaii. Ms. Sanders is a teaching veteran, described in testimony as a highly responsive and involved professional with tremendous leadership skills. She has an extensive track record of community service, as well as educational awards and honors. Your Committee therefore recommends that Kim Sanders be reappointed to the Hawaii Teacher Standards Board based on her knowledge, background, and dedication to public service.

KATINA SOARES

Your Committee received testimony in support of the nomination for the appointment of Katina Soares from two individuals.

Your Committee finds that Dr. Soares' knowledge, professional and leadership experience, and desire to contribute to the teaching community will be valuable assets to the Hawaii Teacher Standards Board. Dr. Soares has over twenty years of experience in education and is currently the principal of Molokai High School. Dr. Soares received her Bachelor's degree in Psychology from Judson College, Master's degree in Education School Counseling from Liberty University, Doctor of Philosophy degree from Walden University, and holds numerous certifications. She is a recipient of the 2020 Innovative Grant Award and received honors for exemplary performance as a vice principal in 2017 and 2018. Dr. Soares has been an interim member of the Hawaii Teacher Standards Board since 2021 and has held a multitude of professional and community service positions over the years. Your Committee therefore recommends that Katina Soares be appointed to the Hawaii Teacher Standards Board based on her knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Kanuha).

SCRep. 3230 Transportation on Gov. Msg. No. 587

Recommending that the Senate advise and consent to the nomination of the following:

MEDICAL ADVISORY BOARD

G.M. No. 587 CARROLL DIEBOLD, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Carroll Diebold for service on the Medical Advisory Board.

Your Committee received testimony in support of the nomination for the appointment of Carroll Diebold from the Department of Transportation and one individual. Your Committee received testimony in opposition to the nomination for the appointment of Carroll Diebold from one individual.

Upon review of the testimony, your Committee finds that Dr. Diebold's experience, background, and knowledge qualify him for appointment to the Medical Advisory Board. Dr. Diebold is a United States Army veteran who specializes in psychiatry and has been a board certified psychiatrist for the past twenty-seven years and a board certified forensic psychiatrist for the past twenty-three years. His various active duty clinical positions at Tripler Army Medical Center included Chief of the Tri-Service Addictions Recovery Facility, Chief of Chemical Addictions Treatment Service, Chief of the Department of Psychiatry, and Chief of the Department of Behavioral Health. Before working in Hawaii, Dr. Diebold was active at Womack Army Medical Center at Fort Bragg, North Carolina in various positions of leadership. Beyond these considerable qualifications, Dr. Diebold has also taught at the University of Hawaii John A. Burns School of Medicine and has numerous medical publications on psychiatry. Your Committee finds that Dr. Diebold's decades of work experience will be an important asset to the Board, and therefore, recommends that Carroll Diebold be appointed to the Medical Advisory Board based on his proven knowledge and experience.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3231 Transportation on Gov. Msg. No. 597

Recommending that the Senate advise and consent to the nomination of the following:

DEPUTY DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION

G.M. No. 597 PATRICK MCCAIN, for a term to expire at noon on 12-05-2022

Your Committee reviewed the personal history, resume, and statement submitted by Patrick McCain for service as the Deputy Director of the Department of Transportation.

Your Committee received testimony in support of the nomination for the appointment of Patrick McCain from the Governor; Department of Transportation; Department of Transportation Airports Division; Department of the Attorney General; Department of Public Safety; Department of Budget and Finance; Department of Labor and Industrial Relations; Department of Commerce and Consumer Affairs; Department of Health; Department of Land and Natural Resources; Department of Human Resources Development; Department of Agriculture; Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawaii Friends of Civil Rights; and nineteen individuals.

Upon review of the testimony, your Committee finds that Mr. McCain's experience and knowledge qualify him for appointment as the Deputy Director of Transportation. Mr. McCain graduated from Chaminade University with a degree in political science and then proceeded to study human resources management, strategic management, and organizational behavior at Hawaii Pacific University. Mr. McCain has served in many levels of the government, including as the Chief of Staff for U.S. Congressman Neil Abercrombie, Executive Assistant of the City and County of Honolulu, and committee staffer in the Hawaii State Senate. Mr. McCain most recently worked in the United States Department of Homeland Security. Previously, he worked as the President of the Hawaii Restaurant Association and Government Affairs Liaison of Unity House Inc. He is an active member of the community having served on various neighborhood boards and local organizations, including Seagull Schools, Inc., Honolulu Community Action Program, Visitor Aloha Society of Hawaii, and AFGE Local 2886, throughout the past two decades. Mr. McCain's many experiences and breadth of knowledge make him a strong asset to the Department of Transportation. Your Committee therefore recommends Patrick McCain be appointed as Deputy Director of Transportation based on his experience, knowledge, and proven leadership.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3232 Water and Land on S.C.R. No. 3

The purpose and intent of this measure is to authorize the amendment of a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-003:015, Wailupe, Honolulu, Oahu, for the existing seawall, and for use, repair, and maintenance of the existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on August 28, 2020, under agenda item D-10, the Board of Land and Natural Resources, subject to conditions, approved an amendment to the original non-exclusive easement to resolve the additional seawall encroachment identified in this measure.

Your Committee has also heard the concerns from the Department of Land and Natural Resources regarding the easement areas for submerged and reclaimed lands. This measure, as drafted, may not fully clarify the respective easement areas for submerged and reclaimed lands referenced in this measure. To address the concerns of the Department of Land and Natural Resources, your Committee concludes that clarifying the measure to address submerged and reclaimed lands will conform to the state of the lands and affected seawall.

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

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 3, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 3, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3233 Water and Land on S.C.R. No. 4

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 4-7-001:006, Kahaluu, Koolaupoko, Oahu, for the existing seawall, steps, and filled land, and for use, repair, and maintenance of the existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on February 8, 2019, under agenda item D-8, the Board of Land and Natural Resources approved a twenty-five-year non-exclusive easement to resolve the existing seawall, steps, and filled land encroachments identified in this measure, and such non-exclusive easement shall run with the land and shall inure to the benefit of the abutting real property.

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

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 4, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 4, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

SCRep. 3234 Water and Land on S.C.R. No. 5

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key: (1) 4-4-016:016, Kaneohe, Koolaupoko, Oahu, for the existing pier, house, rock wall, and landscape area, and for use, repair, and maintenance of the existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on November 8, 2019, under item D-14, the Board of Land and Natural Resources, subject to conditions, approved a grant of a twenty-five-year non-exclusive easement to resolve the encroachment of the existing pier, house, rock wall, and landscape area identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing pier, house, rock wall, and landscape area.

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

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 5, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 5, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3235 Energy, Economic Development, and Tourism on H.B. No. 1983

The purpose and intent of this measure is to:

- (1) Establish a state film liaison position to plan, develop, and executive a statewide film industry development strategy for purposes of establishing a collaborative film industry development program; and
- (2) Appropriate funds to establish and fill one full-time equivalent (1.00 FTE) state film liaison position in the Creative Industries Division of the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from Island Film Group. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Business, Economic Development, and Tourism.

Your Committee finds that the Creative Industries Division of the Department of Business, Economic Development, and Tourism is the lead agency for the expansion and management of the State's creative economy, which includes but is not limited to film, arts, culture, music, design, literary arts, publishing, and creative and interactive media. Your Committee further finds that the Creative Industries Division currently has one administrative assistant position for the entire division.

Accordingly, your Committee has amended this measure by inserting language that appropriates funds for an additional full-time equivalent (1.00 FTE) administrative assistant in the Creative Industries Division of the Department of Business, Economic Development, and Tourism.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1983, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1983, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3236 Energy, Economic Development, and Tourism on H.B. No. 1552

The purpose and intent of this measure is to clarify the composition of members of the Stadium Authority as modified by Act 146, Session Laws of Hawaii 2021.

Your Committee received testimony in support of this measure from the Stadium Authority.

Your Committee finds that Act 146, Session Laws of Hawaii 2021, was enacted, in part, to amend the membership of the Stadium Authority by adding two members who represent and reside within certain areas in the Stadium Development District. Your Committee notes that this measure not only clarifies the designation and the residency requirement of the two public members established last year, but also clarifies the number of board members of the Stadium Authority to be appointed by the Governor. According to testimony from the Stadium Authority, this measure will ensure that there is an appropriate number of members in any given year as departing members end their final term and newly appointed members begin their term.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1552, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3237 Energy, Economic Development, and Tourism on H.B. No. 2225

The purpose and intent of this measure is to appropriate funds to the Hawaii Technology Development Corporation:

- (1) For the Hawaii Small Business Innovation Research Program;
- (2) For the Manufacturing Assistance Grant Program; and
- (3) To support its accelerator grant program.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; JPG Hawaii Inc.; Nalu Scientific, LLC; Oceanit Laboratories, Inc.; Ten Tomorrow; Trutag Technologies, Inc.; Hawaii Fish Company Inc.; Hawai'i Farm Bureau; Neurobehavioral Research, Inc.; Hawaii Food Industry Association; Sweet Brown Hawaii; Chamber of Commerce Hawaii; Hawaii Food Manufacturers Association; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that due to the budget shortfalls caused by the coronavirus disease 2019 pandemic, three core grant programs of the Hawaii Technology Development Corporation were not funded for the 2021 fiscal year. Your Committee further finds that these programs are crucial to support small businesses engaged in technology innovation, local manufacturing, and start-ups in the State to effectively scale and become competitive in the global market.

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2225, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2225, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3238 Health on H.B. No. 2392

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health to support mitigation responses to the coronavirus disease 2019 (COVID-19) pandemic, including vaccination response activities.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, Department of Health, Hawaii Medical Service Association, and Hawai'i Primary Care Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Department of Health currently has a shortfall of over \$35,000,000 due to the costs it has incurred for community COVID-19 testing, medical surge staffing, and other COVID-19 mitigation efforts. Your Committee further finds that while many of the Department of Health's COVID-19 related programs will eventually be reimbursed by the Federal Emergency Management Agency (FEMA), the Department of Health's current deficit prevents it from being able to maintain its current level of services to the State and community. Thus, an emergency appropriation is necessary to continue to fund COVID-19 related efforts until the Department of Health receives FEMA reimbursement. This measure provides for that emergency appropriation.

Your Committee acknowledges the testimony of the Department of Budget and Finance, which notes that the Governor has requested expeditious consideration and immediate passage of this bill and that the funds appropriated are expected to be fully reimbursed by FEMA. Your Committee also acknowledges the testimony of the Department of Health providing the appropriation amounts necessary for fiscal years 2021-2022 and 2022-2023 for COVID-19 related FEMA reimbursable expenditures.

Therefore, your Committee has amended this measure by:

- (1) Inserting the appropriation amounts requested by the Department of Health;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2392, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2392, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3239 Energy, Economic Development, and Tourism on H.B. No. 2089

The purpose and intent of this measure is to:

- (1) Amend the definition of “renewable portfolio standard” to be a percentage of electrical energy generation, rather than sales, excluding customer-sited fossil fuel generation;
- (2) Expand the events or circumstances that are beyond an electric utility company’s reasonable control to include non-renewable energy generated by electric generation facilities over or of which the electric utility does not have direct control or ownership; and
- (3) Require electric utility companies to track and annually report data and trends regarding customer retention or attrition.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; Department of Commerce and Consumer Affairs’ Division of Consumer Advocacy; Hawaii State Energy Office; Public Utilities Commission; 350Hawaii.org; Environmental Caucus of the Democratic Party of Hawai‘i; Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai‘i; Ulupono Initiative; Hawaiian Electric Company, Inc.; Blue Planet Foundation; Climate Protectors Hawai‘i; and one individual.

Your Committee finds that amending the renewable portfolio standard calculation from the present calculation of the amount of renewable electrical energy sales divided by total amount of energy sales, to the amended calculation of the amount of renewable electrical energy generated divided by the total amount of electrical energy generated, more accurately reflects the intent of the State’s clean energy economy goals. According to testimony from the Department of Commerce and Consumer Affairs’ Division of Consumer Advocacy, it may be more appropriate to place the language requiring electrical utility companies to report data and trends on customer retention and attrition under another section in the Hawaii Revised Statutes.

Accordingly, your Committee has amended this measure by:

- (1) Creating a new section in the Hawaii Revised Statutes establishing the requirement of electric utility companies to track and annually report data and trends on customer retention and attrition; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2089, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2089, H.D. 1, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3240 Judiciary on H.B. No. 1423

The purpose and intent of this measure is to:

- (1) Increase the fine that may be assessed for campaign spending law violations against a noncandidate committee making only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000 in an election period; and
- (2) Allow the Campaign Spending Commission to order that the fine be up to three times the amount of the unlawful contribution or expenditure, and that the payment of the fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

Your Committee received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, League of Women Voters of Hawaii, and six individuals.

Your Committee finds that a noncandidate committee that makes only independent expenditures, otherwise known as Super PACs or large political action committees, is not penalized the same as individuals and candidate committees for violations of campaign spending laws. An increase in the amount of the fine is necessary in enforcement cases against Super PACs. This measure will be a more effective deterrent against Super PACs, with their deep pockets, from violating campaign spending laws.

Your Committee has amended this measure by:

- (1) Restoring statutory language relating to political activities of Liquor Commission employees;
- (2) Specifying that if a noncandidate committee that makes only independent expenditures and has either received at least one contribution of more than \$10,000 from any one person or has made expenditures of more than \$10,000 in the aggregate in an election period violates the campaign spending laws, they may be fined an amount not to exceed \$5,000 for each occurrence or an amount not to exceed three times the amount of an unlawful contribution or expenditure; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1423, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1423, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3241 Judiciary on H.B. No. 1426

The purpose and intent of this measure is to:

- (1) Provide that a person waives the right to a contested case hearing if the person fails to request a contested case hearing within twenty days of receipt of the Campaign Spending Commission's preliminary determination; and
- (2) Allow the Campaign Spending Commission to have an order confirmed as a civil judgment, enforceable and collectible as any other judgment issued in the circuit courts.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that currently there is no option for the Campaign Spending Commission to collect fines as a money judgment. The Department of the Attorney General has been forced to seek bench warrants to compel payments of fines and the filing of reports by candidates who continue to violate the campaign finance law. This measure will allow the Campaign Spending Commission to have an order confirmed as a judgment, which will allow the Campaign Spending Commission to collect on violations of campaign finance law more effectively.

Your Committee notes that the reason why the final orders that are confirmed as judgments are not appealable is because the person did not contest it so there is no record on appeal. Your Committee also notes that the Campaign Spending Commission has testified that there is a process to collaterally challenge the judgment if new information becomes available.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1426, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1426, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3242 Agriculture and Environment on H.B. No. 2256

The purpose and intent of this measure is to:

- (1) Establish a Department of Environmental Protection on July 1, 2026;
- (2) Create a Department of Environmental Protection Working Group to address the logistics of establishing a Department of Environmental Protection; and
- (3) Require the Department of Environmental Protection Working Group to submit a report to the Legislature prior to the 2025 Regular Session.

Your Committee received testimony in support of this measure from the Environmental Advisory Council, Department of Health, Board of Water Supply of the City and County of Honolulu, Rotary Club of Hanalei Bay, Climate Protectors Hawai'i, Wastewater Alternatives & Innovations, 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 Business, Economic Development, and Tourism; Department of Land and Natural Resources; Hawai'i State Energy Office; and Office of Planning and Sustainable Development.

Your Committee finds that, while most states have an executive-level department dedicated to environmental protection, Hawaii does not. An executive-level Department of Environmental Protection would allow for greater coordination in addressing key environmental issues, which will only grow in importance as climate changes accelerates. Additionally, a Department of Environmental Protection will increase the efficiency and timeliness of the State in responding to environmental threats. This measure establishes a Department of Environmental Protection on July 1, 2026, and creates a working group to ensure effective implementation of a Department of Environmental Protection.

Your Committee has amended this measure by adding the following to the working group:

- (1) The Director of Business, Economic Development, and Tourism, or the Director's designee;
- (2) A representative of the Environmental Advisory Council; and
- (3) A representative of the Commission on Water Resource Management.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment 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 Second Reading in the form attached hereto as H.B. No. 2256, H.D. 1, S.D. 1, and be referred to your Committee on Energy, Economic Development, and Tourism.

Signed by President on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3243 Judiciary on H.B. No. 1541

The purpose and intent of this measure is to clarify the acceptable procedure for initiating criminal complaints to include a signature by the prosecuting officer.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney for the County of Kaua'i, Office of the Prosecuting Attorney for the County of Hawai'i, Department of the Prosecuting Attorney for the County of Maui, Hawai'i Police Department, Honolulu Police Department, Hawai'i State Coalition Against Domestic Violence, Mothers Against Drunk Driving Hawaii, Domestic Violence Action Center, and Retail Merchants of Hawaii. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that state courts are struggling with interpreting section 805-1, Hawaii Revised Statutes, as written following the Hawaii Supreme Court's decision. The lack of clarity in a recent Hawaii Supreme Court decision has resulted in inconsistent rulings in trial courts and cases being dismissed, sometimes with prejudice, based on the form of the complaint and not the merits of the case. In *State v. Thompson* the Supreme Court held that in order to comply with section 805-1, Hawaii Revised Statutes, the underlying complaint must be subscribed under oath by the complainant or made by declaration in lieu of an affidavit in conformity with Hawaii Rules of Penal Procedure Rule 47(d). Your Committee further finds that a survey of the counties indicates that different judges are coming to different conclusions about the sufficiency of District Court complaints under *Thompson*, often with differing expectations of what the county prosecutors should do to meet the statutory requirements of section 805-1, Hawaii Revised Statutes. In the First Circuit alone, some judges have ruled that the Department of the Prosecuting Attorney of the City and County of Honolulu's current procedures, which include declarations designed to meet statutory requirements, satisfy *Thompson*, while others have ruled that the complaints, containing the same declarations, must be dismissed because they do not conform with the statutory requirements. In many of these cases, there is no discernible difference in the complaints, yet the outcomes differ due to which judge the complaint is assigned to. This measure will address outdated and ambiguous language in section 805-1, Hawaii Revised Statutes, by clarifying the acceptable procedure for initiating criminal complaints to include a signature by the prosecuting officer.

Your Committee believes that this measure will restore the pre-*Thompson* interpretation of section 805-1, Hawaii Revised Statutes. Your Committee notes that this measure is intended to neither expand nor contract the procedure to bring a criminal charge, but rather restore the procedure required by section 805-1, Hawaii Revised Statutes, to its pre-*Thompson* interpretation. This process reflects that criminal cases are initiated and prosecuted by the State of Hawaii, represented by the County Offices of the Prosecuting Attorney and the Department of the Attorney General, and not by 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. 1541, 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, 7. Noes, none. Excused, none.

SCRep. 3244 (Joint) Water and Land and Hawaiian Affairs on H.B. No. 1577

The purpose and intent of this measure is to:

- (1) Appropriate funds for the Kahoolawe Island Reserve Commission; and
- (2) Fund two full-time equivalent positions for the Kahoolawe Island Reserve Commission.

Your Committees received testimony in support of this measure from Kahoolawe Island Reserve Commission, County of Maui Planning Department, one member of the Maui County Council, Pacific American Foundation, and Ke Kai O Kuloloi'a, and twenty-one individuals. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the island of Kahoolawe provides cultural and historic significance to the people of Hawaii, including Native Hawaiians. Following the conclusion of the United States Navy's unexploded ordnance cleanup in 2004, the Kahoolawe Island Reserve Commission has undertaken a significant task to stem erosion and further degradation of the Kahoolawe Island Reserve. Numerous restoration projects of the Kahoolawe Island Reserve, financed by state funds and various grant opportunities, have made significant changes toward transforming the desolate hardpan into vibrant living landscapes.

Despite the Kahoolawe Island Reserve Commission's work to restore Kahoolawe and its natural resources, the Commission is experiencing budgetary constraints that limit its ability to carry out its efforts. While the Kahoolawe Island Reserve Commission has a strong volunteer workforce to assist with native out plantings, erosion control construction, and invasive weed eradication, the lack of permanent full-time equivalent positions to assist with the Commission's mission has created more challenges to restoration of Kahoolawe. Recent unpredictable and severe weather events and ocean conditions have halted volunteer participation in restoration projects. As the Kahoolawe Island Reserve Commission relies on its strong volunteer force to expand restoration efforts to create more native dryland forest habitats, expanded beach restoration, shoreline protection efforts, food sustainability, and on-island water generation, this measure appropriates funds to the Kahoolawe Island Reserve Commission to continue its mission and restorative efforts of Kahoolawe.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2022; 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 Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1577, H.D. 1, as amended herein, and

recommend that it pass Second Reading in the form attached hereto as H.B. No. 1577, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).
Hawaiian Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3245 Housing on H.B. No. 2020

The purpose and intent of this measure is to appropriate general funds for deposit into the Affordable Homeownership Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawaii Habitat for Humanity, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that the Affordable Homeownership Revolving Fund provides financing to developers for affordable housing projects. Specifically, the revolving fund targets developers of housing for households at or below one hundred twenty percent of the area median income. This measure makes an appropriation to the Affordable Homeownership Revolving fund to support affordable housing in the State.

Your Committee has amended this measure by:

- (1) Requiring funds appropriated by Act 227, Session Laws of Hawaii 2021, to lapse on June 30, 2024;
- (2) Inserting an appropriation amount of \$5,000,000 into the Affordable Homeownership Revolving Fund;
- (3) Inserting a blank appropriation out of the Affordable Homeownership Revolving Fund; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2020, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2020, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 3246 Housing on H.B. No. 1748

The purpose and intent of this measure is to authorize and appropriate funds for the issuance of general obligation bonds into and out of the Rental Housing Revolving Fund for low-income rental housing projects or units that are allocated low-income housing tax credits and developed for families and individuals who meet certain eligibility requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Catholic Charities Hawai'i, Partners In Care, and Hawai'i Health & Harm Reduction Center.

Your Committee finds that the Rental Housing Revolving Fund provides financing to developers of affordable housing, especially for very and extremely low-income households. However, the demand for financing through the Rental Housing Revolving Fund exceeds the capacity of the revolving fund. This measure supports the development of affordable housing by expanding eligibility for funds through the Rental Housing Revolving Fund and by making an appropriation to the Rental Housing Revolving Fund.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000,000; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1748, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1748, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 3247 Housing on H.B. No. 2239

The purpose and intent of this measure is to increase the minimum number of residential units in a condominium project that must be offered for sale to prospective owner-occupants in the thirty-day period following the initial date of sale from fifty percent to ninety percent.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from NAIOP Hawaii.

Your Committee finds that a key driver of Hawaii's housing shortage is the purchase of homes and condominiums by those who are not owner-occupants. Increasing the percentage of condominium units that must be offered to owner-occupants will increase the availability of housing for the State's residents. This measure increases the minimum percentage of units in condominium developments that must be offered to owner-occupants from fifty percent to ninety percent to promote greater housing availability in Hawaii.

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. 2239, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 3248 Housing on H.B. No. 1859

The purpose and intent of this measure is to appropriate funds to the Hawaii Public Housing Authority for the State Rent Supplement Program.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Partners In Care, Catholic Charities Hawai'i, and Hawai'i Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii faces a severe homelessness crisis. Importantly, the State Rent Supplement Program provides relief to households that are at immediate risk of becoming homeless. The program allows the State to significantly reduce homelessness with relatively fewer resources than other affordable housing programs. However, continued funding for the program is essential. This measure ensures the continuation of the State Rent Supplement Program by appropriating funds to the Hawaii Public Housing Authority.

Your Committee has amended this measure by inserting an appropriation amount of \$1,500,000 and including one full-time (1.0 FTE) Public Housing Specialist II position.

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. 1859, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1859, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 3249 Transportation on H.B. No. 1681

The purpose and intent of this measure is to:

- (1) Establish requirements and permitting procedures for transportation network companies operating in the State; and
- (2) Make permanent insurance requirements for transportation network companies and transportation network company drivers.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, Uber Technologies, Lyft, and GEICO. Your Committee received testimony in opposition to this measure from the Hawaii Transportation 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. Regulation is also required to ensure that residents and visitors to the State have access to various transportation options. The purpose of this measure is to establish operational consistency across the State for transportation network companies.

Your Committee has amended this measure by inserting an effective date of January 1, 2023.

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. 1681, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1681, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3250 Transportation on H.B. No. 1692

The purpose and intent of this measure is to change the fines imposed for mobile electronic device violations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the use of mobile electronic devices while driving is highly dangerous, and that enforcement of laws governing such activity needs to be reevaluated. Therefore, the purpose of this measure is to change the fines imposed for mobile electronic device violations.

Your Committee has amended this measure by depositing fines for mobile electronic device violations that occur in school zones into the safe routes to school program special fund.

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. 1692, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1692, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3251 Transportation on H.B. No. 1761

The purpose and intent of this measure is to authorize the issuance of limited purpose identification cards for certain residents.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Public Safety, Hawai'i Coalition for Immigrant Rights, Community Alliance on Prisons, Hawai'i Friends of Civil Rights, The Legal Clinic, Parents and Children Together, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Community Services and Common Cause Hawaii.

Your Committee finds that the federal REAL ID Act of 2005 requires states to comply with federally mandated eligibility criteria in issuing driver's licenses and identification cards. However, many residents do not drive and are also unable to meet the stringent requirements for a REAL ID-compliant identification card. During the coronavirus disease 2019 pandemic, many places such as libraries and restaurants began requiring valid proof of vaccination and identity for entry. The purpose of this measure is to authorize the issuance of limited purpose identification cards for individuals who satisfy the requirements for a government-issued identification card but are not able to comply with the strict requirements of the REAL ID Act of 2005.

Your Committee has amended this measure by:

- (1) Adding certificates of discharge and prison ID information to the list of acceptable documentation;
- (2) Specifying that the limited purpose identification application requirements shall match requirements for limited purpose driver's licenses, for continuity and security, and include a voter registration application;
- (3) Clarifying that a person with a REAL ID is ineligible for a limited purpose ID; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1761, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1761, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3252 Commerce and Consumer Protection on Gov. Msg. No. 501

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF ACUPUNCTURE

G.M. No. 501 MARTA REBELLA, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Marta Rebella for service on the Board of Acupuncture.

Your Committee received testimony in support of the nomination for the appointment of Marta Rebella from the Department of Commerce and Consumer Affairs and three individuals.

Upon review of the testimony, your Committee finds that Ms. Rebella's background, knowledge, and dedication to public service qualify her to be nominated for appointment to the Board of Acupuncture as a public member. Your Committee notes that Ms. Rebella has over twenty-eight years of experience in human resources consulting and personnel management, and previously served as the Director for Animal Control in Orange County, California and was a private business owner for ten years. Your Committee also finds that Ms. Rebella is a dedicated public servant who has participated in a number of community service and volunteer organizations and served on a number of boards, including the YMCA, Christmas in April, and various homeowners associations in California. Your Committee further finds that Ms. Rebella has a thorough understanding of the roles and responsibilities of board members and therefore recommends that Marta Rebella be appointed to the Board of Acupuncture based on her experience and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 3253 Commerce and Consumer Protection on Gov. Msg. No. 505

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PHYSICAL THERAPY

G.M. No. 505 STACIE KELIINOI, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Stacie Keliinoi for service on the Board of Physical Therapy.

Your Committee received testimony in support of the nomination for the appointment of Stacie Keliinoi from the Board of Physical Therapy, The Queen's Health Systems, and three individuals.

Upon review of the testimony, your Committee finds that Dr. Keliinoi's experience, background, and commitment to public service qualify her for appointment to the Board of Physical Therapy as a physical therapist member. Your Committee notes that Dr. Keliinoi has been licensed as a physical therapist in Hawaii since 2013 and has gained considerable experience working in several physical therapy settings, including inpatient, outpatient, inpatient rehabilitation, and school-based therapy. Dr. Keliinoi currently works as a physical therapist at Kapiolani Medical Center and The Queen's Medical Center, and also serves as a lecturer at Kapiolani Community College. Dr. Keliinoi also holds a number of professional certifications with the American Board of Physical Therapy and the American Physical Therapy Association. Your Committee further notes that Dr. Keliinoi has been serving as an interim member of the Board of Physical Therapy and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Stacie Keliinoi be appointed to the Board of Physical Therapy based on her knowledge, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 3254 Commerce and Consumer Protection on Gov. Msg. No. 511

Recommending that the Senate advise and consent to the nomination of the following:

MOTOR VEHICLE REPAIR INDUSTRY BOARD

G.M. No. 511 TOBY KAKEHI, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Toby Kakehi for service on the Motor Vehicle Repair Industry Board.

Your Committee received testimony in support of the nomination for the appointment of Toby Kakehi from the Motor Vehicle Repair Industry Board and Hawaii Electric Co., Inc.

Upon review of the testimony, your Committee finds that Mr. Kakehi's background, knowledge, and dedication to public service qualify him to be nominated for appointment to the Motor Vehicle Repair Industry Board as a member not connected to the motor vehicle repair industry. Your Committee notes that Mr. Kakehi is currently the account manager for Altec Industries, Inc., where he has worked for eight years. Prior to that, Mr. Kakehi served as a service consultant for Mercedes Benz of Honolulu, and was a service manager at Bridgestone/Firestone Inc. Your Committee further notes that Mr. Kakehi has served as an interim member of the Motor Vehicle Repair Industry Board since November 2021, and has a thorough understanding of the roles and responsibilities of board members. Your Committee therefore recommends that Toby Kakehi be appointed to the Motor Vehicle Repair Industry Board based on his experience and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 3255 Commerce and Consumer Protection on Gov. Msg. No. 623

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PHARMACY

G.M. No. 623 ALANNA ISOBE, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Alanna Isobe for service on the Board of Pharmacy.

Your Committee received testimony in support of the nomination for the reappointment of Alanna Isobe from the Board of Pharmacy and seven individuals.

Upon review of the testimony, your Committee finds that Ms. Isobe's background, experience, and proven leadership on the Board of Pharmacy qualify her for reappointment to the Board as a licensee member. Your Committee notes that Ms. Isobe has been a licensed pharmacist in Hawaii since 2007 and currently works for Safeway, Inc. as a pharmacy manager. Ms. Isobe has experience in both retail and hospital pharmacy settings and has extensive familiarity with the laws and rules regulating the practice pharmacy in the State and at the federal level. Your Committee further finds that Ms. Isobe has served as a member of the Board of Pharmacy since 2018 and currently serves as the Board's Chairperson. Accordingly, Ms. Isobe's knowledge and experience will continue to enhance the effectiveness of the Board of Pharmacy. Your Committee therefore recommends that Alanna Isobe be reappointed to the Board of Pharmacy based on her background, experience, and dedication to serving the community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 3256 Commerce and Consumer Protection on Gov. Msg. No. 625

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY

G.M. No. 625 ERIN FIRMIN, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Erin Firmin for service on the Board of Speech Pathology and Audiology.

Your Committee received testimony in support of the nomination for the reappointment of Erin Firmin from the Board of Speech Pathology and Audiology.

Upon review of the testimony, your Committee finds that Ms. Firmin's background, experience, and proven leadership on the Board of Speech Pathology and Audiology qualify her for reappointment to the Board as a licensed speech pathologist member. Your Committee notes that Ms. Firmin has been a licensed speech pathologist in Hawaii for nearly ten years, has over twenty-one years of experience working as a speech pathologist for schools, and is also a licensed behavior analyst. Ms. Firmin is currently the Central District Speech-Language Pathologist Coordinator for the Hawaii Department of Education. Your Committee further notes that Ms. Firmin is involved with a number of other professional organizations, including the Hawaii Association for Behavior Analysis, Hawaii Speech-Language-Hearing Association, and the American Speech-Language-Hearing Association. Your Committee further finds that Ms. Firmin currently serves as the Chairperson for the Board of Speech Pathology and Audiology, and her knowledge and experience will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Erin Firmin be reappointed to the Board of Speech Pathology and Audiology based on her background, experience, and dedication to serving the community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3257 Commerce and Consumer Protection on Gov. Msg. No. 626

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I BOARD OF CHIROPRACTIC

G.M. No. 626 ALICE OGAWA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Alice Ogawa for service on the Hawai'i Board of Chiropractic.

Your Committee received testimony in support of the nomination for the reappointment of Alice Ogawa from the Hawai'i Board of Chiropractic, Waipahu Chiropractic Clinic, and one individual.

Upon review of the testimony, your Committee finds that Dr. Ogawa's background, experience, and proven leadership on the Hawai'i Board of Chiropractic qualify for reappointment to the Board as a licensed chiropractor member. Your Committee notes that Dr. Ogawa has been a licensed chiropractor in Hawaii since 1982, currently practices on Kauai, and has over forty years of clinical and professional experience. Your Committee further notes that Dr. Ogawa is a member of multiple professional organizations, including the Hawaii State Chiropractic Association and International Chiropractors Association. Your Committee further finds that Dr. Ogawa has served as a member of the Hawai'i Chiropractic Board since 2019 and her knowledge and experience will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Alice Ogawa be reappointed to the Hawai'i Board of Chiropractic based on her background, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3258 Commerce and Consumer Protection on Gov. Msg. No. 629

Recommending that the Senate advise and consent to the nomination of the following:

MOTOR VEHICLE INDUSTRY LICENSING BOARD

G.M. No. 629 JOHN UEKAWA, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by John Uekawa for service on the Motor Vehicle Industry Licensing Board.

Your Committee received testimony in support of the nomination for the reappointment of John Uekawa from the Motor Vehicle Industry Licensing Board, Hawaii Automobile Dealers' Association, and one individual.

Upon review of the testimony, your Committee finds that Mr. Uekawa's background, experience, and proven leadership on the Motor Vehicle Industry Licensing Board qualify him for reappointment to the Board as an industry member. Your Committee notes that Mr. Uekawa has nearly forty years of experience in Hawaii's motor vehicle industry. Mr. Uekawa is currently the General

Manager and President of New City Nissan, a role that he has held for over twenty-five years and in which he has earned numerous awards. Your Committee further notes that Mr. Uekawa has held various leadership roles for a number of professional and community organizations, including the Hawaii Automotive Dealers' Association, National Dealer Advisory Board, Easter Seals, Better Business Bureau, Variety School, and St. Anthony's School. Your Committee further finds that Mr. Uekawa has served as a member of the Motor Vehicle Industry Licensing Board since July 2018, and his knowledge and experience will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that John Uekawa be reappointed to the Motor Vehicle Industry Licensing Board based on his background, experience, and dedication to serving the community.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3259 Commerce and Consumer Protection on Gov. Msg. Nos. 502, 503, and 504

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF MASSAGE THERAPY

G.M. No. 502 OLIVIA NAGASHIMA, for a term to expire 06-30-2026;

G.M. No. 503 DARCI FRANKEL, for a term to expire 06-30-2026; and

G.M. No. 504 JAYCE ARAKAKI, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Olivia Nagashima, Darci Frankel, and Jayce Arakaki for service on the Board of Massage Therapy.

OLIVIA NAGASHIMA

Your Committee received testimony in support of the nomination for the reappointment of Olivia Nagashima from the Board of Massage Therapy, Hawaii Healing Arts College, and one individual.

Upon review of the testimony, your Committee finds that Ms. Nagashima's background, experience, and proven leadership on the Board of Massage Therapy qualify her for reappointment to the Board as a licensed massage therapist member. Your Committee notes that Ms. Nagashima has nearly twenty-five years of experience in massage therapy and has been a licensed massage therapist in Hawaii since 1996. Ms. Nagashima is the owner, principal, and sponsoring therapist of Koolau Massage and also serves as an adjunct professor at Hawaii Healing Arts College. Your Committee further notes that Ms. Nagashima is involved with a number of other professional and community organizations, including the American Massage Therapy Association and Hope Chapel Koolau, and also serves as a volunteer massage therapist for the Honolulu Marathon. Your Committee further finds that Ms. Nagashima has served as a member of the Board of Massage Therapy since 2018 and currently serves as the Board's Chairperson. Accordingly, Ms. Nagashima's knowledge and experience will continue to enhance the effectiveness of the Board of Massage Therapy. Your Committee therefore recommends that Olivia Nagashima be reappointed to the Board of Massage Therapy based on her background, experience, and dedication to serving the community.

DARCI FRANKEL

Your Committee received testimony in support of the nomination for the appointment of Darci Frankel from the Department of Commerce and Consumer Affairs and two individuals.

Upon review of the testimony, your Committee finds that Ms. Frankel's background and dedication to serving the public qualify her to be appointed to the Board of Massage Therapy as a licensee member. Your Committee notes that Ms. Frankel has nearly thirty years of experience in massage therapy. Ms. Frankel has been a licensed massage therapist in Hawaii since 2003 and is the managing owner of Hanalei Day Spa on Kauai, which has been in operation for nearly twenty years. Ms. Frankel has impressively earned seven hundred and fifty hours of education and training at the American Institute of Massage Therapy in Fort Lauderdale, Florida, where she began her career in massage therapy. Your Committee finds that Ms. Frankel has a thorough understanding of the role and responsibilities of board members and her extensive experience in massage therapy will continue to enhance the effectiveness of the Board of Massage Therapy. Your Committee therefore recommends that Darci Frankel be appointed to the Board of Massage Therapy based on her knowledge, background, and commitment to public service.

JAYCE ARAKAKI

Your Committee received testimony in support of the nomination for the appointment of Jayce Arakaki from the Board of Massage Therapy and one individual.

Upon review of the testimony, your Committee finds that Mr. Arakaki's background and dedication to serving the public qualify him to be appointed to the Board of Massage Therapy as a public member. Your Committee notes that Mr. Arakaki holds multiple academic degrees, including an Executive Master of Business Administration from the University of Texas and a Master of Arts in Communication from the University of Hawaii. Mr. Arakaki has over ten years of experience in the health care industry and currently works as a business manager at the Kapiolani Medical Center for Women and Children. Previously, Mr. Arakaki served as a Senior Analyst, specializing in revenue cycle management. Mr. Arakaki also has experience as an information technology specialist and technician, and computer lab assistant, which he gained while employed by the University of Hawaii's School of Nursing and Dental Hygiene. Your Committee further notes that Mr. Arakaki has served as an interim member of the Board of Massage Therapy since August 2021 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore

recommends that Jayce Arakaki be appointed to the Board of Massage Therapy based on his knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3260 Commerce and Consumer Protection on Gov. Msg. Nos. 506 and 507

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PSYCHOLOGY

G.M. No. 506 JAMES SPIRA, for a term to expire 06-30-2026; and

G.M. No. 507 JUNE CHING, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by James Spira and June Ching for service on the Board of Psychology.

JAMES SPIRA

Your Committee received testimony in support of the nomination for the reappointment of James Spira from the Board of Psychology and four individuals.

Upon review of the testimony, your Committee finds that Dr. Spira's experience, knowledge, and proven leadership on the Board of Psychology qualify him for reappointment to the Board as a licensed psychologist member. Your Committee notes that Dr. Spira has nearly forty years of experience within the field of psychology in various capacities, has been a licensed psychologist in Hawaii since 2012, and currently serves as the Director of Pacific Behavioral Health. Dr. Spira has twenty-five years of experience with military and veteran behavioral health and previously served as the Director of the Pacific Island Division of the Department of Veterans Affairs' National Center for PTSD. Dr. Spira has also served as a professor for the Department of Psychology at the John A. Burns School of Medicine and as a subject matter expert in criminal cases. Your Committee further finds that Dr. Spira has also served as the President of the Hawaii Psychological Association and has been an active member in a number of other professional organizations throughout his career, and his experience and knowledge will continue to be assets to the Board of Psychology. Your Committee therefore recommends that James Spira be reappointed to the Board of Psychology based on his experience, knowledge, and commitment to public service.

JUNE CHING

Your Committee received testimony in support of the nomination for the appointment of June Ching from the Department of Commerce and Consumer Affairs and three individuals.

Upon review of the testimony, your Committee finds that Dr. Ching's background and dedication to serving the public qualify her to be appointed to the Board of Psychology as a licensed psychologist member. Your Committee notes that Dr. Ching has over forty years of experience in the field of psychology and has been a licensed psychologist in Hawaii since 1981. Dr. Ching currently works in private practice and as a psychological consultant for the Children's Justice Center and the Kid's First Program. Dr. Ching is certified by the American Board of Professional Psychology in Clinical Psychology and has specialized experience in the diagnostic assessment and treatment of a culturally diverse population of children, adults, couples, and families. Your Committee further notes that Dr. Ching is an active participant in her profession and has served as a member of various organizations, including the American Psychological Association and the National Register for Health Services Providers in Psychology. Your Committee finds that Dr. Ching has a thorough understanding of the role and responsibilities of board members and her extensive experience in psychology will continue to enhance the effectiveness of the Board of Psychology. Your Committee therefore recommends that June Ching be appointed to the Board of Psychology based on her knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3261 Commerce and Consumer Protection on Gov. Msg. Nos. 508, 509, and 510

Recommending that the Senate advise and consent to the nominations of the following:

HAWAI'I BOARD OF VETERINARY MEDICINE

G.M. No. 508 NATHANIEL LAM, for a term to expire 06-30-2023;

G.M. No. 509 MARCELLA CHOCK, for a term to expire 06-30-2022; and

G.M. No. 510 MARCELLA CHOCK, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Nathaniel Lam and Marcella Chock for service on the Hawai'i Board of Veterinary Medicine.

NATHANIEL LAM

Your Committee received testimony in support of the nomination for the appointment of Nathaniel Lam from the Hawai'i Board of Veterinary Medicine, Hawaiian Humane Society, and four individuals.

Upon review of the testimony, your Committee finds that Dr. Lam's experience, background, and commitment to public service qualify him for appointment to the Hawai'i Board of Veterinary Medicine as a licensed veterinarian member representing the City and County of Honolulu. Your Committee notes that Dr. Lam has been a licensed veterinarian in Hawai'i since 2013 and is currently the Chief of Surgery at VCA Oahu Veterinary Specialty Clinic. Dr. Lam has published numerous articles and is a frequent instructor for continuing education relating to the practice of veterinary medicine. Dr. Lam also serves as a consultant for various organizations, including the Honolulu Police Department, Hawaii Humane Society, and Oahu SPCA, and serves as a volunteer veterinarian for the Oahu Medical Reserve Corps and American Red Cross. Your Committee further notes that Dr. Lam has served as an interim member of the Hawai'i Board of Veterinary Medicine since October 2021 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Nathaniel Lam be appointed to the Hawai'i Board of Veterinary Medicine based on his knowledge, experience, and commitment to public service.

MARCELLA CHOCK

Your Committee received testimony in support of the nomination for the appointment and reappointment of Marcella Chock from the Hawai'i Board of Veterinary Medicine and one individual.

Upon review of the testimony, your Committee finds that Dr. Chock's professional experience, background, and desire to serve her community qualify her for consideration for appointment and reappointment to the Hawai'i Board of Veterinary Medicine as a public member representing the City and County of Honolulu. Your Committee notes that Dr. Chock is a licensed pharmacist and has been employed by GlaxoSmithKline since 2015, where she serves as a medical service liaison with regard to vaccines. Prior to that, Dr. Chock worked for Ohana Health Plan where she was the State Director for Pharmacy Benefits. Your Committee further notes that Dr. Chock is an active member in the Hawai'i Pharmacists Association and has previously served on various boards in the State. Your Committee further finds that Dr. Chock has served as an interim member of the Hawai'i Board of Veterinary Medicine since October 2021 and her knowledge and experience will continue to enhance the effectiveness of the Board. Your Committee therefore recommends that Marcella Chock be appointed and reappointed to the Hawai'i Board of Veterinary Medicine based on her background, knowledge, and desire to contribute to the community.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3262 Commerce and Consumer Protection on Gov. Msg. Nos. 512 and 513

Recommending that the Senate advise and consent to the nominations of the following:

STATE BOARD OF BARBERING AND COSMETOLOGY

G.M. No. 512 LESLIE MURATA, for a term to expire 06-30-2025; and

G.M. No. 513 JAMIE YAP, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Leslie Murata and Jamie Yap for service on the State Board of Barbering and Cosmetology.

LESLIE MURATA

Your Committee received testimony in support of the nomination for the reappointment of Leslie Murata from the State Board of Barbering and Cosmetology and two individuals.

Upon review of the testimony, your Committee finds that Mr. Murata's experience, knowledge, and proven leadership on the State Board of Barbering and Cosmetology qualify him for reappointment to the Board as a public member. Your Committee notes that Mr. Murata worked for the United States Postal Service for nearly thirty years before retiring in 2014 and has dedicated much of his life to community service. Mr. Murata served as a volunteer Board Vice-President for Operations for the Hawaii Youth Symphony for twenty-eight years and continues to volunteer as a coordinator at Hulu Makua Senior Day Care. Mr. Murata has also served in leadership roles for various community organizations, including the Parent Teacher Student Association at Haleiwa Elementary School, and Band President and Chairperson of the School Community Base Management at Waiialua High School. Your Committee further finds that Mr. Murata has served on the State Board of Barbering and Cosmetology since December 2020, and his experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Leslie Murata be reappointed to the State Board of Barbering and Cosmetology based on his experience, knowledge, and commitment to public service.

JAMIE YAP

Your Committee received testimony in support of the nomination for the appointment of Jamie Yap from the State Board of Barbering and Cosmetology; Lehiwa Designs, LLC; and one individual.

Upon review of the testimony, your Committee finds that Mr. Yap's experience, background, and commitment to public service qualify him for appointment to the State Board of Barbering and Cosmetology as a public member. Your Committee notes that Mr. Yap has over forty years of experience as an educator and youth coach and currently serves as the Interim Principal of Maui High School and Superintendent of the Baldwin-Kekaulike-Maui Complex Area. Prior to that, Mr. Yap served at the Maui Waena Intermediate School for twenty-seven years in various capacities, including serving as the Principal, Vice Principal, and a physical

education teacher. Mr. Yap also gained experience and knowledge about the rules and regulations regarding the cosmetology industry when his wife established a day spa in 2014. Your Committee further notes that Mr. Yap has served as an interim member of the State Board of Barbering and Cosmetology since August 2021 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Jamie Yap be appointed to the State Board of Barbering and Cosmetology based on his knowledge, experience, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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

SCRep. 3263 Commerce and Consumer Protection on Gov. Msg. Nos. 514 and 515

Recommending that the Senate advise and consent to the nominations of the following:

STATE BOARD OF NURSING

G.M. No. 514 KAREN BOYER, for a term to expire 06-30-2026; and
G.M. No. 515 LUZVIMINDA MIGUEL, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Karen Boyer and Luzviminda Miguel for service on the State Board of Nursing.

KAREN BOYER

Your Committee received testimony in support of the nomination for the reappointment of Karen Boyer from the State Board of Nursing, Kapiolani Community College, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Boyer's experience, knowledge, and proven leadership on the State Board of Nursing qualify her for reappointment to the Board as a licensed registered nurse representing the City and County of Honolulu. Your Committee notes that Ms. Boyer has nearly forty years of experience as a professional nurse and has been licensed as a registered nurse in Hawaii since 1990. Ms. Boyer presently serves as the Director of the ADN Program at the University of Hawaii, Kapiolani Community College, where she has also served as a faculty member, Interim Dean for Health Academic Programs, and Department Chairperson. Prior to that, Ms. Boyer worked as a nursing instructor for The Queen's Medical Center and a Women's Health Nurse Practitioner for Waimanalo Health Center. Your Committee further finds that Ms. Boyer is an active participant in a number of professional organizations, including the National League for Nursing, American Organization of Nurse Leaders, and the American Organization of Nurse Leaders. Ms. Boyer has served on the State Board of Nursing since 2018 and her experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Karen Boyer be reappointed to the State Board of Nursing based on her experience, knowledge, and commitment to public service.

LUZVIMINDA MIGUEL

Your Committee received testimony in support of the nomination for the appointment of Luzviminda Miguel from the Department of Commerce and Consumer Affairs, Hawaii Community College, Hilo Medical Center, and four individuals.

Upon review of the testimony, your Committee finds that Dr. Miguel's background and dedication to serving the public qualify her to be appointed to the State Board of Nursing as a licensed nurse member representing Hawaii County. Your Committee notes that Dr. Miguel has been a licensed nurse in Hawaii since 2003 and earned her Doctor of Nursing Practice from the University of Hawaii at Manoa. Dr. Miguel is currently an assistant professor and the Department Chair of Nursing and Allied Health at the University of Hawaii, Hawaii Community College. Dr. Miguel has extensive experience serving on various national and local councils and professional organization boards, including the National Advisory Council on Nurse Education and Practice, Nurses on Boards Coalition, Hawaii State Center for Nursing, and the International Academic Nursing Alliance. Your Committee finds that Dr. Miguel has a thorough understanding of the role and responsibilities of board members and her extensive experience in the field of nursing will continue to enhance the effectiveness of the State Board of Nursing. Your Committee therefore recommends that Luzviminda Miguel be appointed to the State Board of Nursing based on her knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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

SCRep. 3264 Commerce and Consumer Protection on Gov. Msg. Nos. 516 and 517

Recommending that the Senate advise and consent to the nominations of the following:

STATE BOARD OF PUBLIC ACCOUNTANCY

G.M. No. 516 ZACHARY JOHNSON, for a term to expire 06-30-2025; and
G.M. No. 517 ALEXANDER SMITH, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Zachary Johnson and Alexander Smith for service on the State Board of Public Accountancy.

ZACHARY JOHNSON

Your Committee received testimony in support of the nomination for the appointment of Zachary Johnson from the Department of Commerce and Consumer Affairs and three individuals.

Upon review of the testimony, your Committee finds that Mr. Johnson's background and dedication to serving the public qualify him to be appointed to the State Board of Public Accountancy as a licensee member. Your Committee notes that Mr. Johnson has five years of experience in accounting and has been a licensed certified public accountant in both Hawaii and Nevada since 2021. Mr. Johnson double majored in accounting and business management, graduating summa cum laude. While at Brigham Young University in Hawaii, Mr. Johnson finished second place in the University Accounting Case Competition and served as the Accounting Society Vice President. Mr. Johnson is currently the Chief Financial Officer of Koolauloa Health Center, a Not-for-Profit Federally Qualified Health Center. Prior to that, Mr. Johnson served as a Staff Accountant with BD & Associates and was an Accounting Clerk for Koolauloa Health Center while he was a college student. Your Committee finds that Mr. Johnson has a thorough understanding of the role and responsibilities of board members and his unique perspective will enhance the effectiveness of the State Board of Public Accountancy. Your Committee therefore recommends that Zachary Johnson be appointed to the State Board of Public Accountancy based on his knowledge, background, and dedication to public service.

ALEXANDER SMITH

Your Committee received testimony in support of the nomination for the appointment of Alexander Smith from the Department of Commerce and Consumer Affairs, Hawaii Habitat for Humanity Association, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Smith's experience and commitment to serving the public qualify him to be appointed to the State Board of Public Accountancy as a licensee member. Your Committee notes that Mr. Smith has been a licensed certified public accountant since 1991 and has over thirty years of professional audit experience. Mr. Smith is currently in private practice, specializing in accounting for not-for-profit entities and government uniform compliance audits. Previously, Mr. Smith worked with Deloitte & Touche, was the Director of Audit Operations for Honda, and has worked with many nonprofit and for-profit organizations across the State. Your Committee further notes that Mr. Smith holds several memberships in professional organizations, including the American Institute of Certified Public Accountants, Hawaii Society of Certified Public Accountants, and the Hawaii Association of Public Accountants. Your Committee finds that Mr. Smith has a thorough understanding of the role and responsibilities of board members and his extensive experience in accounting will continue to enhance the effectiveness of the State Board of Public Accountancy. Your Committee therefore recommends that Alexander Smith be appointed to the State Board of Public Accountancy based on his background, experience, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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

SCRep. 3265 Commerce and Consumer Protection on Gov. Msg. Nos. 627 and 628

Recommending that the Senate advise and consent to the nominations of the following:

HAWAI'I BOARD OF OPTOMETRY

G.M. No. 627 GAYLE CHANG, for a term to expire 06-30-2025; and

G.M. No. 628 KENNETH CHIN, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Gayle Chang and Kenneth Chin for service on the Hawai'i Board of Optometry.

GAYLE CHANG

Your Committee received testimony in support of the nomination for the appointment of Gayle Chang from the Hawai'i Board of Optometry and four individuals.

Upon review of the testimony, your Committee finds that Ms. Chang's experience, background, and commitment to public service qualify her for appointment to the Hawai'i Board of Optometry as a public member. Your Committee finds that Ms. Chang has been a dental hygienist since 1975, is currently in private practice, and also serves at Healthcare Compliance Systems and as a consultant for OSHA training at dental offices. Your Committee also notes that Ms. Chang is a dedicated public servant and is an active participant in a number of professional organizations, including the Hawai'i Dental Hygienists Association and an examiner for Central Regional Dental Testing Services. Your Committee further finds that Ms. Chang previously served on the Hawai'i Board of Optometry for eight years as a public member and also has prior experience on the Board of Dentistry. Accordingly, Ms. Chang has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Gayle Chang be appointed to the Hawai'i Board of Optometry based on her background, experience, and commitment to public service.

KENNETH CHIN

Your Committee received testimony in support of the nomination for the reappointment of Kenneth Chin from the Hawai'i Board of Optometry and two individuals.

Upon review of the testimony, your Committee finds that Dr. Chin's experience, knowledge, and proven leadership on the Hawai'i Board of Optometry qualify him for reappointment to the Board as a licensed optometrist member. Your Committee finds that Dr. Chin has been a licensed optometrist in Hawai'i since 1990 and is currently in private practice. Your Committee also notes that Dr. Chin is an active participant in his profession and previously served as President of the Hawai'i Optometric Association. Dr. Chin has been

serving on the Hawai'i Board of Optometry since 2018 and currently serves as the Board's Vice Chair. Your Committee further finds that Dr. Chin's experience and knowledge will continue to be assets to the Hawai'i Board of Optometry. Your Committee therefore recommends that Kenneth Chin be reappointed to the Hawai'i Board of Optometry based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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

SCRep. 3266 Commerce and Consumer Protection on H.B. No. 2243

The purpose and intent of this measure is to:

- (1) Require buildings and structures to be maintained in a safe and sanitary condition;
- (2) Require devices and safeguards to be maintained in conformance with county building codes;
- (3) Require condominium associations or their designated agents to be responsible for the maintenance of the buildings and structures; and
- (4) Authorize county building officials to require a building or structure to be reinspected.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council, Community Associations Institute, Hawaii Council of Community Associations, Associa, Palehua Townhouse Association, Kokua Council, Hui 'Oia'i'o, and two individuals. Your Committee received comments on this measure from three individuals.

Your Committee finds that the recent, tragic collapse of a condominium building in Florida has heightened the concerns of many who reside in condominiums in the State, especially due to the age and maintenance requirements of many Hawai'i properties. Your Committee further finds, however, that the State's existing laws are vastly different from Florida's laws in that Hawai'i law requires reserve studies and vests in the board of directors the duty and authority to maintain the project, whereas Florida law first requires homeowner approval, which could delay necessary repairs. Accordingly, amendments to this measure are necessary to conform the measure to existing laws while continuing to advance safety and other protections.

Your Committee has amended this measure by:

- (1) Clarifying that, with respect to the upkeep of condominiums, the board of directors shall be responsible for the operation of the property, as defined by section 514B-3, Hawaii Revised Statutes, which shall include the administration, fiscal management, and physical operation of the property inclusive of the maintenance, repair, and replacement or construction of additions and improvements to the common elements, and to maintain the project in accordance with the requirements of the reserve study and any state or county requirements applicable to the project; and
- (2) Inserting an effective date of January 1, 2023.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2243, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2243, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3267 Commerce and Consumer Protection on H.B. No. 2076

The purpose and intent of this measure is to:

- (1) Provide a mechanism to assign nonparticipating tobacco manufacturer's qualified escrow fund balances to the State; and
- (2) Provide a mechanism for the financial institution acting as the escrow agent of the qualified escrow fund to petition the courts to authorize transfer of funds to the State when the qualified escrow fund is abandoned.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that, in 1998, Hawaii and forty-five other states joined in a Master Settlement Agreement (MSA) with four of the largest tobacco manufacturers to settle long-running smoking-related claims. Pursuant to the terms of the MSA, the tobacco companies provide annual payments to the signing states through deposits into qualified escrow accounts based on their cigarette sales in each state. However, existing state law is silent as to how an account is to be closed when a tobacco product manufacturer decides to no longer do business in the State, or if an escrow account is subsequently abandoned. This measure is based on similar laws adopted in other states to provide appropriate mechanisms to accept an assignment of the interest in the escrow accounts, allow the closure of abandoned escrow accounts in a more timely manner, and thereby support tobacco prevention and control efforts.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2076, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2076, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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

SCRep. 3268 Transportation on H.B. No. 1403

The purpose and intent of this measure is to:

- (1) Require the Department of Transportation, in collaboration with the County of Hawaii, to conduct site surveys on the island of Hawaii to identify the most suitable location for an alternate route in Puna below Highway 130 while excluding lands under the jurisdiction of the Department of Hawaiian Home Lands from site surveys; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, County of Hawai'i Office of the Mayor, Ulupono Initiative, Keaukaha Pana'ewa Farmers Association, Friends of Puna's Future, one member of the Hawai'i County Council, and thirteen individuals. Your Committee received comments on this measure from the Department of Transportation, Department of Budget and Finance, and two individuals.

Your Committee finds that Puna is one of the fastest growing areas in the State. By 2035, the Puna district is projected to grow by approximately forty-two thousand residents. Because Hilo is the primary employment center of the region, average traffic volumes on Highway 130 especially will only grow worse. Trips from Hilo to the southernmost portion of Puna would take up to two hours as estimated by the travel demand forecasting model. The purpose of this measure is to require the Department of Transportation, in collaboration with the County of Hawaii, to conduct site surveys on the island of Hawaii to identify the most suitable location for an alternate route in Puna below Highway 130.

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. 1403, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3269 Transportation on H.B. No. 1414

The purpose and intent of this measure is to hold a person who is the registered owner of a vehicle that was deemed abandoned or derelict liable and subject to a tiered fine schedule.

Your Committee received testimony in support of this measure from the County of Maui Department of Environmental Management, County of Hawai'i Department of Environmental Management, Hawaii Council of Mayors, Hawai'i State Association of Counties, one member of the Hawai'i County Council, one member of the Maui County Council, Maui Metropolitan Planning Organization, Friends of Puna's Future, and ten individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that abandoned vehicles are eyesores, reduce the availability of legal parking, cost the State a large amount of money, and are environmental hazards. Your Committee further finds that some people are in possession of more than one abandoned vehicle or are repeat offenders. This measure seeks to hold these persons liable and subject to a tiered fine schedule.

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. 1414, H.D. 1, and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3270 Transportation on H.B. No. 1411

The purpose and intent of this measure is to:

- (1) Require that the transferee's and the transferor's address be provided on the certificate of ownership when the title to a motor vehicle is transferred;
- (2) Clarify that the signature of the transferee and signature of the transferor each serve as an attestation by that respective party as to the validity of the information on the certificate of ownership; and
- (3) Impose a fine on a party who provides false or fraudulent information.

Your Committee received testimony in support of this measure from the County of Kaua'i Department of Finance, County of Maui Department of Environmental Management, County of Hawai'i Department of Environmental Management, Hawaii Council of Mayors, one member of the Hawai'i County Council, one member of the Maui County Council, Maui Metropolitan Planning Organization, Friends of Puna's Future, and thirteen individuals.

Your Committee finds that more than eight thousand vehicles are abandoned in Hawaii every year. These abandoned vehicles are an eyesore in communities and harmful to the environment while also being a financial burden. This measure seeks to create systems to more accurately and efficiently track motor vehicle ownership and impose fines on those who abandon vehicles.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1411, H.D. 2, 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, 5. Noes, none. Excused, none.

SCRep. 3271 Transportation on H.B. No. 2180

The purpose and intent of this measure is to repeal sections 266-2.3 and 266-22, Hawaii Revised Statutes, for the purpose of deleting obsolete or unnecessary provisions.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that section 266-2.3, Hawaii Revised Statutes, relates to authority of Kewalo Harbor which is no longer under the purview of the Department of Transportation. Section 266-22, Hawaii Revised Statutes, relates to the Honolulu Harbor fireboat which is no longer in service. For these reasons, the purpose of this measure is to repeal both sections.

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. 2180, 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, 5. Noes, none. Excused, none.

SCRep. 3272 (Majority) Transportation on H.B. No. 2434

The purpose and intent of this measure is to require each water carrier to file a strategic plan with the Public Utilities Committee every five years.

Your Committee received testimony in support of this measure from the Department of Agriculture and Ulupono Initiative. Your Committee received comments on this measure from the Public Utilities Commission and Young Brothers, LLC.

Your Committee finds that increased transparency and accountability would be a positive change for water carriers. Setting measurable goals and initiatives will further focus their actions. This measure requires each water carrier to file a strategic plan with the Public Utilities Committee every five years.

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. 2434, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3273 Agriculture and Environment on H.B. No. 1499

The purpose and intent of this measure is to:

- (1) Require the Department of Agriculture to partner with a Hawaii entity to establish a pilot United States Department of Agriculture (USDA) Harmonized Good Agricultural Practices (GAP) food safety training and certification program to help small and medium-sized farms obtain the USDA Harmonized GAP certification; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; County of Hawai'i Research and Development; Ulupono Initiative; Hawaii Food Industry Association; Hawai'i Farm Bureau; North Shore Economic Vitality Partnership; Hawaii Cattlemen's Council, Inc.; Restore the Commons; MetroGrow Hawaii; Mahiku A'o Mai Food Security Services; Hawaii Fish Company; and seven individuals. Your Committee received comments on this measure from Department of Budget and Finance.

Your Committee finds that Hawaii relies heavily on imported food to meet the needs of its residents and visitors. Increasing the amount of food produced locally in Hawaii would contribute to the State's self-sufficiency and produce significant economic benefits. However, complying with Food and Drug Administration regulations is often a barrier to food production for small farming enterprises, which do not possess the resources to obtain the required food safety certification. This measure assists small and medium farms in obtaining certification by requiring the Department of Agriculture to establish a food safety training and certification pilot program.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1499, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3274 (Majority) Agriculture and Environment on H.B. No. 1644

The purpose and intent of this measure is to ban the manufacture, sale, and distribution for sale or use of certain packaging materials that contain perfluoroalkyl and polyfluoroalkyl substances.

Your Committee received testimony in support of this measure from Hawai'i Reef and Ocean Coalition, Environmental Caucus of the Democratic Party of Hawai'i, Chamber of Sustainable Commerce, Recycle Hawaii, Volcano Precious Plastic, Restore the Commons, Zero Waste Hawaii Island, Surfrider Foundation, Mahiku A'o Mai Food Security Services, and five 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, Retail Merchants of Hawaii, Par Hawaii, Island Energy, and American Chemistry Council.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances pose a threat to human health and the environment. Perfluoroalkyl and polyfluoroalkyl substances are commonly found in food packaging, further increasing the risk to human health. This measure protects human health and the environment in Hawaii by implementing a ban on packaging that contains perfluoroalkyl and polyfluoroalkyl substances.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1644, H.D. 1, and recommends that it pass Second Reading and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3275 Agriculture and Environment on H.B. No. 1712

The purpose and intent of this measure is to prohibit waste disposal facilities on important agricultural lands and lands with class A and B productivity ratings.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Larry Jeffs Farms, LLC; Mahiku A'o Mai Food Security Services; Restore the Commons; and Hawaii Crop Improvement Association. Your Committee received testimony in opposition to this measure from the Department of Public Works of the County of Kaua'i, Department of Environmental Services of the City and County of Honolulu, and one individual. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that Hawaii has limited land available for agriculture. Consequently, it is essential for the State to protect existing agricultural lands and lands that are suitable for agricultural use. This measure prohibits the use of important agricultural lands and agricultural lands with class A and B productivity ratings for waste disposal, thereby preserving Hawaii's agricultural lands.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1712, H.D. 1, and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3276 Agriculture and Environment on H.B. No. 1714

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture for the mitigation and control of the two-lined spittlebug, recovery of rangeland and pastures damaged by the two-lined spittlebug, and research to monitor the status of the two-lined spittlebug.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Ulupono Initiative; Hawai'i Farm Bureau; Local Food Coalition; Hawai'i Forest Industry Association; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; McCandless Ranch; Ponoholo Ranch Limited; Larry Jeffs Farms, LLC; Parker Ranch, Inc.; Ulupalakua Ranch; and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the two-lined spittlebug is an invasive insect that attacks and destroys important grasses essential to the livestock ranching industry. Given the high productivity of the State's livestock ranching industry and the central role it plays in Hawaii's economy, it is necessary to combat the establishment and spread of the two-lined spittlebug in the State. This measure appropriates funds to the Department of Agriculture to combat the threats posed by the two-lined spittlebug.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment 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 pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3277 Agriculture and Environment on H.B. No. 1810

The purpose and intent of this measure is to:

- (1) Define what constitutes quorum for the Environmental Advisory Council; and
- (2) Specify the number of votes required for any action of the Environmental Advisory Council to be valid.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Environmental Advisory Council.

Your Committee finds that transparency and procedural clarity are essential for the functioning of the State's institutions. Currently, the Environmental Advisory Council lacks a clear mechanism through which to render decisions. Accordingly, this measure defines what constitutes a quorum for the Environmental Advisory Council and specifies that a majority of all members must concur for the Council to take any action.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1810, H.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, 5. Noes, none. Excused, none.

SCRep. 3278 Agriculture and Environment on H.B. No. 2061

The purpose and intent of this measure is to add new sources of revenue generated by the State Veterinary Laboratory and Animal Disease Control Branch to fund the Animal Industry Special Fund.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State Veterinary Laboratory and Animal Disease Control Branch functions as an important regulatory body for Hawaii's crucial livestock industry. Importantly, the Branch charges fees for diagnostic and surveillance services, which can serve as a source of revenue for the Animal Industry Special Fund. This measure adds fee-based revenues from the State Veterinary Laboratory and Animal Disease Control Branch as a source of funding for the Animal Industry Special Fund.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment 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 Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3279 Agriculture and Environment on H.B. No. 2062

The purpose and intent of this measure is to:

- (1) Establish the Agricultural Emergency Loan Revolving Fund to be administered by the Department of Agriculture to fund class D emergency loans;
- (2) Provide a separate source of funding for emergency agricultural loans; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Floriculture and Nursery Association; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the economic and financial strain caused by the coronavirus disease 2019 pandemic has demonstrated the need for emergency loans for farmers in the State. In 2020, the Department of Agriculture implemented an emergency loan program to meet that need. However, the program lacks a dedicated funding source. This measure establishes the Agricultural Emergency Loan Revolving Fund to provide a dedicated source of funding for the emergency loan program.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2062, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3280 (Majority) Agriculture and Environment on H.B. No. 2280

The purpose and intent of this measure is to prohibit planned community associations from unreasonably restricting the use of a member's enclosed yard area for personal agriculture.

Your Committee received testimony in support of this measure from Mahiku A'o Mai Food Security Services. Your Committee received testimony in opposition to this measure from Associa; Law Offices of Philip S. Nerney, LLC; and Community Associations Institute Legislative Action Committee.

Your Committee finds that agriculture, including personal agriculture, is highly valued in Hawaii. Many individuals and families in the State rely on personal agricultural crops to supplement purchases of food. The ability to grow crops allows those individuals and families to achieve greater food security and promotes healthier lifestyles. However, some community associations unnecessarily restrict their members' ability to grow crops on private property. This measure prohibits community associations from unreasonably restricting their members from engaging in personal agricultural production in enclosed yard areas.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2280, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3281 Agriculture and Environment on H.B. No. 2307

The purpose and intent of this measure is to appropriate funds to the Department of Agriculture to provide education and support to local businesses regarding the Food and Drug Administration's industry guidance on colored sea salt.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Food Industry Association, and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the demand for Hawaii-made sea salts and sea salt products is increasing. Many such salts and salt products contain color additives that may require approval through the Food and Drug Administration's color additive petition process. However, not all producers have the resources or information necessary to obtain approval from the Food and Drug Administration. This measure helps producers obtain approval by appropriating funds for the Department of Agriculture to educate and support local businesses regarding the approval process.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment 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 Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3282 Agriculture and Environment on H.B. No. 2418

The purpose and intent of this measure is to:

- (1) Amend the focus, scope, and management of the Agribusiness Development Corporation;
- (2) Appropriate funds to the Agribusiness Development Corporation for a consultant and account and for security on Agribusiness Development Corporation property; and
- (3) Repeal the requirement that all agricultural projects, development plans, and facility programs developed by the Agribusiness Development Corporation be approved by the Board of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, Hawai'i Alliance for Progressive Action, Hawai'i Seed, Hawai'i Farm Bureau, Kauai Women's Caucus, Pesticide Action Network, Restore the Commons, Lapa'au Farm LLC, Free Access Coalition, and twenty-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 Budget and Finance and Hawai'i Food+ Policy.

Your Committee finds that the Agribusiness Development Corporation plays a crucial role in the development and expansion of Hawaii's agricultural industry. With the State's goal of achieving increased food self-sufficiency, the Agribusiness Development Corporation is more important than ever. However, it is essential that the Agribusiness Development Corporation's focus align with the State's local food production objectives. This measure revises the Agribusiness Development Corporation's focus and removes certain requirements for the Corporation to obtain Board of Agriculture approval. This measure also provides appropriations to allow the Agribusiness Development Corporation to retain services for consulting, accounting, and security.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2418, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3283 Agriculture and Environment on H.B. No. 2466

The purpose and intent of this measure is to exempt the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State from the general excise tax.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Hawaiian Affairs, Hawai'i Farm Bureau, Mahiku A'o Mai Food Security Services, Hawai'i Alliance for Progressive Action, Restore the Commons, Hawai'i Food+ Policy Internship, Ko'olaupoko Hawaiian Civic Club, and eight individuals. Your Committee received testimony in opposition to this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that Hawaii imports a significant portion of the food consumed within the State. While the State has taken steps to increase the production of food in Hawaii, staple starches remain underproduced in the State. Your Committee believes that taro can help to fill that critical gap in Hawaii's local food production. This measure supports the expansion of local taro production by exempting unprocessed taro from the general excise tax.

Your Committee has amended this measure by:

- (1) Removing a requirement that taro must be produced and cultivated in the State to qualify for the exemption;
- (2) Excluding bulk buyers or shippers, supermarkets, and big box stores from the exemption; and
- (3) Defining "primary ingredient".

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2466, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3284 (Joint) Higher Education and Education on H.B. No. 1848

The purpose and intent of this measure is to establish freedom of speech and freedom of the press protections for student journalists producing school-sponsored media or university-sponsored media unless subject to certain exceptions.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii Publishers Association, Student Press Law Center, and six individuals. Your Committees received comments on this measure from the Department of Education.

Your Committees find that high school students involved in journalism programs learn to think critically, research topics, conduct interviews, write clearly for an audience, and work together as a team. In institutions with strong journalism programs, students also learn how a free and responsible press can improve their school communities by informing, entertaining, and influencing their audience. However, some student journalists experience difficulties in which principals or other school administrators may censor their work on the basis that it includes inflammatory content. While stories may not be libelous in nature, students may be dissuaded from pursuing lines of inquiry for stories out of fear the publication may not be approved. To allow students to learn and engage in the field of journalism, while also providing protections under the First Amendment of the United States Constitution, this measure establishes freedom of speech and freedom of press protections for Hawaii's students in schools and universities.

Your Committees have amended this measure by:

- (1) Clarifying that no state agency, school, university, board, or employee shall be held liable for the expression of material by student journalists under the First Amendment of the United States Constitution in addition to state law; and
- (2) Making it effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Higher Education and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1848, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1848, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Wakai).
Education: Ayes, 5. Noes, none. Excused, none.

SCRep. 3285 Human Services on H.B. No. 1797

The purpose and intent of this measure is to establish within the Department of Human Services a three-year Medical Respite Pilot Program overseen by the Governor's Coordinator on Homelessness to provide outpatient health care and supportive services to homeless persons recently discharged from the hospital and non-hospitalized homeless persons who are being moved out of unauthorized spaces by the police.

Your Committee received testimony in support of this measure from the Hawai'i Psychological Association and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that many homeless persons who have been discharged from hospitals require extended inpatient stays or experience repeat hospitalizations due to lack of access to a clean and safe place in which to recover. Your Committee believes that this measure will provide such individuals with a coordinated program of care, including medical care, housing assistance, and supportive services, to improve their quality of life and standard of care thereby reducing the number of extended inpatient stays or repeat hospitalizations.

Your Committee notes the testimony of the Department of Human Services suggesting the utilization of existing Medicaid benefits to provide outpatient health care and supportive services under the Medical Respite Pilot Program, which would provide more sustainable funding.

Accordingly, your Committee has amended this measure by:

- (1) Allowing the Governor's Coordinator on Homelessness to enter into contracts for the provision of outpatient health care and supportive services in compliance with the federal Centers for Medicare and Medicaid Services' guidance for a waiver under section 1115 of the Social Security Act, also known as a Medicaid Section 1115 Waiver, to allow the cost of such services to be reimbursed by existing Medicaid benefits; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services 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 pass Second Reading in the form attached hereto as H.B. No. 1797, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3286 Human Services on H.B. No. 1932

The purpose and intent of this measure is to:

- (1) Require the Child Welfare Services Branch of the Department of Human Services to establish a pilot program to develop a modern case management software solution compatible with existing child welfare technology; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from Binti, Inc. Your Committee received comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committee finds that the number of children in Hawaii's foster care system has been increasing substantially, resulting in caseworkers being overwhelmed by the surging caseloads. This leads to fewer in-person visits to children and families, decreased child and family involvement in case planning, less support for families, and more opportunities for children and families to fall through the cracks. This measure will allow caseworkers to more effectively manage their caseloads to meet the growing number of children in foster care, ensure that Hawaii can meet the national standard for monthly visits, improve case planning, and strengthen child and family involvement to improve mental and behavioral health outcomes for youth and the health needs for children.

Your Committee notes the testimony of the Department of Human Services that a pilot program is not necessary as the department is currently developing and implementing a new Comprehensive Child Welfare Information System.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Child Welfare Services Branch of the Department of Human Services to develop a modern case management software solution that is compatible with existing child welfare technology without a pilot program; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1932, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1932, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3287 Human Services on H.B. No. 2141

The purpose and intent of this measure is to remove outdated or obsolete reporting requirements of the Department of Human Services and its Office of Youth Services.

Your Committee received testimony in support of this measure from the Department of Human Services.

Your Committee finds that existing law imposes certain reporting requirements on various state agencies that have not been updated for some time. Your Committee further finds that certain reporting requirements for the Department of Human Services relating to psychotropic medications and federal financial assistance and health care programs, and for certain programs overseen by its Office of Youth Services, are obsolete and no longer necessary. This measure will clarify the law and reduce confusion by removing these unnecessary reporting requirements.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2141, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2141, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3288 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 892

The purpose and intent of this measure is to:

- (1) Clarify the membership requirements for the Law Enforcement Standards Board to facilitate participation and representation;
- (2) Require the Law Enforcement Standards Board to consider studies relevant to its objectives and conduct its own study to evaluate how to satisfy its duties;
- (3) Establish new deadlines for the completion of the Law Enforcement Standards Board's significant responsibilities; and
- (4) Appropriate funds to enable the Law Enforcement Standards Board to accomplish its mission.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of the Attorney General, Department of Taxation, Law Enforcement Standards Board, Honolulu Police Department, Hawai'i Police Department, and one individual. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers and one individual. Your Committee received comments on this measure from the Department of Transportation and Department of Public Safety.

Your Committee finds that the Law Enforcement Standards Board has the important task of establishing the minimum standards for employment as a law enforcement officer in the State of Hawaii. Your Committee recognizes the need for the Law Enforcement

Standards Board to receive funding, employ staff, and be provided with additional time to meet its statutory requirements. This measure will greatly assist the Law Enforcement Standards Board by providing the resources and time it needs to accomplish its mission.

Your Committee has amended this measure by:

- (1) Extending the deadlines for the completion of the Law Enforcement Standards Board's significant responsibilities to June 30, 2024;
- (2) Inserting an appropriation amount of \$483,000; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 892, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 892, H.D. 2, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3289 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1239

The purpose and intent of this measure is to enhance the public's trust in law enforcement and standardize best practices between the counties by:

- (1) Amending provisions pertaining to the Law Enforcement Officer Independent Review Board to:
 - (A) Require members to serve four-year terms; and
 - (B) Make the Board permanent; and
- (2) Amending the membership and powers of the Law Enforcement Standards Board and extending certain members' terms to four years.

Your Committee received testimony in support of this measure from the Law Enforcement Standards Board. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers. Your Committee received comments on this measure from the Department of the Attorney General, Department of Transportation, and American Civil Liberties Union of Hawai'i.

Your Committee finds that public trust in law enforcement is critical to ensuring justice for all under the law. Your Committee believes that the difficult and often dangerous job of law enforcement is safer, easier, and more effectively executed when citizens trust those empowered to serve and protect them. This measure will enhance the public's trust in law enforcement and standardize best practices between the counties by amending provisions pertaining to the Law Enforcement Officer Independent Review Board to require members to serve four-year terms and make the Board permanent.

Your Committee has amended this measure by:

- (1) Removing the provisions relating to the Law Enforcement Standards Board to allow those issues to be addressed via House Bill No. 892, H.D. 2 (2022);
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1239, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1239, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3290 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1891

The purpose and intent of this measure is to adopt the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Laws and one individual.

Your Committee finds that the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act has been enacted in California, Delaware, Minnesota, Nevada, North Dakota, Washington, and Wisconsin. The Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act is part of state, federal, and international efforts to recognize domestic-violence protection orders across jurisdictions. This measure will help Canadian visitors by allowing them to go to court in Hawaii to enforce a protective order rather than requiring them to return to Canada for that purpose.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs 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 Second Reading and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3291 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1903

The purpose and intent of this measure is to require first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

Your Committee received testimony in support of this measure from twenty-nine individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that, according to the Hawaii Tourism Authority's snorkel safety study, which was conducted from August 2017 to April 2021, snorkeling is the most common activity associated with visitor drownings. Your Committee further finds that, due to a lack of evidence, it is difficult for researchers to determine whether the type of snorkel or mask worn increases the risk of drowning. Your Committee believes that recording standardized, empirical data about the type of snorkel and mask used, if any, will help demonstrate whether certain types of snorkels or masks lead to a higher risk of drowning. This measure will allow the State to make well-informed policy changes to decrease the number of snorkeling deaths in the State by requiring first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

Your Committee has amended this measure by:

- (1) Restoring language that was deleted by the House of Representatives designating the measure as the "David Loasby Law"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1903, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1903, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3292 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2171

The purpose and intent of this measure is to:

- (1) Establish a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State;
- (2) Reestablish the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population;
- (3) Transfer the law enforcement functions of the Department of Public Safety, Department of Transportation, non-statutorily mandated functions of the Investigations Division of the Department of the Attorney General, and the Office of Homeland Security to the Department of Law Enforcement;
- (4) Establish a training center within the Department of Law Enforcement; and
- (5) Establish positions and appropriate funds for the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committee received testimony in support of this measure from the U.S. Department of Homeland Security Immigrations and Customs Enforcement-Homeland Security Investigations; Department of the Attorney General; Department of Public Safety; Department of Transportation; Hawaii Paroling Authority; Department of Defense; Department of Hawaiian Home Lands; Department of Public Safety, Sheriff Division; Hawaii Office of Homeland Security; Department of the Prosecuting Attorney of the City and County of Honolulu; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; and one hundred twelve individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Office of Information Practices; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that consolidating corrections and rehabilitation functions into a single, dedicated department improves the State's ability to meet the needs of inmates and pretrial detainees. Your Committee further finds that establishing a single chain of command for law enforcement responsibilities within a single state department enhances state law enforcement services. This measure will allow for the efficient use of resources in administering correctional programs and improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services by reestablishing the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population and establishing a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State.

Your Committee has heard the testimony of one individual expressing concerns that there is a lack of research to show the efficacy of this measure. Your Committee finds that this issue raises concerns that merit further consideration and requests that your Committees on Ways and Means and Judiciary further examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2171, H.D. 2, and recommends that it pass Second Reading and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3293 (Joint/Majority) Agriculture and Environment and Water and Land on H.B. No. 1705

The purpose and intent of this measure is to allow the Department of Agriculture to extend the agricultural park lease of any lessee who holds a lease with a remaining term of fifteen years or less, provided that the land covered by the lease is twenty-five acres or less and located in a county with a population of less than five hundred thousand.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau, Land Use Research Foundation of Hawaii, Panaewa Foliage, and one individual. Your Committees received testimony in opposition to this measure from the Department of Agriculture.

Your Committees find that the Department of Agriculture maintains agricultural parks to provide leases for eligible farmers in the State. The agricultural parks and those who farm them are essential to the State's goal of increasing local food production and food security. Despite producing valuable food crops, some leases of agricultural park lands are set to expire. This measure allows lessees of certain agricultural park lands to renew their leases and continue their contributions to the State's food production.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1705, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 4; Ayes with Reservations (Acasio, Rhoads). Noes, 1 (Fevella). Excused, none.
Water and Land: Ayes, 4; Ayes with Reservations (Misalucha, Riviere). Noes, 1 (Fevella). Excused, none.

SCRep. 3294 (Joint) Agriculture and Environment and Water and Land on H.B. No. 1721

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources and Department of Agriculture to collaborate on feral animal management; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii State Aha Moku; Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Maui County Farm Bureau; Hawai'i Forest Industry Association; Maui Chamber of Commerce; Rescue Of Animal Rights; and three individuals. Your Committees received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committees find that overpopulation of feral animals in Hawaii threatens the State's environment, agricultural production, and health. Proactively addressing the threat of feral animal overpopulation will save the State resources over the long-term and prevent extensive damage. This measure requires and appropriates funds for the Department of Land and Natural Resources and Department of Agriculture to collaborate on feral animal management to find and implement proactive solutions to overpopulation.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1721, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 3295 (Joint) Agriculture and Environment and Water and Land on H.B. No. 1988

The purpose and intent of this measure is to:

- (1) Prohibit the sale, import, or export of certain coral products; and
- (2) Require the Department of Land and Natural Resources to amend its administrative rules accordingly no later than December 31, 2022.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Environmental Caucus of the Democratic Party of Hawai'i, Hawaiian Black Coral, and six individuals. Your Committees received testimony in opposition to this measure from For the Fishes, Conservation Council for Hawaii, Kai Palaoa, Moana Ohana, Sierra Club of Hawaii Moku Lua Group, Kalanihale, Friends of Hanauma Bay, Legacy Reef Foundation, Haereticus Environmental Laboratory, Hawaii Reef & Ocean Coalition, Fair Wind Charters, Ocean Defenders Alliance-Hawaii, and one individual. Your Committees received comments on this measure from the Center for Biological Diversity and Big Island Reef Keepers Hui.

Your Committees find that Hawaii's coral reefs are essential to the State's marine ecosystems and are home to many species found nowhere else in the world. However, the commercial use of coral from the reefs contributes to their decline and degradation. It is critical for the State to protect Hawaii's coral reefs as a source of marine biodiversity. This measure prohibits the sale, import, and export of certain coral products to preserve the health of Hawaii's coral reefs.

Your Committees have amended this measure by:

- (1) Prohibiting the harvesting of coral, except under certain conditions;
- (2) Restricting exemptions for state and federal permitted harvesting to non-commercial purposes;

- (3) Extending the deadline for the Department of Land and Natural Resources to amend its administrative rules to December 31, 2024; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1988, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1988, H.D. 2, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 3296 Hawaiian Affairs on Gov. Msg. Nos. 578, 579, 580, and 581

Recommending that the Senate advise and consent to the nominations of the following:

ISLAND BURIAL COUNCIL, ISLAND OF OAHU

G.M. No. 578 LYNETTE CRUZ, for a term to expire 06-30-2023;

G.M. No. 579 BENJAMIN SHAFER, for a term to expire 06-30-2024;

G.M. No. 580 BRICKWOOD GALUTERIA, for a term to expire 06-30-2025; and

G.M. No. 581 CHARLES EHRHORN, for a term to expire 06-30-2023

Your Committee reviewed the personal histories, resumes, and statements submitted by Lynette Cruz, Benjamin Shafer, Brickwood Galuteria, and Charles Ehrhorn for service on the Island Burial Council for the Island of Oahu.

LYNETTE CRUZ

Your Committee received testimony in support of the nomination for the appointment of Lynette Cruz from the Department of Land and Natural Resources, Hawaii State Aha Moku Kakuhihewa, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Cruz's knowledge and experience qualify her for appointment to the Island Burial Council for the Island of Oahu. Ms. Cruz has taught at various universities since 1988, and since 2015, has served as both a lecturer at Leeward Community College and President of Malama Maku and Hui Aloha Aina O Ka Lei Maile Alii. Ms. Cruz also volunteers at various places such as Iolani Palace and Kaniakapupu. She is currently serving as an interim appointee on the Council. Ms. Cruz's vast experience and knowledge of Hawaiian culture, experiences in the community, and her academic background in Pacific studies and anthropology make her a strong asset to the Council. Your Committee therefore recommends that Lynette Cruz be appointed to the Island Burial Council for the Island of Oahu based on her experience and proven knowledge.

BENJAMIN SHAFER

Your Committee received testimony in support of the nomination for the appointment of Benjamin Shafer from the Department of Land and Natural Resources, Hawaii State Aha Moku Kakuhihewa, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Shafer's experience and diligence qualify him for appointment to the Island Burial Council for the Island of Oahu. Mr. Shafer has always been active in his community, from working on restoring the Huilua Fishpond to chairing the Kahana Planning Council and being a co-chair for the Kahana Advisory Board. Mr. Shafer also has experience serving on community associations and neighborhood boards and would walk door-to-door to deliver minutes for the Kahana Planning Council to ensure everyone in his community was informed. He is currently serving as an interim appointee on the Council. Mr. Shafer shows a level of dedication and leadership that will be an important asset to the Council. Your Committee therefore recommends that Benjamin Shafer be appointed to the Island Burial Council for the Island of Oahu based on his experience and diligence.

BRICKWOOD GALUTERIA

Your Committee received testimony in support of the nomination for the appointment of Brickwood Galuteria from the Department of Land and Natural Resources, Hawaii State Aha Moku Kakuhihewa, and four individuals.

Upon review of the testimony, your Committee finds that Senator Galuteria's knowledge, experience, and proven leadership qualifies him for appointment to the Island Burial Council for the Island of Oahu. Senator Galuteria served in the Hawaii State Senate from 2008 to 2018 and held positions as Senate Majority Leader, Senate Majority Caucus Leader, Chair of the Committee on Hawaiian Affairs, and member of the Committee on Ways and Means, among others. Senator Galuteria also founded Na Kupuna Makamae Center, and has been involved in numerous other public service projects relating to Hawaiian culture, including serving as a board member of the Hawaii Book and Music Festival, Polynesian Voyaging Society, and Bishop Museum Native Hawaiian Culture and Arts Program. Senator Galuteria is currently serving as an interim appointee on the Council. Due to his extensive experience working directly with the Hawaiian people from many angles, Senator Galuteria will be a strong asset to the Council. Your Committee therefore recommends that Brickwood Galuteria be appointed to the Island Burial Council for the Island of Oahu based on his experience, knowledge, and proven leadership skills.

CHARLES EHRHORN

Your Committee received testimony in support of the nomination for the appointment of Charles Ehrhorn from the Department of Land and Natural Resources and one individual.

Upon review of the testimony, your Committee finds that Mr. Ehrhorn's knowledge and experience qualify him for reappointment to the Island Burial Council for the Island of Oahu. Mr. Ehrhorn has a masters degree in regional planning and was a land planning coordinator and manager for Campbell Estate from 1993 to 2003, and since then has been a consultant for C&J Land Planning LLC. Furthermore, Mr. Ehrhorn has served on the Island Burial Council for the Island of Oahu in the past and currently serves as an interim appointee. Mr. Ehrhorn's background and work experience gives him a unique perspective and skill set that will be a great asset to the Council. Your Committee therefore recommends that Charles Ehrhorn be appointed to the Island Burial Council for the Island of Oahu based on his experience and knowledge.

As affirmed by the records of votes of the members of your Committee on Hawaiian Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3297 Hawaiian Affairs on Gov. Msg. No. 704

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL, ISLANDS OF MAUI AND LANAI

G.M. No. 704 VERNON KALANIKAU, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Vernon Kalanikau for service on the Island Burial Council for the Islands of Maui and Lanai.

Your Committee received testimony in support of the nomination for the appointment of Vernon Kalanikau from the Department of Land and Natural Resources, Hawaii State Aha Moku, and one individual.

Upon review of the testimony, your Committee finds that Mr. Kalanikau's background and experiences qualify him for appointment to the Island Burial Council for the Islands of Maui and Lanai. Mr. Kalanikau was born and raised on the island of Maui and learned the importance of Hawaiian culture and lineage from his parents and grandparents. For the past four years, Mr. Kalanikau has been participating in the process of determining the final treatment of native Hawaiian skeletal remains that have been discovered inadvertently. This experience as well as his background as a life-long Maui resident and dedication to his culture make him a great asset to the Council. Your Committee therefore recommends Vernon Kalanikau for appointment to the Island Burial Council for the Islands of Maui and Lanai based on his background and experience.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3298 Hawaiian Affairs on Gov. Msg. No. 703

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL, ISLANDS OF KAUAI AND NIIHAU

G.M. No. 703 BRUCE ROBINSON, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Bruce Robinson for service on the Island Burial Council for the Islands of Kauai and Niihau.

Your Committee received testimony in support of the nomination for the appointment of Bruce Robinson from the Department of Land and Natural Resources and Hawaii State Aha Moku.

Upon review of the testimony, your Committee finds that Mr. Robinson's experience and knowledge qualify him for appointment to the Island Burial Council for the Islands of Kauai and Niihau. Mr. Robinson is one of the owners of the island of Niihau and has been the island manager for fifty-two years. Mr. Robinson is fluent in Niihau Hawaiian and is deeply invested in preserving Hawaiian culture and lineage. Mr. Robinson has previously served two terms on the Island Burial Council and his unique background and perspectives make him a unique and critical asset to the Council. Your Committee therefore recommends that Bruce Robinson be appointed to the Island Burial Council for the Islands of Kauai and Niihau based on his vast experience, knowledge, and dedication.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3299 Hawaiian Affairs on Gov. Msg. No. 702

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL, ISLAND OF HAWAII

G.M. No. 702 DESMON HAUMEA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Desmon Haumea for service on the Island Burial Council for the Island of Hawaii.

Your Committee received testimony in support of the nomination for the reappointment of Desmon Haumea from the Department of Land and Natural Resources and Hawaii State Aha Moku.

Upon review of the testimony, your Committee finds that Mr. Haumea's knowledge and experience qualify him for reappointment to the Island Burial Council for the Island of Hawaii. Mr. Haumea is a Hilo resident who currently provides Hawaiian Studies education at both Mt. View Elementary and Waldorf Malamalama. Mr. Haumea is also a crew member of the Hokule'a and a member of the Royal Order of Kamehameha I. Mr. Haumea has served on the Burial Council since 2019 and was involved in the re-internment of iwi at Honokahua and Mokapu. Mr. Haumea is deeply connected to the Hawaiian lands and the breadth of his experiences from both the Burial Council and his education and other activities make him an important asset to the Council. Your Committee therefore recommends that Desmon Haumea be reappointed to the Island Burial Council for the Island of Hawaii based on his knowledge and experience.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3300 Hawaiian Affairs on Gov. Msg. No. 645

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL, ISLAND OF HAWAII

G.M. No. 645 TRAVEN APIKI, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Traven Apiki for service on the Island Burial Council for the Island of Hawaii.

Your Committee received testimony in support of the nomination for the appointment of Traven Apiki from the Department of Land and Natural Resources.

Upon review of the testimony, your Committee finds that Mr. Apiki's experience and background as a State Historic Preservation Division volunteer qualifies him for appointment on the Island Burial Council for the Island of Hawaii. Mr. Apiki currently assists staff on site visits for the State Historic Preservation Division and has done so since 2019. He additionally reviews and provides administrative assistance regarding legacy burial council documents and burial treatment plans. Mr. Apiki is currently employed as an Activity Coordinator for Pacific Discovery, a travel based education program. His skills with planning, development, and execution of activities will be an asset to the Council. Your Committee therefore recommends that Traven Apiki be appointed to the Island Burial Council for the Island of Hawaii based on his experience, background, and commitment to historic preservation.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3301 Hawaiian Affairs on Gov. Msg. No. 582

Recommending that the Senate advise and consent to the nomination of the following:

ISLAND BURIAL COUNCIL, ISLANDS OF KAUAI AND NIIHAU

G.M. No. 582 BARBARA SAY, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Barbara Say for service on the Island Burial Council for the Islands of Kauai and Niihau.

Your Committee received testimony in support of the nomination for the appointment of Barbara Say from the Department of Land and Natural Resources.

Upon review of the testimony, your Committee finds that Ms. Say's experience, knowledge, and dedication qualify her for appointment to the Island Burial Council for the Islands of Kauai and Niihau. Ms. Say was born in Hawaii and raised on Kauai. She raised her family in Hanalei where she spent her time interacting with the kupuna from Hanalei, forming a bond with the land and her lineage. Ms. Say went on to serve as one of the first burial council members and was one of a group of thirteen individuals that repatriated iwi kupuna from the Smithsonian Institute under the Native American Graves Protection and Repatriation Act. The level of dedication and understanding of responsibility that Ms. Say has demonstrated will make her a valuable asset to the Council. Your Committee therefore recommends that Barbara Say be appointed to the Island Burial Council for the Islands of Kauai and Niihau based on her knowledge, experience, and commitment.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3302 Hawaiian Affairs on Gov. Msg. No. 577

Recommending that the Senate advise and consent to the nomination of the following:

HAWAIIAN HOMES COMMISSION

G.M. No. 577 PAULINE NAMUO, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Pauline Namuo for service on the Hawaiian Homes Commission.

Your Committee received testimony in support of the nomination for the reappointment of Pauline Namuo from the Hawaii State Aha Moku; Department of Hawaiian Home Lands; Aukai Pacific, LLC; Waiohuli Hawaiian Homesteaders Association, Inc; and twelve individuals.

Upon review of the testimony, your Committee finds that Ms. Namuo's experience, knowledge, and proven leadership on the Hawaiian Homes Commission qualify her for reappointment to the Commission. Ms. Namuo has thirty-two years of experience in the Hawaii government, with twenty-four in the State Judiciary and eight in the Executive Branch. Furthermore, she has been a substitute teacher in the Department of Education since 2004. Ms. Namuo has served on the Hawaiian Homes Commission since 2018. Beyond these considerable qualifications, Ms. Namuo's varied governmental experiences include being the Deputy Director of Administration for the Department of Public Safety, Legislative Coordinator for the Office of the Governor, Administrator of the State Judiciary Division of Driver Education and Training, along with various other positions dealing with human resources, statistics, training, information technology, and legislative services. Ms. Namuo's decades of knowledge and experience regarding both the Commission and the state government as a whole make her a valuable asset to the Commission. Your Committee therefore recommends that Pauline Namuo be reappointed to the Hawaiian Homes Commission based on her experience, knowledge, and proven leadership.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3303 (Majority) Judiciary on H.B. No. 1456

The purpose and intent of this measure is to amend the offense of theft in the second degree to include theft of an electric gun regardless of its monetary value.

Your Committee received testimony in support of this measure from the Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that electric guns can cause severe pain and completely incapacitate a person and may be used to facilitate a multitude of crimes, including but not limited to robberies, assaults, sexual assaults, human trafficking, and domestic abuse. Your Committee believes that specifying that the theft of an electric gun, regardless of its value, is a higher degree of theft may have a long-term deterrent effect. Therefore, this measure will be a deterrence to potential criminals and create a safer environment for the community by amending the offense of theft in the second degree to include theft of an electric gun regardless of its monetary value.

Your Committee has amended this measure by:

- (1) Inserting an effective date of August 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1456, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1456, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Fevella). Noes, 1 (Acasio). Excused, none.

SCRep. 3304 Judiciary on H.B. No. 124

The purpose and intent of this measure is to:

- (1) Require the Chief Election Officer to develop and distribute a voter information guide for all candidates running for state office, including candidates running for any trustee position of the Office of Hawaiian Affairs; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from Common Cause Hawaii, League of Women Voters of Hawaii, and Community Alliance on Prisons. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Elections.

Your Committee finds that all states make an effort to inform the electorate about upcoming elections, where and when the elections will be held, and how to cast a vote. Your Committee further finds that some states publish official voter guides. Your Committee believes that an informed electorate is an important component of a healthy democracy, and that the distribution of informational guides prepared by the Office of Elections, an apolitical entity, will help the electorate in making informed voting decisions.

Your Committee has amended this measure by:

- (1) Specifying that the Chief Election Officer shall develop and distribute a voter information guide for all candidates running for federal or state office;
- (2) Specifying that the voter information guide shall include a short statement of less than one hundred fifty words for each candidate running for office, to be prepared by the candidate and based on a template or criteria created by the Office of Elections;
- (3) Specifying that the Office of Elections shall provide a translation of the voter information guide in Olelo Hawaii;
- (4) Removing the appropriation;
- (5) Making it effective upon its approval, making it applicable to the 2024 election, and sunseting it on November 6, 2024; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 124, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 124, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3305 Judiciary on H.B. No. 1828

The purpose and intent of this measure is to:

- (1) Amend the membership, composition, compensation, and duties of the Taxation Board of Review;
- (2) Amend quorum requirements of the Taxation Board of Review;
- (3) Authorize members of the Taxation Board of Review to validate the Board's actions with a concurrence of the majority of members who heard the appeal;
- (4) Specify that Taxation Board of Review board meetings are contested case hearings with certain notice requirements;
- (5) Clarify the legal and evidentiary framework for the Taxation Board of Review to use when making decisions; and
- (6) Appropriate funds to the Department of Taxation to establish staff positions.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that establishing a paid professional Taxation Board of Review with robust institutional support would greatly help the Department of Taxation work through its significant backlog of appeals. This measure will ensure that Hawaii's taxpayers have their tax appeal issues resolved fairly and expeditiously.

Your Committee has amended this measure by:

- (1) Restoring the three full-time equivalent new Taxation Board of Review member positions;
- (2) Restoring the two full-time equivalent new staff positions that the Department of Taxation may establish to serve as administrative support or legal staff to the Taxation Board of Review;
- (3) Re-inserting \$518,452 in general funds for fiscal year 2022-2023 for the payment of salaries to the new Taxation Board of Review members and staff; and
- (4) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1828, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1828, H.D. 3, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3306 Health on H.B. No. 1579

The purpose and intent of this measure is to:

- (1) Extend the deadline by which the transfer of the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health is to be completed;
- (2) Set the manner by which the Oahu Regional Health Care System should request operational funding during the transition period;
- (3) Require the transition working group to submit an additional report to the Legislature prior to the convening of the Regular Session of 2023;
- (4) Clarify the procedure for the working group to discuss matters concerning patient privacy and prospective bidders; and
- (5) Appropriate funds to the Department of Health to formulate and execute a comprehensive business and transition plan.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaii Health Systems Corporation Oahu Region; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Health Systems Corporation.

Your Committee finds that Act 212, Session Laws of Hawaii 2021 (Act 212), initiated the transfer of the Oahu Regional Health Care System (Oahu Region) from the Hawaii Health Systems Corporation (HHSC) to the Department of Health. The Oahu Region, unlike the other HHSC hospitals, operates primarily as a safety net social service rather than a traditional income-generating hospital. The Oahu Region, therefore, has difficulty competing for funds against other hospitals in the HHSC, which are provided to the HHSC without allocation to each region. Act 212 was passed to transfer the Oahu Region to the Department of Health, in part, to ensure the Oahu Region remained properly funded and to be integrated into the Department of Health's current social services.

Act 212 also created a transition working group to develop, evaluate, and implement any additional steps necessary to complete the transition of the Oahu Region from HHSC to the Department of Health. The transition working group submitted a report to the Legislature prior to the current Regular Session, which estimated that the transition would cost over \$10,000,000 with an annual post-transition cost of \$5,000,000 and would not be completed until the end of 2024.

Your Committee notes the testimony of the Department of Health, which opposes the measure due to the transition and post-transition costs. The Department of Health further testified that if the Legislature were to carry out the transition required by Act 212, it would need until the end of 2024 to complete the transition, per the working group's report.

Therefore, your Committee has amended this measure by:

- (1) Extending the deadline by which the transition of the Oahu Region Health Care System facilities must be completed from December 31, 2022, to December 31, 2025;
- (2) Authorizing the working group to hold multiple executive sessions to discuss individual identifiable information that could affect patient privacy or information that could identify prospective bidders;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1579, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1579, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3307 Health on H.B. No. 1743

The purpose and intent of this measure is to define the term "pool" for the purposes of the Department of Health's authority to adopt rules concerning public health and safety.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that under existing law, the Department of Health is authorized to regulate "pools". However, there is currently no statutory definition of what constitutes a pool. The Department of Health's administrative rules require that public swimming pools use disinfectants such as chlorine and that the pool comply with turnover rates to reduce the chances of disease transmission. Man-made lagoons and pools such as the Waikiki War Memorial Natatorium cannot meet these requirements and should not be regulated by the Department of Health. This measure clarifies that the Department of Health is authorized to regulate structures such as public swimming pools.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1743, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1743, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3308 Health on H.B. No. 2058

The purpose and intent of this measure is to appropriate funds as a grant to the Waianae Coast Comprehensive Health Center for the operation of its twenty-four-hour emergency department.

Your Committee received testimony in support of this measure from the Waianae Coast Comprehensive Health Center and Hawai'i Primary Care Association. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that the Waianae Coast Comprehensive Health Center (Center) is a nonprofit medical facility serving the Waianae coast of Oahu. The Center provides twenty-four-hour emergency department services for the Waianae coast and the majority of the Center's patients are at one hundred percent of the federal poverty level and receive coverage under the State's Medicaid program or Medicare. As a result, the Center operates at a financial loss and requires state subsidies to maintain a twenty-four-hour year-round emergency department. This measure provides monies to the Center to continue its twenty-four-hour emergency department operations.

Your Committee acknowledges the concerns of the Department of Health and Hawai'i Primary Care Association, noting that the Center likely has not met the necessary requirements, pursuant to chapter 42F, Hawaii Revised Statutes, for receiving a grant-in-aid.

Therefore, your Committee has amended this measure by:

- (1) Removing the appropriation for a grant-in-aid to the Waianae Coast Comprehensive Health Center and replacing it with an appropriation to the Department of Health to procure the services for the public purpose of operating a twenty-four-hour emergency department from the center;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2058, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2058, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3309 Energy, Economic Development, and Tourism on H.B. No. 1809

The purpose and intent of this measure is to establish a renewable fuels production tax credit.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Pacific Biodiesel Technologies, LLC; Hawai'i Gas; Par Hawaii; Hawaii Clean Power Alliance; Climate Protectors Hawai'i; 350Hawaii.org; Environmental Caucus of the Democratic Party of Hawai'i; and eight individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, and Pet Food Institute.

Your Committee finds that it is critical to achieve greater energy security for the State. Your Committee further finds that the renewable fuels production tax credit established through Act 202, Session Laws of Hawaii 2016, was repealed on December 31, 2021. Your Committee believes that reestablishing a renewable fuels production tax credit will increase the production of renewable fuels, which, in turn, facilitates the development and integration of renewable energy systems, diversifies energy technology, enhances energy resiliency, and furthers the realization of Hawaii's renewable energy goals.

Your Committee has amended this measure by:

- (1) Inserting language that allows the tax credit to be taken upfront at a seventy percent reduced rate;
- (2) Amends the requirement for the Hawaii State Energy Office to certify that the renewable fuels produced have life cycle emissions substantially below that of fossil fuels from annually to every five years;
- (3) Inserting language that protects the confidential data within the verification and certification information, taxpayer and facility information, and renewable fuels production information submitted;
- (4) Adding wastewater to the list of renewable feedstocks;
- (5) Adding bioenergy to the definition of renewable fuels; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1809, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1809, H.D. 3, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3310 Human Services on H.B. No. 2233

The purpose and intent of this measure is to authorize and appropriate funds for the Department of Human Services to provide additional housing assistance subsidies of up to \$500 per month to Temporary Assistance for Needy Families (TANF) and Temporary Assistance for Other Needy Families (TAONF) program participants who are also participating in the First-To-Work program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Office of Hawaiian Affairs, Partners In Care, Zonta Club of Hilo, Family Promise of Hawaii, Catholic Charities Hawai'i, Parents And Children Together, Hawai'i Children's Action Network Speaks!, LGF Consulting Hawaii, and four individuals. Your Committee received comments on this measure from the State Procurement Office, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that, as of January 2022, there was an average of 4,532 families participating in the TANF program, a federally-funded financial assistance program designed to help families in need achieve self-sufficiency; and 1,116 families participating in the TAONF program, a state-funded program that mirrors TANF and is designed to assist Hawaii families with minor children who are not eligible to receive TANF program benefits due to their citizenship. According to the Department of Human Services, seventy percent of TANF recipients and sixty percent of TAONF recipients participated in the First-To-Work program, which, in addition to assisting the recipient families in obtaining employment, also provides housing allowances to participating families. Your Committee finds, however, that the housing allowance is limited to a one-time payment of an amount not to exceed two months of rent.

Your Committee further finds that nearly one-third of households in Hawaii who rent their homes spend over half of their monthly income on rent and utilities. As housing prices continue to skyrocket, your Committee believes that low-income families participating in the First-to-Work program will likely require assistance to meet their housing costs; however, the programs currently lack the funds to accommodate this critical need. Your Committee, therefore, finds that this measure is necessary to address a key barrier to housing for many low-income families in Hawaii, including those experiencing homelessness or are at risk of homelessness.

Your Committee notes the testimony of the Department of Human Services stating that the annual cost of issuing a monthly housing assistance subsidy of \$500 to TANF and TAONF program participants is projected to total \$23,094,000. According to the Department, the annual cost for the TANF program participants, which is estimated at \$19,168,020, will need to be covered by federal TANF funds, and the annual cost for the TANOF participants, estimated at \$3,925,980, will need to be covered by state general funds. The Department also reports that an additional \$200,000 in federal TANF funds will be needed to cover the cost for the TANF program's system modifications.

Accordingly, your Committee has amended this measure by:

- (1) Appropriating out of the general revenues of the State of Hawaii, \$3,925,980 for fiscal year 2022-2023 for housing assistance subsidies for the TAONF program participants;
- (2) Appropriating out of the federal TANF funds received by the State of Hawaii, \$19,168,020 for fiscal year 2022-2023 for housing assistance subsidies for the TANF program participants;
- (3) Appropriating out of the federal TANF funds received by the State of Hawaii, \$200,000 for fiscal year 2022-2023 for system modifications for the TANF program;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2233, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2233, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3311 Higher Education on H.B. No. 2206

The purpose and intent of this measure is to appropriate funds to the University of Hawaii at Manoa and University of Hawaii at Hilo for athletics.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that, for decades, University of Hawaii athletics have captivated Hawaii's people. University of Hawaii athletic programs offer teams opportunities to play before Hawaii's people and against teams from the continental United States and internationally as ambassadors of the State. Student athletes playing for University of Hawaii teams also have the opportunity to continue competitive play while earning postsecondary credentials. However, higher costs that are unique to Hawaii, which peer institutions do not have to address, pose some challenges to University of Hawaii athletic departments. To address the high costs of collegiate athletics, while also developing infrastructure and recruitment for future seasons, funding is needed to continue the University of Hawaii's rich legacy of athletic excellence.

Your Committee has amended this measure by:

- (1) Inserting an amount of \$3,600,000 of general funds to be appropriated to program ID University of Hawaii, Manoa (UOH100) for the purposes of the measure provided that the Board of Regents consider certain matters pertaining to athletic coaching contracts and terminations of employment; and
- (2) Inserting an amount of \$400,000 of general funds to be appropriated to program ID University of Hawaii, Hilo (UOH 210) for athletics.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2206, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2206, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3312 Higher Education on H.B. No. 1488

The purpose and intent of this measure is to require the tuition residency rules for the University of Hawaii to grant the resident tuition fee for enrollment at any University of Hawaii campus, including any community college, to individuals who have obtained a Hawaii high school diploma or equivalent credential and are working toward an undergraduate degree, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, Kamehameha Schools, and four individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that increasing access to postsecondary educational opportunities in the State allows for Hawaii's high school graduates and individuals who possess equivalent credentials to pursue postsecondary educational goals. Simplifying the residency determination for admission into the University of Hawaii System will positively impact students who wish to pursue higher education while also reducing the barriers students may face while applying to a University of Hawaii campus. Additionally, simplifying residency requirements and the determination of residency will also assist high school students, recent graduates, and individuals with equivalent credentials who are homeless or experiencing complex family circumstances. Increasing access to postsecondary education for all students is in alignment with a larger collaborative effort in workforce development, as a significant number of jobs, particularly those affording a living wage, require postsecondary credentials.

Your Committee has amended this measure by:

- (1) Reducing the timeframe of eligibility for resident tuition from eight years to two years from the time the student received a high school diploma or its equivalent to the student's first day of official scheduled instruction at the University of Hawaii;
- (2) Amending section 1 to reflect that this measure is a matter of statewide concern; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1488, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1488, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3313 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1739

The purpose and intent 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 Department of Public Safety, Hawai'i Correctional System Oversight Commission, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Common Cause Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that existing sentencing laws provide that the courts are responsible for setting maximum terms of imprisonment in accordance with statute. The Hawaii Paroling Authority establishes the minimum terms, at which point the inmate becomes eligible for release into the community on parole. Existing laws further promote community safety by requiring the Department of Public Safety to develop and implement comprehensive reentry plans to help each inmate. Such plans prepare inmates, upon parole eligibility, to make the difficult transition from the highly structured prison setting to life in the community. When offenders are held until their maximum terms expire, they have much more difficulty succeeding after release. This measure will reduce recidivism and give inmates the best chance to succeed after release by clarifying 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.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1739, H.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, 5. Noes, none. Excused, none.

SCRep. 3314 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2169

The purpose and intent of this measure is to clarify that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than issue civil identification cards.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Department of Public Safety, Hawai'i Health & Harm Reduction Center, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Hawai'i Friends of Restorative Justice, and nine individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Correctional System Oversight Commission, American Civil Liberties Union of Hawai'i, and one individual. Your Committee received comments on this measure from Common Cause Hawaii and four individuals.

Your Committee finds that it is not uncommon for an identification card to be lost when an individual is arrested, either during the booking process or during the transition from cell block to the correctional facilities. In some instances, identification cards are recovered as evidence by law enforcement and never released back to the individual. For individuals serving longer sentences, their

identification cards often lapse and expire. Your Committee further finds that identification cards are necessary to transition into the workforce, access social services, and secure housing. This measure will promote successful reentry of offenders by clarifying that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than issue civil identification cards.

Your Committee notes that it is not the intent of this measure to restrict the voting rights of incarcerated individuals.

Your Committee has amended this measure by:

- (1) Removing language that would have placed the onus in procuring civil identification on soon-to-be released inmates;
- (2) Requiring the Department of Public Safety to assist inmates in obtaining civil identification by providing the forms necessary for obtaining civil identification;
- (3) Requiring any form provided by the Department of Public Safety for the purpose of assisting inmates in obtaining civil identification to be in the inmate's primary language; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2169, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2169, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3315 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2309

The purpose and intent of this measure is to reduce recidivism rates in the State and increase productivity in affected communities by appropriating moneys for the development and maintenance of diversion, reentry, and rehabilitation programs within the State.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Judiciary, American Civil Liberties Union of Hawai'i, Hawai'i Health & Harm Reduction Center, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, YWCA O'ahu, Going Home Hawaii, Women's Prison Project, Share Your Mana, Hawai'i Friends of Restorative Justice, and eighteen individuals. Your Committee received comments on this measure from the Department of Public Safety, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that reentry programs that help people secure jobs, treatment, housing, and education have proven effective in facilitating the successful transition of formerly incarcerated people out of jails and prisons, and back to their families and communities. Moreover, comprehensive support services have been shown to reduce recidivism. This measure will reduce recidivism rates in the State and increase productivity in affected communities by appropriating moneys for the development and maintenance of diversion, reentry, and rehabilitation programs within the State.

Your Committee has amended this measure by:

- (1) Providing an appropriation for the Department of Human Services for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations within the State to provide services to formerly incarcerated persons exiting jails and prisons, with a special focus on housing and human services;
- (2) Providing an appropriation for the Department of Health for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations within the State to provide services to formerly incarcerated persons exiting jails and prisons, with a special focus on health;
- (3) Requiring state agencies and non-profit organizations that receive appropriations from this measure to submit a report to the Legislature detailing how the funds have been expended, the list of providers, how many people have been served, a description of services provided, and measurable outcomes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2309, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3316 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2312

The purpose and intent of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission in the Judiciary to ensure implementation of the recommendations from the final report of the House Concurrent Resolution No. 85 (2016) task force, to develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the judicial system;

- (2) Require the Commission to consider model programs including residential, in-person, and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs; and
- (3) Appropriate funds to support the Women's Corrections Implementation Commission.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i Health & Harm Reduction Center, Women's Prison Project, and two individuals. Your Committee received comments on this measure from the Department of Public Safety, Hawai'i State Commission on the Status of Women, and Department of Budget and Finance.

Your Committee finds that the criminal justice system is set up to address the correctional concerns and needs of men because most crime is committed by men. However, criminal justice researchers have established that women differ in their offending patterns, both in kind and degree. Women are less likely to engage in acts of violence against others, which reduces the public safety risk to others if they are sentenced to probation, community service, or residential treatment programs instead of prison. Women are also more likely to suffer from substance abuse addiction and poor mental health that, if left untreated, become risk factors that can lead to increased recidivism. This measure will help to ensure that state systems are functioning as well as they can to promote the ongoing health and safety of local communities by establishing a Women's Corrections Implementation Commission to ensure the timely implementation of the recommendations from the House Concurrent Resolution No. 85 (2016) task force.

Your Committee has amended this measure by:

- (1) Adding the Public Defender or the Public Defender's designee to the Commission;
- (2) Allowing for the commission member representing the Department of the Prosecuting Attorney to come from any county in Hawaii, not only Honolulu; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2312, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2312, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3317 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2344

The purpose and intent of this measure is to reform probation procedures by:

- (1) Requiring a probation officer to conduct a formal review of a defendant's progress halfway through the defendant's period of probation and provide the defendant information on how to file a motion with the court for early termination of probation, if the defendant so chooses; and
- (2) Giving a probation or law enforcement officer who has probable cause to believe a defendant has failed to comply with a discretionary condition of probation the discretion to issue the defendant a written notice of a court hearing that states the defendant's alleged violation and the date, time, location, and purpose of the hearing.

Your Committee received testimony in support of this measure from the Judiciary, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawai'i Health & Harm Reduction Center, Hawai'i Friends of Restorative Justice, and fifteen individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Office of the Public Defender and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that reducing the number of people on supervision can allow agencies to direct resources where they can have the biggest impact on public safety. Research has shown that when officers have smaller caseloads and implement evidence-based practices, it can reduce recidivism. Your Committee further finds that research also shows that offering people the opportunity to reduce their sentences via earned time credits encourages compliance and increases successful outcomes without compromising public safety, especially if the incentive is perceived as significant, such as receiving fifteen to thirty days off a sentence for each month of compliance. Currently, sixteen states have statutes that allow for earned time credits on probation supervision. States such as Alaska, Arkansas, Delaware, Missouri, and Utah have "thirty for thirty" policies, in which the person on probation gets thirty days of credit for thirty days of compliance with probation conditions. This measure will save taxpayer dollars and promote community safety by improving the probation system in the State.

Your Committee has amended this measure by:

- (1) Re-inserting a good time credit system, by which a defendant on probation may reduce the defendant's sentence through compliance with conditions of probation, which was removed by the House of Representatives;
- (2) Requiring the probation officer to submit a report after the formal review of the defendant to the presiding or sentencing judge justifying why the defendant continues to need supervision on probation;
- (3) Restricting review and early termination of probation to cases not involving offenses under chapter 134, chapter 707, section 586-4, section 586-11, or section 707-906, Hawaii Revised Statutes;
- (4) Reinstating and defining the term "technical violation", which was removed by the House of Representatives;
- (5) Requiring a written notice rather than a bench warrant and arrest when a technical violation has occurred;
- (6) Amending section 1 to reflect its amended purpose; and

- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2344, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2344, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3318 Water and Land on H.B. No. 1669

The purpose and intent of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to establish a pilot program to develop a Waikiki adaptation and resilience plan to address climate change and sea level impacts in the Waikiki Special District;
- (2) Require a report to the Legislature; and
- (3) Make an appropriation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, University of Hawai'i System, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Waikiki Neighborhood Board, Waikiki Beach Special Improvement District Association, and three individuals. Your Committee received comments on this measure from Hawai'i Emergency Management Agency, Department of Budget and Finance, and one individual.

Your Committee finds that Hawaii's vulnerable coastal communities must plan for adapting to and mitigating the impacts of sea level rise, groundwater inundation, and coastal erosion. To achieve climate change resiliency plans, comprehensive, feasible, and appropriate adaptation policies, plans, and actions are required to effectively safeguard the State's critical assets in sea level rise exposure areas. The threat of sea level rise and coastal erosion will impact the water distribution system in low lying and coastal areas and adaptation measures may need to be prioritized and implemented. While Waikiki serves as a major economic hub not only for the City and County of Honolulu, but for the State at-large, the creation of climate change adaptation and resilience plans allows the State to pursue climate-change related natural hazard mitigation. The Waikiki Adaptation and Resilience Plan will also serve as an opportunity for state and county agencies to collaborate on regional planning.

Your Committee notes the testimony of the Hawaii Emergency Management Agency regarding alignment of local hazard mitigation planning with statewide hazard mitigation efforts. Aligning the regional hazard mitigation planning with state efforts would allow the Hawaii Emergency Management Agency to maximize the impact of mitigation projects to be consistent with the hazard mitigation plans that are adopted by each county and the state with approval by the Federal Emergency Management Agency.

Your Committee has amended this measure by:

- (1) Requiring an implementation strategy as a component of the Waikiki Adaptation and Resilience Plan, to be included in the final report due to the Legislature prior to the convening of the Regular Session of 2024;
- (2) Inserting a blank appropriation amount for one full-time equivalent (1.0 FTE) position within the Office of Planning and Sustainable Development to ensure the activities identified within the Waikiki Adaptation and Resilience Plan are carried out;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Inserting an effective date of July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1669, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1669, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3319 (Joint) Water and Land and Agriculture and Environment on H.B. No. 1497

The purpose and intent of this measure is to require the Division of Forestry and Wildlife of the Department of Land and Natural Resources to establish a two-year pilot program to remove invasive species in and around Waiahole Stream on Oahu.

Your Committees received testimony in support of this measure from Hawaii State Aha Moku, Hawaii Housing Finance and Development Corporation, and one individual. 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 proper management and maintenance of watersheds are crucial to preventing loss of life and protecting public and private property in nearby communities. Forest management projects have the potential to increase water infiltration and reduce runoff, mitigating downstream flooding. Forest management may also improve forest health and reduce invasive species impacts, allowing the forest and its ecosystem to thrive.

Under lease agreements with the Hawaii Housing Finance and Development Corporation, lessees are responsible for clearing Waiahole Stream along their property. Many lessees lack the financial means to remove large albizia trees that may fall in or near the stream, thereby exacerbating existing flood risks. Impacts from climate change and extreme weather events also create additional hazards from flood risks, as witnessed during the damaging floods of March 2021 in Waiahole. As the albizia tree poses significant flood and community risks near the Waiahole Stream, mitigation is necessary to address the prevalence of this invasive species.

Your Committees have amended this measure by inserting an effective date of July 1, 2022.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1497, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1497, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3320 (Joint) Water and Land and Agriculture and Environment on H.B. No. 1769

The purpose and intent of this measure is to appropriate funds to the Department of Land and Natural Resources to study and combat rapid ohia death in the State.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Hawaii State Aha Moku, Center for Biological Diversity, Hawai'i Farm Bureau, Hawai'i Forest Industry Association, Coordinating Group on Alien Pest Species, and eight individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that rapid ohia death has killed over a million ohia trees on Hawaii Island and threatens forests on all of the main Hawaiian Islands. Ohia is the State's most common tree, comprising eighty percent of remaining native forests, and provides important habitats for other plants and animals. Ohia forests have been treasured by Hawaiians for centuries for many practical and cultural uses, including hula, where ohia is the kinolau of important, sacred Hawaiian gods.

However, conditions such as rapid ohia death continue to threaten ohia forests across the State. Since its discovery, there has never been a successful eradication of a fungal disease in natural areas. In addition to rapid ohia death, ohia forests are also threatened by invasive weeds that threaten the ability of ohia forests to thrive. While researchers have investigated two fungi associated with rapid ohia death and have developed recommendations for managing the disease, further study is needed to fully understand the complex relationships of the disease with introduced beetles, feral animals, storm events, and human activity.

Your Committees have amended this measure by inserting an effective date of July 1, 2022.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1769, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1769, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3321 (Joint) Water and Land and Agriculture and Environment on H.B. No. 2431

The purpose and intent of this measure is to:

- (1) Establish the sustainable food systems working group within the Office of Planning and Sustainable Development;
- (2) Require the working group to submit a plan, any recommendations for implementing the plan, and any proposed legislation to the Legislature;
- (3) Appropriate funds to establish the working group and develop the plan; and
- (4) Appropriate funds for an unspecified number of sustainability specialist positions to be employed by the Office of Planning and Sustainable Development Statewide Sustainability Branch.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Department of Agriculture, Hawaii State Aha Moku, Hawai'i Farmers Union United, Hawaii Food Industry Association, Hawaii Fishermen's Alliance for Conservation and Tradition, Hawai'i Farm Bureau, Food+ Policy Internship 2022, Hawai'i Alliance for Progressive Action, Down to Earth Organic and Natural, and eight individuals. Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that the initiative called "Transforming Hawai'i's Food Systems Together" seeks to build statewide capacity to develop an integrated food policy framework and food system resilience and equity strategy that is inclusive of Hawai'i's indigenous values and producer perspectives. The initiative intends to harness innovation and momentum developed in response to the coronavirus disease 2019 pandemic, document lessons learned, articulate policy and planning recommendations, and set up the State to expand large-scale institutional purchasing of local food. Establishing a sustainable food systems working group may enhance cross-community relationships across a variety of sectors, including food producers, processors, distributors, retailers, consumers, waste management, academic institutions, non-governmental organizations, and government agencies.

Your Committees note the testimony from Hawaii State Aha Moku regarding the composition of the working group. As Native Hawaiian cultural practitioners possess valuable knowledge, skills, and experience protecting lands and coastal and ocean areas for continuing sustainable use of island food systems, the Native Hawaiian representatives to the sustainable food systems working group should be knowledgeable in the traditional cultural practices of mahiai and lawaia. As island needs vary across the Hawaiian Islands, the Hawaii State Aha Moku also requests the Native Hawaiian representatives understand the differences in natural and cultural resources that may impact sustainability of food systems.

Your Committees have amended this measure by:

- (1) Expanding the membership of the Sustainable Food Systems Working Group to include a representative of the Hawaii Farmers Union United, a representative of the Hawaii Fishermen's Alliance for Conservation and Tradition, to be selected by the President of the Hawaii Fishermen's Alliance for Conservation and Tradition, and a representative of the commercial fishing sector of the State, to be selected by the Administrator of the Department of Land and Natural Resources Division of Aquatic Resources; and
- (2) Inserting an effective date of July 1, 2022.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2431, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2431, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3322 Water and Land on S.C.R. No. 64

The purpose and intent of this measure is to request the Board of Land and Natural Resources to support and authorize the Napili Beach Public Access Stair Project.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Napili Bay and Beach Foundation, Inc.

Your Committee finds that Hawaii's beaches are a world-renowned natural resource that are facing significant challenges with the onset of climate change, sea level rise, and coastal erosion. Napili Beach, located in Kaanapali, Maui, has served both residents and tourists as a scenic point on Maui's west coast. The old Napili Beach public access concrete stairs, originally constructed in the 1980s, from headland to the south end of Napili Beach, were seriously damaged by heavy south swells on Labor Day, 2017, before being destroyed completely in July 2019. To mitigate some impacts from further coastal erosion and heavy south swells, the Napili Beach Public Access Stair Project was proposed to be relocated to a location further way from south swell impact. In 2019, the Napili Bay and Beach Foundation Inc. applied for and received a state grant-in-aid to replace the older stairs with more resilient, trex decking stairs, which are open tread to allow seasonal ebb and flow of beach sand.

Your Committee further finds that since the inception of the Napili Beach Public Access Stair Project, the Department of Land and Natural Resources has issued a site plan approval for the replacement of the failed concrete stairs with the new access stairs. At the Board of Land and Natural Resources meeting on October 22, 2021, under agenda item D-5, the Board approved a twenty-five-year term, non-exclusive easement for elevated beach access stairs and dune walkover on state submerged lands identified by tax map keys: (2) 4-3-002:023 and (2) 4-3-002:099. To ensure continued access to Napili Beach for Hawaii's people, your Committee concludes that the easement is necessary for use, repair, and maintenance of the Napili Beach public access stairs.

Your Committee has amended this measure by:

- (1) Inserting updated findings regarding the Department of Land and Natural Resources' administrative procedures on the term, non-exclusive easement covering a portion of state submerged lands at Napili, Kaanapali, Maui;
- (2) Amending its title in accordance with its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 64, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 64, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3323 Transportation on H.B. No. 1619

The purpose and intent of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation, American Property Casualty Insurance Association, Hawaii Insurers Council, GEICO, and Hawaii Association for Justice. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs Insurance Division and Turo.

Your Committee finds that peer-to-peer car-sharing programs, which are not rental car businesses, do not have established requirements for insurance coverage. Having proper insurance coverage is critical, therefore this measure establishes mandatory insurance terms for peer-to-peer car-sharing programs.

Your Committee has amended this measure by adopting the clarifying language from the Insurance Commissioner to address concerns regarding primary insurance coverage.

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. 1619, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1619, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3324 Ways and Means on Gov. Msg. No. 583

Recommending that the Senate advise and consent to the nomination of the following:

TAXATION BOARD OF REVIEW

G.M. No. 583 WILLIAM CURTIS, for a term to expire 06-30-2025

Your Committee reviewed the personal statement and resume submitted by William Curtis for service on the Taxation Board of Review.

Your Committee received testimony in support of the nomination of William Curtis from the Department of Taxation and a member of the Taxation Board of Review.

Your Committee received comments on the nomination of William Curtis from Mr. Curtis himself.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that William Curtis studied accounting at Menlo College and has been licensed by the State as a general contractor since 1996. Your Committee believes that his knowledge of budgets, contract administration, and project management in both the public and private sectors will bring an important perspective to the Taxation Board of Review.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

SCRep. 3325 Ways and Means on Gov. Msg. No. 584

Recommending that the Senate advise and consent to the nomination of the following:

TAXATION BOARD OF REVIEW

G.M. No. 584 RICHARD ROVELSTAD, for a term to expire 06-30-2025,

Your Committee reviewed the personal statement and resume submitted by Richard Rovelstad for service on the Taxation Board of Review.

Your Committee received testimony in support of the nomination of Richard Rovelstad from the Department of Taxation and a member of the Taxation Board of Review.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Richard Rovelstad has experience as a licensed certified public accountant in the State of Wisconsin, has previously served on Hawaii's Taxation Appeals Board, and has served in various academic and professional roles. Your Committee believes that Richard Rovelstad's professional expertise and commitment to public service will make him an asset to the Taxation Board of Review.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

SCRep. 3326 Ways and Means on Gov. Msg. No. 585

Recommending that the Senate advise and consent to the nomination of the following:

TAXATION BOARD OF REVIEW

G.M. No. 585 VALERIE PERALTO, for a term to expire 06-30-2024

Your Committee reviewed the personal statement and resume submitted by Valerie Peralto for service on the Taxation Board of Review.

Your Committee received testimony in support of the nomination of Valerie Peralto from the Department of Taxation and a member of the Taxation Board of Review.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Valerie Peralto has extensive experience as a Certified Public Accountant, has previously served on the Board of Taxation Review, and has been involved with a number of professional and community organizations. Your Committee believes that with her expertise and commitment to public service, she is ideally suited to serve on the Taxation Board of Review.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

SCRep. 3327 Ways and Means on Gov. Msg. No. 586

Recommending that the Senate advise and consent to the nomination of the following:

TAXATION BOARD OF REVIEW

G.M. No. 586 DARRYL KOMO, for a term to expire 06-30-2025

Your Committee reviewed the personal statement and resume submitted by Darryl Komo for service on the Taxation Board of Review.

Your Committee received testimony in support of the nomination of Darryl Komo from the Department of Taxation and a member of the Taxation Board of Review.

Upon review of the testimony and the nominee's qualifications, your Committee recognizes that Darryl Komo earned a Masters of Business Administration degree from the University of Hawaii, has more than forty-six years of accounting experience, previously served on the Board of Public Accountancy, and has held key leadership roles with several professional and community organizations. Your Committee believes that Darryl Komo's expertise and commitment to public service make him highly qualified to serve on the Taxation Board of Review.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Keith-Agaran, Moriwaki).

SCRep. 3328 Energy, Economic Development, and Tourism on H.B. No. 1982

The purpose and intent of this measure is to:

- (1) Require every person making payment to a loan-out company and claiming the motion picture, digital media, and film production income tax credit (film tax credit) to withhold payments to loan-out companies;
- (2) Prohibit the defense of erroneous claim for a refund or credit if the claim for refund was generated by a tax credit and sets the penalty for such case to ten percent;
- (3) Require the report by Department of Business, Economic Development, and Tourism to include the dollar amount claimed, name of the company, and name of the qualified production of the taxpayer;
- (4) Extend the period during which excess income tax credits may be claimed to December 31, 2032;
- (5) Require qualified taxpayers to withhold a certain amount and remit that amount;
- (6) Amend the use of the Tax Administration Special Fund; and
- (7) Authorize the Department of Taxation to establish four full-time equivalent tax auditor positions.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawai'i System; and Motion Picture Association, Inc. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Tax Foundation of Hawaii, Island Film Group, and one individual.

Your Committee finds that the film tax credit stimulates the economy and creates quality employment while promoting Hawaii as a premier destination for both the film industry and visitors. According to testimony from the Department of Business, Economic Development, and Tourism, 2021 was a record year for motion picture, digital media, and film production in the State with \$423,000,000 in direct expenditures and the creation of nearly four thousand five hundred new jobs. Your Committee further finds that amending certain criteria for the film tax credit will enable the State to continue this production momentum and diversify its economy.

Your Committee has amended this measure by:

- (1) Relocating the language of the tax withholding requirement and the definition of a loan-out company from chapter 235, Hawaii Revised Statutes, relating to income tax to chapter 237, Hawaii Revised Statutes, relating to general excise tax;
- (2) Reducing the withholding amount for persons that make payments to a loan-out company from ten to 4.5 percent of all payments made to the loan-out company;
- (3) Removing language that prohibits a taxpayer from invoking the defense against an erroneous claim for a refund or credit if the claim or refund was generated by a tax credit;
- (4) Setting an application processing fee for the film tax credit at one-tenth of one percent of the film tax credit claimed by a qualified production; provided that the fee be capped at \$20,000;
- (5) Removing the requirement for productions to submit a verification review by a qualified certified public accountant when applying for the film tax credit;
- (6) Clarifying that the withholding amount for qualified productions that claim the income tax credit is 4.5 percent of the qualified production costs for services performed in the State; and

- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1982, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1982, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3329 Energy, Economic Development, and Tourism on H.B. No. 2414

The purpose and intent of this measure is to establish a general excise tax exemption for the gross proceeds or income derived from the manufacture, production, packaging, and sale of diapers.

Your Committee received testimony in support of this measure from Hawaii Children's Action Network Speaks!, Hawai'i Diaper Bank, Early Childhood Action Strategy, Chamber of Commerce Hawaii, Retail Merchants of Hawaii, Hawaii Food Industry Association, Hawai'i Restaurant Association, and twelve individuals. Your Committee received testimony in opposition to this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that diapers are basic necessities for families with infants in the State. Your Committee further finds that sellers pass on the general excise tax to the consumer, which increases the cost of an item. Exempting amounts received from the sales of necessities, such as food, medicine, and diapers can benefit the Hawaii's families by reducing expenses associated with these necessities.

Accordingly, your Committee has amended this measure by:

- (1) Establishing a general excise tax exemption for the gross proceeds or income derived from the sale of food and nonprescription drugs;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2414, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2414, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3330 Government Operations on H.B. No. 1419

The purpose and intent of this measure is to require the Office of Enterprise Technology Services to develop, publish, and periodically update electronic information technology disability access standards to be implemented by state entities.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Office of Enterprise Technology Services, Executive Office on Aging, Disability and Communication Access Board, Hawai'i Civil Rights Commission, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, and twelve individuals.

Your Committee finds that the State has made great progress in embracing information and communication technology. Your Committee further finds, however, that the enormous potential of this technology in government operations cannot be fully realized if significant portions of the citizenry lack meaningful access. This holds especially true for individuals with disabilities. As the testimony in support of this measure makes clear, barriers to accessing information and communication technology are not abstract, academic concepts. They are concrete obstacles that, in the context of government operations, impair the right of individuals with disabilities to fully participate in civic life. Accordingly, this measure will help ensure that all Hawaii residents can participate in and benefit equally from State programs and services by establishing standards and a process to improve accessibility for information and communication technology.

Your Committee has amended this measure by:

- (1) Replacing all references to "electronic information technology" with "information and communication technology", to conform with usage in federal law;
- (2) Designating the Disability and Communication Access Board as the agency responsible for the development of the Hawaii Information and Communication Technology Disability Access Standards, rather than the Office of Enterprise Technology Services;
- (3) Requiring the Disability and Communication Access Board to develop, publish, and update the Hawaii Information and Communication Technology Disability Access Standards in consultation with the Office of Enterprise Technology Services, by no later than July 1, 2023;
- (4) Specifying that technology developed, purchased, or provided by the State shall be consistent with the Hawaii Information and Communication Technology Disability Access Standards;
- (5) Clarifying the composition of the working group to be convened to review the Hawaii Information and Communication Technology Disability Access Standards;

- (6) Clarifying and streamlining the parameters of the Hawaii Information and Communication Technology Disability Access Standards;
- (7) Clarifying the definitions of “individuals with disabilities” and “information and communication technology”;
- (8) Appropriating an unspecified amount of funds for one full-time equivalent (1.0 FTE) position within the Department of Health to support the Disability and Communication Access Board in effectuating this measure and for the development and implementation of the Hawaii Information and Communication Technology Disability Access Standards;
- (9) Amending section 1 to reflect its amended purpose; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1419, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1419, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3331 Government Operations on H.B. No. 1434

The purpose and intent of this measure is to authorize counties, after adoption of an ordinance, to sell private property after all notices, orders, and appeal proceedings are exhausted and to use those revenues to satisfy unpaid civil fines related to a property subject to a recorded lien.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu and four members of the Honolulu City Council. 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 county planning agencies currently lack sufficient enforcement powers. This can result in unmitigated violations of county ordinances where the accrual of large fines is inadequate to deter violations or compel compliance. Accordingly, this measure provides a necessary enforcement tool for county planning agencies by allowing counties, under certain circumstances intended to protect due process rights, to nonjudicially foreclose on liens arising from civil fines.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1434, H.D. 1, and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3332 Government Operations on H.B. No. 1494

The purpose and intent of this measure is to amend the purpose and duties of the Special Enforcement Section of the Department of Taxation.

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 a central mission of the Special Enforcement Section of the Department of Taxation is to close the gap between taxes owed and taxes paid. By some estimates this gap is approaching one billion dollars. The Special Enforcement Section promotes the uniform application of state tax law and is responsible for securing a significant amount of tax dollars on behalf of the public. Accordingly, this measure will benefit the State by clarifying the purpose and duties of the Special Enforcement Section.

Your Committee has amended this measure by repealing language that directed the Special Enforcement Section to prioritize the investigation of cash-based businesses.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1494, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1494, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3333 Government Operations on H.B. No. 1885

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a Chief Data Officer within the Office of Enterprise Technology Services to develop, implement, and manage statewide data policies, procedures, and standards, and facilitate data sharing across state agencies; and
- (2) Establish a Data Task Force within the Office of Enterprise Technology Services to assist in the development of the statewide data policies, procedures, and standards.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services; Office of Information Practices; Office of Hawaiian Affairs; Transform Hawai'i Government; Civil Beat Law Center for the Public Interest; Society of Professional Journalists Hawaii Chapter; Ulupono Initiative; Native Hawaiian & Pacific Islander COVID-19 Hawaii

Response, Recovery, and Resilience Team; Hawaii Hui; and Hawaii Health Information Exchange. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that increasing access to data maintained by state agencies will benefit government operations and the public. This measure is consistent with the express policies of the State and will stimulate innovation, encourage public participation in government, and increase transparency. Your Committee further finds that effective efforts to increase access to government data require consistent policies, procedures, and standards across all state agencies. Accordingly, this measure will promote the uniform development, implementation, and management of statewide data policies to increase and enhance access to government data by establishing a Chief Data Officer position and Data Task Force within the Office of Enterprise Technology Services.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1885, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3334 Government Operations on H.B. No. 1974

The purpose and intent of this measure is to establish the Small Business Assistance Initiative within the State Procurement Office, to consist of a Small Business Procurement Coordinator and Small Business Office, and to appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Transportation, State Procurement Office, Office of Veterans' Services, Hawaii State Commission on the Status of Women, Native Hawaiian Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that small businesses are a critical component of the State's economy. Your Committee further finds that the promotion of small businesses, including businesses owned by veterans, Native Hawaiians, and women, in government procurement strengthens the small business ecosphere in the State and, in turn, the larger economy. Your Committee additionally finds that the State Procurement Office is positioned to assist small businesses with obtaining state contracts. Accordingly, this measure will allow the State Procurement Office to help small businesses in the State, and improve the health of the state economy, by encouraging small business participation in government contracting opportunities.

Your Committee has amended this measure by:

- (1) Clarifying that the term of the Small Business Initiative is five years from the date of enactment;
- (2) Amending section 103D-902, Hawaii Revised Statutes, to further promote small business participation in government contracting opportunities;
- (3) Specifying appropriation amounts and purposes to carry out the intent of the measure as follows:
 - (A) \$115,000 to complete the state small business database as provided by Act 42, Session Laws of Hawaii 2017, prior to its repeal;
 - (B) \$126,000 for the establishment of one permanent full-time equivalent (1.00 FTE) small business procurement coordinator position exempt from chapter 76, Hawaii Revised Statutes, in the State Procurement Office; and
 - (C) \$125,000 for the retention of a local small business to operate and maintain the Small Business Office and for marketing of and outreach for the small business assistance initiative for the full term of the five-year initiative; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1974, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1974, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3335 Government Operations on H.B. No. 2037

The purpose and intent of this measure is to require the Office of Information Practices to:

- (1) Rule or provide written guidance on an agency denial of access to, or granting of access to, information or records; and
- (2) Receive and resolve complaints under Hawaii's open meetings law either by determining whether a violation occurred or providing guidance.

Your Committee received testimony in support of this measure from the Office of Information Practices, League of Women Voters of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest and Society of Professional Journalists Hawaii Chapter.

Your Committee finds that appeals regarding record requests to the Office of Information Practices are numerous and resource intensive. Your Committee further finds that under certain circumstances informal written guidance may be more appropriate and efficient than providing a full legal ruling or opinion as required under existing law. Accordingly, this measure will promote flexibility and efficiency in the Office of Information Practices' processing of appeals by allowing it to resolve certain appeals by informal means.

Your Committee has amended this measure by:

- (1) Removing the definition of “guidance” from section 2 and inserting it more appropriately into section 1;
- (2) Clarifying procedures for when the Office of Information Practices issues certain written guidance;
- (3) Making it effective on January 1, 2023, to provide time for implementation;
- (4) Removing its repeal date; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2037, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2037, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3336 Government Operations on H.B. No. 2444

The purpose and intent of this measure is to condition the authority of a qualifying county to exercise the same state housing powers as those granted to the Hawaii Housing Finance and Development Corporation on a finding that the county has fulfilled its duty to accept dedication of public infrastructure and public highways in affordable housing developments.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State continues to experience a chronic shortage of affordable housing. Your Committee further finds that efforts to address this shortage are hampered when counties fail to accept the dedication of infrastructure improvements in a timely manner. For example, despite the passage of more than thirty years, the City and County of Honolulu has still not accepted dedication of infrastructure improvements constructed by a Hawaii Housing Finance and Development Corporation predecessor agency in connection with the development of the Villages of Kapolei. Your Committee additionally finds that while the City and County of Honolulu receives the real property tax revenues derived, in part, from the State’s infrastructure improvements, its failure to accept dedication of those improvements forces the Hawaii Housing Finance and Development Corporation to maintain those improvements at considerable expense. Accordingly, this measure will enable the Hawaii Housing Finance and Development Corporation to make better use of funds for the development of new infrastructure for affordable housing projects in the State by promoting timely county acceptance of the dedication of public infrastructure improvements.

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

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2444, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2444, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3337 Human Services on H.B. No. 1945

The purpose and intent of this measure is to require the Department of Human Services to establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program that supplements existing statewide services by providing training and other services to neighbor island residents who are blind or visually impaired.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Disability and Communication Access Board, Hawaii State Committee of Blind Vendors, Hawaii Disability Rights Center, Hawaii Association of the Blind, National Federation of the Blind of Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committee finds that approximately two thousand neighbor island residents who are blind or visually impaired do not have access to or are ineligible for existing state and local support services, including training, adjustments to blindness services, and transportation. The Neighbor Islands Blind and Visually Impaired Service Pilot Program to be established pursuant to this measure will supplement existing statewide services and enable these individuals to receive the necessary training and other services that would enable them to have full and integrated lives in their existing communities.

Your Committee acknowledges that this measure requires Department of Human Services to identify and secure other sources of funding, including federal funding, to provide matching funds for the pilot program. Your Committee notes the testimony of the Department of Human Services, stating that it will be difficult to secure federal funding for the pilot project since existing federal funding is already allocated to services currently provided by the Department’s Division of Vocational Rehabilitation Services for the Blind Branch.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the requirement that the Department of Human Services identify and secure other sources of funding, including federal funding, to provide for matching funds for the Neighbor Islands Blind and Visually Impaired Service Pilot Program;
- (2) Defining “neighbor island”; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1945, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1945, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3338 Human Services on H.B. No. 1883

The purpose and intent of this measure is to require the exterior of the envelope containing the ballot package for elections by mail to include instructions on how to obtain language translation services in Hawaiian and certain other non-English languages, for all elections beginning with the 2022 Primary Election.

Your Committee received testimony in support of this measure from the Office of Elections, Office of Language Access, University of Hawai'i System, Elections Administrator of the City and County of Honolulu, Common Cause Hawaii, Hawai'i Alliance for Progressive Action, Hawai'i Public Health Institute, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, and twelve individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that Hawaii is the most diverse state in the country with a diversity index of seventy-six percent, and fifteen percent of its eligible voters are immigrants. According to a report published in April 2016 by the Department of Business, Economic Development, and Tourism's Research and Economic Analysis Division, titled "Non-English Speaking Population in Hawaii", one-in-four people in Hawaii ages five and older speak a language other than English at home, and nineteen percent of the non-English speakers in Hawaii, or about 62,000 people, speak English "not well" or "not at all". The report also provided that Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home, comprising approximately half of the non-English speakers.

Your Committee finds that section 203 of the federal Voting Rights Act of 1965, as amended, requires state and political subdivisions to provide language assistance to voters if more than five percent of voting-age citizens are members of a single-language minority group and do not speak or understand English adequately enough to participate in the electoral process. Your Committee believes that voting is one of the most important rights and responsibilities of a United States citizen, and thus, it is imperative that non-English speaking voters are adequately apprised of language translation services, including when voting by mail. This measure will ensure that voters who are limited in English proficiency are informed as to how they can obtain language translation services when voting by mail.

Your Committee notes the testimony of the Office of Elections requesting that this measure be applied to elections beginning with the 2024 Primary Election, rather than the 2022 Primary Election because production of the envelopes for the 2022 elections has already begun and it is too late to include additional language.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that nothing in this measure exempts or supplants the requirements of section 203 of the federal Voting Rights Act of 1965, as amended;
- (2) Making the measure applicable to elections beginning with the 2024 Primary Election;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1883, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1883, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3339 (Joint) Energy, Economic Development, and Tourism and Government Operations on H.B. No. 2255

The purpose and intent of this measure is to amend energy efficiency standards for state buildings and facilities to:

- (1) Require that public benefits fee administrator and utility rebates be used where available; and
- (2) Prioritize appliances that meet the required standards to qualify for public benefits fee administrator rebates.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Laulima Mechatronics, Hawai'i Energy – Conservation and Efficiency Program, Climate Protectors Hawaii, and one individual.

Your Committees find that the State's Public Benefits Fee Administrator is responsible for a number of demand-side management programs and initiatives, which include offering rebates on various types of energy efficient appliances for both residences and businesses. Your Committees further find that by requiring the use of rebates for the purchase of energy-efficient equipment and prioritizing the purchase of energy-efficient appliances for state buildings and facilities, the State will reduce its demand for and costs associated with energy consumption, thereby helping it meet its clean energy and decarbonization goals by 2045.

Your Committees have amended this measure by 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2255,

H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2255, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3340 (Joint) Energy, Economic Development, and Tourism and Government Operations on H.B. No. 1801

The purpose and intent of this measure is to:

- (1) Require and establish deadlines for state facilities, except smaller facilities, to implement cost-effective energy efficiency measures;
- (2) Direct the Hawaii State Energy Office to collect utility bill and energy usage data for state-owned buildings and to make the data publicly available;
- (3) Establish a goal for the State to achieve at least a thirty percent reduction in the electricity consumption of state facilities; and
- (4) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency, maximize energy generation potential, and use building materials that reduce the carbon footprint of the project.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Electric Company, Inc.; Zero Waste Hawaii Island; Kauai Climate Action Coalition; Climate Protectors Hawai'i; Blue Planet Foundation; Ulupono Initiative; 350Hawaii.org; Energy and Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i; Kauai Women's Caucus; Elemental Excelsior; and thirty individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Accounting and General Services, Department of Transportation, and Hawai'i Energy.

Your Committees find that this measure supports green building management and the sustainable development and operations of state-owned buildings and facilities. According to testimony during the joint hearing, this measure will help to insulate the State from the volatility of oil prices and the anticipated increase in electric bills of ten percent for Oahu and twenty percent for Maui County and Hawaii County. Your Committees note that there are certain state buildings, such as hospitals and prisons, where a thirty percent reduction in electricity consumption would disrupt the provision of government services.

Accordingly, your Committees have amended this measure by:

- (1) Removing language that establishes a goal for the State to achieve at least thirty percent reduction in the electricity consumption of state facilities; 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1801, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1801, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3341 Commerce and Consumer Protection on H.B. No. 1886

The purpose and intent of this measure is to:

- (1) Ban hemp products that contain cannabinoids created through isomerization, including Delta 8 tetrahydrocannabinol; and
- (2) Add Delta 8 tetrahydrocannabinol to the list of schedule I controlled substances.

Your Committee received testimony in support of this measure from the Department of Health, Honolulu Police Department, and MADD Hawai'i.

Your Committee finds that hemp products containing Delta 8 tetrahydrocannabinol, also known as THC, are not approved by the United States Food and Drug Administration (FDA) and may be marketed in ways that put consumers at risk. When ingested, Delta 8 tetrahydrocannabinol has been known to cause vomiting, hallucinations, difficulty breathing, loss of consciousness, and even coma. The FDA and poison control centers have recently reported increased adverse events related to products containing Delta 8 tetrahydrocannabinol. Accordingly, this measure will help protect consumers by banning certain hemp products that contain Delta 8 tetrahydrocannabinol and adding Delta 8 tetrahydrocannabinol to the list of Schedule I controlled substances.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1886, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1886, H.D. 1, S.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 (Fevella).

SCRep. 3342 Commerce and Consumer Protection on H.B. No. 2405

The purpose and intent of this measure is to:

- (1) Prohibit health insurers, mutual benefit societies, and health maintenance organizations from applying categorical cosmetic or blanket exclusions to gender affirming treatments;
- (2) Prohibit those same entities from excluding gender affirming treatments as cosmetic services when prescribed as medically necessary; and
- (3) Require those same entities to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Civil Rights Commission, Hawai'i Health & Harm Reduction Center, Stonewall Caucus of the Democratic Party of Hawai'i, Planned Parenthood Alliance Advocates, North Shore Ko'olau Diversity Collective, Democratic Party of Hawai'i, Hawai'i Public Health Institute, AF3IRM Hawai'i, Rainbow Family 808, and twenty-two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawai'i Employer-Union Health Benefits Trust Fund Board of Trustees, Hawai'i Medical Service Association, Kaiser Permanente Hawai'i, and Hawai'i Association of Health Plans.

Your Committee finds that existing law prohibits the denial, exclusion, or limitation of health care services or treatment based on a person's actual gender identity or perceived gender identity. Nevertheless, members of the transgender community have continued to experience medical coverage denial for certain gender affirming treatments on the basis that they are cosmetic, rather than medically necessary. There is growing consensus among major medical organizations that health care services relating to gender transition are medically necessary to alleviate gender dysphoria. Accordingly, this measure will prohibit insurers from applying blanket exclusions to gender affirming treatments as cosmetic services when prescribed as medically necessary.

Your Committee has amended this measure by:

- (1) Clarifying that the anti-discrimination protections of this measure shall extend to a transgender person or a person's transgender family member;
- (2) Specifying that the medical necessity of any treatment shall be determined in accordance with the most recent edition of the Standards of Care for the Health of Transsexual, Transgender, and Gender Nonconforming People, issued by the World Professional Association for Transgender Health;
- (3) Clarifying that no treatment or service shall be denied on the basis that it is cosmetic or not medically necessary unless a health care provider with experience in prescribing or delivering gender affirming treatment first reviews and confirms the appropriateness of the adverse benefit determination;
- (4) Clarifying that a health insurer, mutual benefit society, or health maintenance organization shall not apply categorical cosmetic or blanket exclusions to gender affirming treatments or procedures, or any combination of services or procedures or revisions to prior treatments, when prescribed as medically necessary, and setting forth a non-exhaustive list of such procedures; provided that the policy, contract, plan, or agreement also provides coverage for those services when the services are offered for purposes other than gender transition;
- (5) Reverting the definitions of "actual gender identity" and "perceived gender identity" to the existing statutory language;
- (6) Amending section 432D-26.3, Hawaii Revised Statutes, to extend this measure directly to health maintenance organizations;
- (7) Inserting an effective date of November 20, 2022, to reflect Transgender Day of Remembrance; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2405, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2405, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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

SCRep. 3343 Commerce and Consumer Protection on H.B. No. 2113

The purpose and intent of this measure is to minimize regulatory burden and eliminate redundancy by permitting money transmitter applicants to submit to either a state or federal criminal history record check, rather than both.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that existing law requires each key individual of a money transmitter to submit to both a state and federal criminal background review. Hawaii became a reporter to the national criminal history background database approximately seven years ago, and since that time, the Division of Financial Institutions has not found any discrepancies for disqualifying crimes when both a state and federal criminal background review is conducted. Accordingly, this measure will streamline the administrative requirements for applicants, and reduce the time it takes to process applications, by allowing the applicant to only submit to either a federal or state criminal background review.

Your Committee has amended this measure by inserting an effective date of July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2113, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2113, H.D. 2, S.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 (Fevella).

SCRep. 3344 Commerce and Consumer Protection on H.B. No. 1478

The purpose and intent of this measure is to:

- (1) Require property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm is in accordance with existing building or residential codes based on information provided by the State Fire Council; and
- (2) Require the State Fire Council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing building or residential codes and post the guide on specified websites.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Fire Department, Honolulu Fire Department, Community Associations Institute, and one individual. Your Committee received testimony in opposition to this measure from Associa and Hawai'i Association of REALTORS.

Your Committee finds that smoke alarms, if properly installed and maintained, can help save the lives of persons in residential structures in the event of a fire. Existing building codes require new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. This measure will help ensure buyers are informed as to the safety aspects of their potential purchase and may increase the likelihood that smoke alarms will be updated prior to a sale and purchase, without imposing substantial burdens on the transaction process.

Your Committee notes the operative provisions of this measure, as currently written, provide that the State Fire Council may create and maintain an informational guide on approved smoke alarms that are in accordance with existing state or county building or residential codes. Accordingly, amendments to this measure are necessary to require the State Fire Council to create and maintain the informational guide.

Your Committee has amended this measure by:

- (1) Clarifying that the State Fire Council shall create and maintain an informational guide on approved smoke alarms that are in accordance with existing state or county building or residential codes; and
- (2) Inserting an effective date of November 1, 2022.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1478, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1478, H.D. 2, S.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 (Fevella).

SCRep. 3345 Water and Land on H.B. No. 1653

The purpose and intent of this measure is to:

- (1) Establish a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (2) Establish a criminal fine structure on a per-specimen basis for violations involving aquatic life;
- (3) Authorize the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine; and
- (4) Authorize the Department of Land and Natural Resources to recommend certain probationary terms and conditions to the court.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Judiciary, Mālama Pūpūkea-Waimea, and two individuals. Your Committee received testimony in opposition to this measure from Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that a critical component of effective resource management is ensuring that management agencies have the appropriate suite of enforcement tools and penalties to encourage compliance with aquatic resource laws and to ensure just and reasonable punishment for violations. Timely responses to aquatic resources violations allow for greater protection of marine resources and aquatic species. This measure provides a tiered administrative fine system and an option for community service to deter aquatic resource violations.

Your Committee has amended this measure by:

- (1) Clarifying that a defendant be restricted from specific geographical areas where aquatic resources may be found within "waters of the State";

- (2) Clarifying that a defendant be restricted from engaging in certain fishing activities;
- (3) Prohibiting a defendant from taking or possessing certain aquatic species;
- (4) Inserting an effective date of July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1653, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1653, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3346 Water and Land on H.B. No. 2006

The purpose and intent of this measure is to:

- (1) Require the Board of Land and Natural Resources to include as a condition on emergency permits to install sandbags, a requirement for the attachment of identifying information, including the permittee's contact information and the permit number, to the sandbag; and
- (2) Require the Board of Land and Natural Resources to specify the form and manner in which the identifying information is to be attached to the sandbag.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that temporary erosion control devices, commonly known as "sand burritos", have been authorized as a short-term solution for coastal property owners to combat coastal erosion. "Sand burritos" have been utilized as crucial tools in the event of short-term environmental disasters such as floods, tsunami, landslides, and storms. However, as "sand burritos" and other erosion control devices are considered to be temporary solutions, landowners are not required to obtain a disposition from the Board of Land and Natural Resources. Your Committee further finds that debris from torn bags, including unauthorized propylene bags, has washed up on beaches. To protect Hawaii's shorelines, while also preventing harmful debris from entering coastal waters, the addition of identifying information to sandbags utilized for erosion control will allow for greater enforcement and accountability.

Your Committee has amended this measure by inserting an effective date of July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2006, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2006, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3347 Hawaiian Affairs on H.B. No. 2511

The purpose and intent of this measure is to:

- (1) Appropriate funds into and out of the Native Hawaiian Rehabilitation Fund for the Department of Hawaiian Home Lands to fulfill its fiduciary duties to beneficiaries; and
- (2) Require the Department of Hawaiian Home Lands to submit an annual report to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku; Department of Hawaiian Home Lands; Office of Hawaiian Affairs; State Council on Developmental Disabilities; Hawaiian Homes Commission; one member of the Hawaii County Council; one member of the Maui County Council; Catholic Charities Hawai'i; Maika'i Kamakani'O Kohala, Inc.; Hawaiian Affairs Caucus of the Democratic Party of Hawai'i Executive Committee; League of Women Voters of Hawaii; Ko'olau Foundation; Family Promise of Hawaii; Hawaii Alliance for Community-Based Economic Development; HOPE Services Hawaii; Council for Native Hawaiian Advancement; 'Ōhia Technology Group; Spoehr Foundation; Hawaii Habitat for Humanity Association; Mama Loa Foundation, Kanaka Maoli Jew; Waimea Hawaiian Civic Club; Habitat for Humanity Hawai'i Island; Hawaiian Community Asset; Environmental Caucus of the Democratic Party of Hawai'i; Hawai'i Appleseed Center for Law & Economic Justice; Maui/Lana'i Moku Puni Council; Ohana Program Foundation; Kula no na Po'e Hawaii; Ke One O Kākuhihewa; Papakolea Community Development Corporation; Ka Lāhui Hawaii; Partners in Care; American Civil Liberties Union of Hawai'i; Kaupea Hawaiian Homestead Association; and two hundred eighty 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 the Attorney General, Department of Budget and Finance, Tax Foundation of Hawaii, Kaupea Hawaiian Homestead Association, and five individuals.

Your Committee finds that the mission of the Department of Hawaiian Home Lands is to develop and deliver land to native Hawaiians. The Department of Hawaiian Home Lands is responsible for the management of 203,500 acres of trust land. There are currently over 28,000 applicants on the waitlist for homestead lands, and availability of residential lands, cost of infrastructure, and available capital for mortgage financing present problems for servicing most of the beneficiaries on the waitlist. The purpose of this act is to provide \$600,000,000 to the Department of Hawaiian Home Lands to pursue a multi-pronged approach to eliminate the waitlist.

Your Committee notes that the companion to this measure, S.B. No. 3359, S.D. 2 (Regular Session of 2022), which was previously passed by the Senate, is a substantially similar measure that also provides funds to the Department of Hawaiian Home Lands to pursue

a multi—pronged approach to eliminating its waitlist. Your Committee concludes that the language in S.B. No. 3359, S.D. 2, is preferable because it appropriates monies from the Native Hawaiian Rehabilitation Fund for specific purposes, rather than generally to fulfill Department of Hawaiian Home Lands' fiduciary duties to beneficiaries. Specifically, S.B. No. 3359, S.D. 2, contains language that:

- (1) Adds a reporting requirement to the Hawaiian Homes Commission Act for the Department of Hawaiian Home Lands to annually report to the Legislature an accounting of expenditures from the Native Hawaiian Rehabilitation Fund in the previous fiscal year and the number of beneficiaries removed from the waitlist through the use of Native Hawaiian Rehabilitation Fund;
- (2) Appropriates \$487,614,000 out of the Native Hawaiian Rehabilitation Fund for fiscal year 2022-2023 for plans, design, construction, land acquisition, and equipment for infrastructure for seventeen Department of Hawaiian Home Lands projects; and
- (3) Appropriates \$112,386,000 out of the Native Hawaiian Rehabilitation Fund for fiscal year 2022-2023 for down payment and mortgage payment assistance to beneficiaries of the Hawaiian Homes Commission Act.

Accordingly, your Committee has amended this measure by deleting its contents, inserting the contents of S.B. No. 3359, S.D. 2, and further amending it by:

- (1) Removing the proviso relating to the general fund appropriation into the Native Hawaiian Rehabilitation Fund, as recommended by the Attorney General;
- (2) Placing the reporting requirements in the Session Laws of Hawaii, rather than the Hawaiian Homes Commission Act;
- (3) Inserting a severability clause;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2511, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2511, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3348 Judiciary on H.B. No. 2049

The purpose and intent 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 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 or omissions or to repeal obsolete laws.

Your Committee has amended this measure by:

- (1) Deleting section 3 of this measure and the amendment to section 107-27, Hawaii Revised Statutes;
- (2) Deleting section 11 of this measure and the amendment to section 302A-1151.1(a) and (d), Hawaii Revised Statutes;
- (3) Deleting section 13 of this measure and the amendment to section 445-111, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2049, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2049, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3349 Judiciary on H.B. No. 1777

The purpose and intent of this measure is to:

- (1) Require the Department of the Attorney General to provide annual reports to the Legislature on available data pertaining to the commercial sexual exploitation of children; and
- (2) Appropriate moneys.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Human Services, Sex Abuse Treatment Center, Hawaii Youth Services Network, Imua Alliance, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that, during the coronavirus disease 2019 pandemic, demand for services for survivors of sex trafficking in the State increased significantly. Obtaining quality data about children and youth who are survivors of commercial sexual exploitation

is a critical tool for understanding their needs and increasing professional and community awareness. Reports to the Legislature containing pertinent data will assist in assessing and improving the State's response to the trafficking of minors.

Your Committee has amended this measure by:

- (1) Establishing the requirement that the Department of the Attorney General collect, share, and report data pertaining to the commercial sexual exploitation of children as a five-year pilot program;
- (2) Specifying that the Department of the Attorney General shall consult with the Department of Human Services to develop guidelines for the collection, sharing, and reporting of data pertaining to the commercial sexual exploitation of children;
- (3) Clarifying that entities other than state and county departments and agencies are encouraged but not required to collect specific data;
- (4) Specifying that the required reports pertaining to the Commercial Sexual Exploitation of Children Data Pilot Program be submitted to the Legislature no later than forty days prior to the convening of each regular session;
- (5) Specifying that the Department of the Attorney General shall post its annual reports on its website;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1777, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1777, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3350 Judiciary on H.B. No. 1841

The purpose and intent of this measure is to:

- (1) Increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii Family Advocacy Team, Legal Aid Society of Hawai'i, and Hawaii State Bar Association.

Your Committee finds that guardians ad litem (GALs) perform a critical role in many family court cases, including, for example, child abuse and neglect cases, involuntary hospitalization proceedings, and assisted community treatment proceedings. The subjects of these proceedings are among the most vulnerable members of our community and they frequently are unable to advocate for themselves or meaningfully participate in court proceedings that may significantly impact their lives. It is in the community's interest to attract and retain competent individuals to act as GALs to represent those persons requiring their services. One important way to help accomplish this goal is to ensure that GALs are adequately compensated for their services.

Your Committee has amended this measure by:

- (1) Re-inserting pay rates that increase the compensation for appointed counsel and guardians ad litem as follows:
 - (A) \$120 an hour for in-court services provided by an attorney licensed to practice law in the State;
 - (B) \$90 an hour for out-of-court services provided by an attorney licensed to practice law in the State; and
 - (C) \$75 an hour for all services provided by a person who is not an attorney licensed to practice law in the State, whether performed in-court or out-of-court; and
- (2) Re-inserting \$2,300,000 in general funds for fiscal year 2022-2023 for the purchase of service contracts, guardian ad litem contracts, and court-appointed counsel contracts.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1841, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1841, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3351 Judiciary on H.B. No. 2365

The purpose and intent of this measure is to:

- (1) Create an Electronic Citation Program under the Judiciary;
- (2) Establish an electronic citation surcharge; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Department of Transportation, Honolulu Police Department, and Hawai'i Police Department. 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 the use of paper citation sometimes gives rise to difficulties including supervisors, prosecutors, and judiciary personnel having to decipher handwritten notes that are difficult to read, as well as untimely delivery of citations from law enforcement agencies to the Judiciary. These difficulties have the potential to lead to delays in access to citations and to dismissal of traffic citations. Your Committee further finds that the use of an electronic citation system resolves handwriting legibility issues and eliminates the need to collect and scan paper citations. This measure provides numerous benefits to law enforcement, the Judiciary, and the general public, including the streamlining of processes and increased access to information.

Your Committee notes that committee members raised the question why instituting a system that is expected to save the State money is going to cost violators more money.

Accordingly, your Committee has amended this measure by:

- (1) Removing language that would have established an electronic citation surcharge;
- (2) Removing language that would have established a electronic citation special fund;
- (3) Clarifying that there is established within the Judiciary a Statewide Electronic Citation Program;
- (4) Making a general fund appropriation to the Judiciary for the purposes of establishing the Statewide Electronic Citation Program;
- (5) Making general fund appropriations as grants-in-aid to the counties for the purposes of establishing the Statewide Electronic Citation Program; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary 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, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Acasio, Kim, Fevella). Noes, none. Excused, none.

SCRep. 3352 Judiciary on H.B. No. 1539

The purpose and intent of this measure is to:

- (1) Prohibit the posting of judges' and other court staff's personal information on the internet with the intent to intimidate or threaten; and
- (2) Establish a Judicial Security Task Force to review and recommend additional measures to enhance the security of judges and judiciary personnel.

Your Committee received testimony in support of this measure from the Judiciary and Hawaii State Bar Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that threats and inappropriate communications to judges and court personnel have escalated in recent years. Your Committee further recognizes that, given the expanded availability of personal information of judges and judiciary staff through various sources, additional measures are needed to ensure the safety of judges and judiciary personnel. This measure will prohibit the posting of personal information of judges and judiciary staff on the internet, which will minimize the risk of threats or violence to these individuals.

Your Committee notes that the Judiciary, as a separate branch of government, has the ability to establish a task force on their own.

Your Committee has amended this measure by:

- (1) Removing the definition of "judiciary";
- (2) Clarifying that the definition of "personal information" includes unpublished home telephone numbers;
- (3) Specifying that the definition of "personal information" includes credit card information;
- (4) Clarifying that the Judicial Security Task Force shall 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 2023;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1539, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1539, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3353 Judiciary on H.B. No. 1695

The purpose and intent of this measure is to increase the generally applicable statutory fine under the Fireworks Control Law from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Pearl City Neighborhood Board, Animal Rights Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that the use of illegal fireworks and improvised explosive devices has substantially increased in recent years. As a consequence, there have been serious injuries, property damage, and fatalities. The illegal fireworks task force established by Act 170, Session Laws of Hawaii 2010, recommended that the legislature consider increasing fireworks violation fines as a means to deter the use of illegal fireworks. In furtherance of that recommendation, this measure will deter the use of illegal fireworks and protect property and public safety by increasing the maximum fine that may be assessed against certain fireworks-related violations from \$2,000 to \$5,000.

Your Committee has amended this measure by:

- (1) Increasing the maximum penalty for homeowner violations pursuant to section 132D-14.5, Hawaii Revised Statutes, from \$2,000 to \$5,000;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1695, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1695, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3354 Judiciary on H.B. No. 2275

The purpose and intent of this measure is to establish an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Pearl City Neighborhood Board, Hawaiian Humane Society, 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 Department of Budget and Finance.

Your Committee finds that the use of illegal fireworks and improvised explosives have substantially increased in recent years. Online searches reveal pervasive use of illegal aerial fireworks in many neighborhoods. As a consequence, serious injuries, property damage, and fatalities have occurred. Your Committee believes that alternative enforcement mechanisms should be considered to promote compliance with the fireworks control law. This measure will promote compliance with the fireworks control law by incorporating new fireworks citations into the existing traffic and emergency order citation system under chapter 291D, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Deleting language that would have established an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions;
- (2) Incorporating the new fireworks citations into the existing traffic and emergency order citation system under chapter 291D, Hawaii Revised Statutes;
- (3) Setting \$500 as the fine amount for any fireworks violation covered by this measure, including homeowners liability;
- (4) Amending section 1 to reflect its amended purpose;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2275, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2275, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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

SCRep. 3355 Housing on H.B. No. 1752

The purpose and intent of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program;
- (2) Require the Hawaii Public Housing Authority to adopt rules to establish incentives for landlords who participate in the tenant-based assistance housing choice voucher program pursuant to section 8 of Housing Act of 1937;

- (3) Require that the Hawaii Public Housing Authority adopt rules to establish a maximum of fifteen days for inspection of a dwelling unit following a landlord or owner's inspection request; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS, Koolauloko Hawaiian Civic Club, Family Promise of Hawaii, Chamber of Sustainable Commerce, League of Women Voters of Hawaii, Hawai'i Health & Harm Reduction Center, Faith Action For Community Equity, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii State Council on Developmental Disabilities, Hawaii Public Housing Authority, American Civil Liberties Union of Hawai'i, Catholic Charities Hawai'i, and Partners In Care.

Your Committee finds that the Housing Choice Voucher Program established under section 8 of the United States Housing Act of 1937 is critical for many Hawaii residents who lack access to affordable housing. The Housing Choice Voucher Program allows participants to select their housing instead of relying on existing public housing projects. By allowing participants to choose their housing, the program promotes a higher quality of life for low-income households and alleviates strain on the State's other affordable housing projects. However, the Housing Choice Voucher Program relies on cooperation from landlords and property owners. This measure establishes incentives and protections for landlords who participate in the Housing Choice Voucher Program.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1752, H.D. 3, and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3356 Housing on H.B. No. 2513

The purpose and intent of this measure is to appropriate funds for deposit into the Rental Housing Revolving Fund to be used to provide loans or grants to mixed-income rental projects or units for persons and families with incomes between sixty-one and one hundred percent of the median family income.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Highridge Costa Development Company, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Catholic Charities Hawai'i.

Your Committee finds that many families living between sixty-one and one hundred percent of the area median income, or moderate income households, struggle to find affordable housing. However, funds from the Rental Housing Revolving Fund are often expended as gap financing for affordable housing for families at or below sixty percent of the area median income. This measure appropriates funds for the Rental Housing Revolving Fund for families with median income between sixty-one and one hundred percent of the area median income. However, your Committee further finds that the Rental Housing Revolving Fund contains \$45,000,000 in unused funds that are not eligible for use to fund affordable housing developments that utilize low-income housing tax credits. Greater clarity is needed regarding the reason those funds are not being used for affordable housing development that do not utilize low-income housing tax credit.

Your Committee has amended this measure by:

- (1) Requiring the funds deposited into the Rental Housing Revolving Fund to be used for housing projects for families with incomes between sixty percent and one hundred percent area median income;
- (2) Inserting an appropriation amount of \$150,000,000; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2513, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2513, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3357 (Joint) Housing and Water and Land on H.B. No. 2023

The purpose and intent of this measure is to authorize the issuance of general obligation bonds and appropriate funds for certain transit-oriented development projects identified in the state strategic plan for transit-oriented development.

Your Committees received testimony in support of this measure from the Hawaii Interagency Council for Transit-Oriented Development, Office of Planning and Sustainable Development, Hawaii Housing Finance and Development Corporation, and Maui Metropolitan Planning Organization Policy Board. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that mixed-use and transit-oriented development advances the State's objectives to provide economic opportunities, increase access to affordable housing, and promote environmentally sustainable lifestyles. To coordinate transit-oriented development, the Legislature established the Hawaii Interagency Council for Transit-Oriented Development and appropriated capital improvement funds to the Office of Planning and Sustainable Development. However, the interest in transit-oriented development projects has led to requests for funding that exceed the funds available. This measure authorizes the issuance of general obligation bonds to support transit-oriented development in the State.

Your Committees have amended this measure by inserting an appropriation amount of \$2,000,000.

As affirmed by the records of votes of the members of your Committees on Housing and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2023, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2023, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3358 Hawaiian Affairs on S.C.R. No. 50

The purpose and intent of this measure is to request that the Waianae Moku Kupuna Council be designated by the Legislature as an advisory resource to its elected members representing the Waianae Moku community.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, Build Team 50, 'Ai Pohaku, and nine individuals.

Your Committee finds that kupuna play an important role within households, businesses, and communities. The Waianae Moku Kupuna Council consists of members who are sixty years of age or older and are westside Oahu residents who have vast historic and cultural knowledge. This resolution requests that the Waianae Moku Kupuna Council be designated as an advisory resource to elected members of the Legislature to provide key perspective and input on various issues that are of importance to the Waianae Moku community.

Your Committee notes the concerns of the Hawaii State Aha Moku regarding the make-up, focus, and objective of this Council and whether if all Moku follow and become formally recognized by the Legislature, there would be conflict between separate Moku. Your Committee finds that the Waianae Moku Kupuna Council's role as a resource would be helpful to legislators of the district and that concerns raised should be monitored.

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

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3359 Hawaiian Affairs on S.R. No. 45

The purpose and intent of this measure is to request that the Waianae Moku Kupuna Council be designated by the Legislature as an advisory resource to its elected members representing the Waianae Moku community.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that kupuna play an important role within households, businesses, and communities. The Waianae Moku Kupuna Council consists of members who are sixty years of age or older and are westside Oahu residents who have vast historic and cultural knowledge. This resolution requests that the Waianae Moku Kupuna Council be designated as an advisory resource to elected members of the Legislature to provide key perspective and input on various issues that are of importance to the Waianae Moku community.

Your Committee notes the concerns of the Hawaii State Aha Moku regarding the make-up, focus, and objective of this Council and whether if all Moku follow and become formally recognized by the Legislature, there would be conflict between separate Moku. Your Committee finds that the Waianae Moku Kupuna Council's role as a resource would be helpful to legislators of the district and that concerns raised should be monitored.

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

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 45, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 45, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3360 Hawaiian Affairs on S.C.R. No. 46

The purpose and intent of this measure is to request that the Hawaiian Homes Commission conduct a feasibility study for the creation of an enforcement division with police powers within the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee finds that the Department of Hawaiian Home Lands has an enforcement section to investigate complaints regarding trespassing and other misuses of Hawaiian home lands. Despite duties requiring the section to initiate actions to evict trespassers and curtail illegal activities, it must rely on county police to enforce any action. This resolution requests a feasibility study for the creation of an enforcement division with police powers within the Department of Hawaiian Home Lands.

Your Committee has amended this measure by requesting the Department of Hawaiian Home Lands to conduct the study instead of the Hawaiian Homes Commission.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 46, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 46, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Ihara).

SCRep. 3361 Hawaiian Affairs on S.R. No. 41

The purpose and intent of this measure is to request that the Hawaiian Homes Commission conduct a feasibility study for the creation of an enforcement division with police powers within the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee finds that the Department of Hawaiian Home Lands has an enforcement section to investigate complaints regarding trespassing and other misuses of Hawaiian home lands. Despite duties requiring the section to initiate actions to evict trespassers and curtail illegal activities, it must rely on county police to enforce any action. This resolution requests a feasibility study for the creation of an enforcement division with police powers within the Department of Hawaiian Home Lands.

Your Committee has amended this measure by requesting the Department of Hawaiian Home Lands to conduct the study instead of the Hawaiian Homes Commission.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 41, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 41, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Ihara).

SCRep. 3362 Hawaiian Affairs on S.C.R. No. 47

The purpose and intent of this measure is to request that the Department of Hawaiian Home Lands, in conjunction with the County of Hawaii Department of Water Supply, provide a progress report regarding the development of the Ka'u water system.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku and one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that in 2017, \$1,500,000 in general obligation bonds were allocated for the plans, design, and construction for the development of the Ka'u water system. Since that time, production has progressed through multiple phases. Phase three is expected to require the relocation of existing water lines. Due to the complexities and further costs of this project, this resolution requests an update on the progress of the Ka'u water system project.

Your Committee has amended this measure by clarifying that this resolution shall only apply to the development of the Ka'u water system on Hawaiian home lands.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 47, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 47, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3363 Hawaiian Affairs on S.R. No. 42

The purpose and intent of this measure is to request that the Department of Hawaiian Home Lands, in conjunction with the County of Hawaii Department of Water Supply, provide a progress report regarding the development of the Ka'u water system.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku and one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that in 2017, \$1,500,000 in general obligation bonds were allocated for the plans, design, and construction for the development of the Ka'u water system. Since that time, production has progressed through multiple phases. Phase three is expected to require the relocation of existing water lines. Due to the complexities and further costs of this project, this resolution requests an update on the progress of the Ka'u water system project.

Your Committee has amended this measure by clarifying that this resolution shall only apply to the development of the Ka'u water system on Hawaiian home lands.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 42, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 42, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3364 Health on H.B. No. 1638

The purpose and intent of this measure is to appropriate funds to the Hawaii Health Systems Corporation to conduct a site assessment to identify and evaluate viable locations for a new hospital site in North Kona on the island of Hawaii.

Your Committee received testimony in support of this measure from the Kona Community Hospital; Office of the Mayor, County of Hawai'i; and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the West Hawaii community faces challenges in accessing medical services and needs a new medical facility. The Kona Community Hospital's current facility is nearly fifty years old. The hospital's aging infrastructure has major deficiencies, with many critical systems in urgent need of repair and renovation. Additionally, the Kona Community Hospital is in South Kona, while the population boom has occurred in North Kona. This measure appropriates funds for a site assessment to identify and evaluate viable locations for a new hospital in North Kona.

Your Committee acknowledges the testimony of the Kona Community Hospital, which requests an amendment requiring that a hospital needs assessment be performed before the hospital site assessment. Your Committee also notes the Kona Community Hospital's testimony that an appropriation of \$500,000 is sufficient to cover both the hospital needs and site assessment.

Therefore, your Committee has amended this measure by:

- (1) Requiring that the Hawaii Health Systems Corporation perform a hospital needs assessment before performing the site assessment;
- (2) Requiring the Hawaii Health Systems Corporation to submit a report of its findings and recommendations of the hospital needs assessment, to the Legislature no later than twenty days prior to the Regular Session of 2023;
- (3) Appropriating funds to the Hawaii Health Systems Corporation for the hospital needs assessment;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of 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. 1638, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1638, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3365 Health on H.B. No. 1666

The purpose and intent of this measure is to:

- (1) Establish a pilot program within the Adult Mental Services Division of the Department of Health to expand existing county programs that make one or more licensed mental health counselors available to assist county first responders in responding to mental health crises in areas in the urban core with high rates of homelessness; and
- (2) Appropriate funds for the pilot program.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, City and County of Honolulu Office of the Mayor, Hawaii Substance Abuse Coalition, and one individual. Your Committee received comments on this measure from Department of Budget and Finance.

Your Committee finds that approximately twenty-five percent of homeless persons struggle with mental illnesses or substance abuse issues and would benefit from mental health assistance. Often, law enforcement officers are dispatched to respond to a homeless person experiencing a mental health crisis but lack the expertise and resources to adequately help. Your Committee further finds that county programs, such as the City and County of Honolulu's Crisis, Outreach, Response, and Engagement program provides assistance to persons experiencing homelessness and is staffed by community health workers experienced in social work and emergency medical technician training. This measure augments existing county programs by establishing a pilot program within the Adult Mental Services Division of the Department of Health that expands county programs that make one or more licensed mental health counselors available to assist county first responders who are responding to mental health crises.

Your Committee acknowledges the testimony of the Department of Health, which notes that the term "licensed mental health counselors" is limiting, since there are other types of mental health professionals who could participate in the pilot program to provide the much needed assistance.

Therefore, your Committee has amended this measure by:

- (1) Replacing all references to "licensed mental health counselor" with "mental health professional"; and
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1666, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1666, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3366 Health on H.B. No. 1798

The purpose and intent of this measure is to authorize the issuance of special purpose revenues bonds to finance the construction of and improvements to health care facilities of The Queen's Health Systems and its nonprofit affiliates.

Your Committee received testimony in support of this measure from The Queen's Health Systems. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Budget and Finance is authorized to issue special purpose revenue bonds to finance projects for not-for-profit corporations that provide health care facilities to the general public. Your Committee further finds that The Queen's Health Systems is such an entity. Furthermore, The Queen's Health Systems is embarking on a multi-year redevelopment and expansion of its West Oahu and Punchbowl campuses, among other projects. This measure will help The Queen's Health System to finance these projects.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the 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. 1798, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1798, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3367 (Majority) Health on H.B. No. 1823

The purpose and intent of this measure is to:

- (1) Authorize advanced practice registered nurses and physician assistants to practice medical-aid-in-dying or provide counseling to a qualified patient;
- (2) Amend the mandatory waiting period between oral requests and the provision of a prescription; and
- (3) Prohibit the disclosure, discovery, or compelled production of information collected or retained pursuant to incidental or routine communication between the Department of Health and qualified patients or providers.

Your Committee received testimony in support of this measure from Compassion & Choices, Stonewall Caucus of the Democratic Party of Hawaii, Hawai'i Association of Professional Nurses, Hawai'i Pacific Health, Hawaii Society of Clinical Oncology, and twenty individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum and four individuals. Your Committee received comments on this measure from the Department of Health, Board of Nursing, Hawaii Medical Board, and Hawaii Psychiatric Medical Association.

Your Committee finds that in 2018, the State passed the Our Care, Our Choice Act, which allows mentally capable, terminally ill individuals with six months or less to live to voluntarily request and receive prescription medication that allows the person to die in a peaceful, humane, and dignified manner. However, the State's unique geography and shortage of physicians create barriers for qualified terminally ill individuals to find access to qualified and willing physicians. This measure amends the Our Care, Our Choice Act to address these burdens for qualified patients who wish to have a peaceful end of life experience.

Your Committee acknowledges the testimony of the Hawaii Psychiatric Medical Association, which requests an amendment requiring a prescribing provider to conduct an initial visit in-person. An in-person visit is already required for anyone prescribing opiates; however, medications other than opiates are now being used for medical-aid-in-dying.

Therefore, your Committee has amended this measure by:

- (1) Requiring a provider prescribing medications for medical-aid-in-dying to conduct an initial visit with the patient in-person;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1823, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1823, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, 1 (Fevella). Excused, 1 (Moriwaki).

SCRep. 3368 Health on H.B. No. 1980

The purpose and intent of this measure is to:

- (1) Permit, but not require or prohibit, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic behavioral health services under certain circumstances; and
- (2) Clarify that telephonic services do not constitute telehealth.

Your Committee received testimony in support of this measure from the Department of Human Services, University of Hawai'i System, Disability and Communication Access Board, Hawaii State Council on Developmental Disabilities, Hawaii Psychiatric Medical Association, Hawaii Medical Service Association, Hawai'i Primary Care Association, Hawai'i Psychological Association, National Association of Social Workers - Hawai'i, Hawaiian Islands Association for Marriage and Family Therapy, Hawaii Association of Health Plans, Hawai'i Family Caregiver Coalition, Hawaii Medical Association, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawai'i Pacific Health, Healthcare Association of Hawaii, Kaiser Permanente Hawaii, and The Queen's Health Systems.

Your Committee finds that during the coronavirus disease 2019 pandemic, the use of telehealth for many services increased, but particularly for behavioral health services. Additionally, the State's Med-QUEST Division increased flexibility to use telephones for all types of clinical services, including behavioral health services. Flexible telephonic service also aids individuals without access to audio-visual technology needed for telehealth such as populations in rural communities or geographic areas that lack internet access or infrastructure and those without "smart" devices. This measure permits, but does not require, health insurers to cover telephonic behavioral health services and clarifies that telephonic services do not constitute telehealth.

Your Committee acknowledges the testimony of several stakeholders, who note that pursuant to recent updates to federal laws, Medicare and Medicaid pay equally for telephonic and telehealth services, in certain circumstances. Your Committee also acknowledges the Hawaii Primary Care Association's testimony, which provides proposed amendments adopting federal definitions into state law.

Therefore, your Committee has amended this measure by:

- (1) Requiring that Medicaid, health insurers, mutual benefit societies, and health maintenance organizations cover services provided through telehealth by way of an interactive telecommunications system;
- (2) Defining "interactive telecommunications system" to match the 2022 Medicare physician fee schedule final rule;
- (3) Removing language specifying that telephonic services do not constitute telehealth;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1980, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1980, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3369 Health on H.B. No. 2340

The purpose and intent of this measure is to allow the use of post office boxes for filling prescriptions, so long as the dispensing pharmacy has the physical location of the patient's residence on file.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that under existing law, if a controlled substance prescription has a post office box address, pharmacists must verify the patient's identification, note the identification number on the prescription, and change the patient's address, before dispensing the medication. The number of prescriptions pharmacists receive with post office box addresses is significant, particularly on the neighbor islands. Removing this administrative burden on pharmacists would save them time and allow them to focus on other patient care responsibilities. This measure authorizes pharmacists to eliminate these steps if the patient's physical address is already on file.

Your Committee acknowledges the testimony of Kaiser Permanente Hawaii, which recommended amendments to this measure's preamble to clarify that this measure does not authorize pharmacists to mail controlled substances to post office or rural office boxes.

Therefore, your Committee has amended this measure by:

- (1) Amending section 1 to clarify that this measure is to ease pharmacists' administrative burdens and not to authorize pharmacists to mail controlled substances to a post office or rural office box; and
- (2) Inserting an effective date of January 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. 2340, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2340, H.D. 2, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3370 Health on H.B. No. 2515

The purpose and intent of this measure is to:

- (1) Require the Department of Health to establish and operate a laboratory capable of testing for diseases, air and water quality issues, and other complex issues; and

- (2) Appropriate funds to the Department of Health to establish the laboratory.

Your Committee received testimony in support of this measure from the Department of Health and City and County of Honolulu Board of Water Supply. 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 the current state laboratory building is approximately twenty-seven years old and was not designed to accommodate current testing needs. The laboratory building's facilities often fail and require repair due to its age, negatively effecting testing. Additionally, the building is not designed for mass testing for infectious diseases and water quality. Your Committee also finds that the laboratory building was not designed to perform certain tests such as testing for blood alcohol levels. Any tests that the state laboratory cannot perform must be sent to the mainland for testing. In order to maintain public health and safety, it is paramount that the State have a larger and modernized laboratory. This measure requires the Department of Health to establish and operate a laboratory capable of testing for diseases, air and water quality, and other complex issues, and appropriates funds to establish the laboratory.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2515, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2515, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3371 (Joint) Education and Higher Education on H.B. No. 1775

The purpose and intent of this measure is to:

- (1) Clarify the application of chapter 368D, Hawaii Revised Statutes, and set forth requirements with which entities that have state education programs or activities, or that receive state funding for educational programs or activities, must comply;
- (2) Require annual reporting to the Legislature on the number and types of Title IX cases received by the University of Hawaii, Department of Education, and public charter schools, and other relevant information;
- (3) Establish two full-time equivalent (2.0 FTE) senior advisor positions and one full-time equivalent (1.0 FTE) junior advisor position for the University of Hawaii System to carry out the purposes of this Act; and
- (4) Appropriate funds to the Department of Education and public charter schools to carry out the purposes of this Act.

Your Committees received testimony in support of this measure from the Department of Education, State Public Charter School Commission, University of Hawai'i System, Hawai'i Civil Rights Commission, American Association of University Women of Hawaii, Hawaii Women's Coalition, Children's Action Network Speaks!, Americans for Democratic Action Hawai'i; Rainbow Family 808, The Every Voice Coalition, Planned Parenthood Alliance Advocates-Hawai'i, Hawai'i State Democratic Women's Caucus, Stonewall Caucus of the Democratic Party of Hawaii, and sixteen individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and one individual.

Your Committees find that combating discrimination on the basis of sex, including gender identity or expression, or sexual orientation, is an ongoing matter of statewide concern. Your Committees further find that, as noted in testimony, the Patsy Takemoto Mink Equal Opportunity in Education Act, otherwise known as Title IX of the Education Amendments of 1972, sets the floor or baseline with respect to anti-discrimination legislation. Your Committees note, however, that shifting federal interpretations, rules, guidance, and executive actions highlight the need for stronger state protections. Accordingly, this measure will promote the fair and equitable treatment of all residents of the State by strengthening the State's Title IX corollary.

Your Committees have amended this measure by:

- (1) Defining the term "educational program or activity" under section 2; 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 Education and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1775, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1775, H.D. 2, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.
Education: Ayes, 5. Noes, none. Excused, none.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Wakai).

SCRep. 3372 Human Services on H.B. No. 1824

The purpose and intent of this measure is to appropriate funds for an unspecified number of Long-Term Care Ombudsman Program Specialist positions within the Office of the Long-Term Care Ombudsman assigned to each county as follows: one for the City and County of Honolulu, one for the County of Maui, two for the County of Hawaii, and one for the County of Kauai.

Your Committee received testimony in support of this measure from the Hawaii Long-Term Care Ombudsman, County of Hawai'i Office of Aging, Alzheimer's Association, Hawaii Civil Rights Center, AARP Hawai'i, Policy Advisory Board for Elder Affairs, Protect Leahi & Maluhia 'Ohana, Kokua Council, Maunalani Nursing and Rehabilitation Center, and twelve individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Executive Office on Aging and Department of Budget and Finance.

Your Committee finds that long-term care ombudsmen serve as advocates for residents of long-term care facilities to ensure that they receive the quality of care and quality of life they deserve and are entitled to by law. Your Committee further finds that according to a recommendation made by the National Academy of Medicine, Hawaii should have at least six full-time long-term care ombudsmen; however, during the reorganization of the Executive Office on Aging in June 2015, staffing for the Office of the Long-Term Care Ombudsman was reduced from six to one. This measure will replenish the staffing of Hawaii's Long-Term Care Ombudsman Program to meet national standards and enable the program to protect the health, safety, welfare, and rights of residents of long-term care facilities in accordance with state and federal law.

Your Committee has amended this measure by:

- (1) Specifying that the appropriation is to fund five full-time equivalent (5.0 FTE) Long-Term Care Ombudsman Program Specialist positions within the Office of the Long-Term Care Ombudsman; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1824, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1824, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3373 Human Services on H.B. No. 1745

The purpose and intent of this measure is to appropriate funds to support Hawaii's four food bank efforts to continue meeting the food security needs of the people of Hawaii during this time of unprecedented need due to disturbances caused by coronavirus disease 2019 (COVID-19) pandemic.

Your Committee received testimony in support of this measure from the Office of Community Services; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; one member of the County of Maui County Council; Hawaii Foodbank, Inc.; Hawaii Foodbank, Inc.'s Kauai branch; The Food Basket, Inc.; Hawai'i Farm Bureau; Hawaii Food Industry Association; AlohaCare; Ulupono Initiative; Hawaii Primary Care Association; Hawai'i Hunger Action Network; Hawaii Association of Health Plans; Kaiser Permanente Hawai'i; Hawaii Medical Service Association; Chef Point of View; Hawai'i Health & Harm Reduction Center; Parent And Children Together; Hawai'i Public Health Institute Obesity Prevention Task Force; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Labor and Industrial Relations' Office of Community Services is the state administrator of The Emergency Food Assistance Program (TEFAP), a federal program that helps supplement the diets of low-income households by providing them with emergency food assistance at no cost. The Office of Community Services contracts with a food bank for each of the State's four counties, to establish, maintain, and supervise a network of eligible recipient agencies that distribute food received through TEFAP in designated areas of each county.

Your Committee also finds that the COVID-19 pandemic heavily impacted food security levels in Hawaii, increasing the volume of food collectively distributed in Hawaii by the food banks in fiscal year 2020-2021 to 36,500,000 pounds, which is more than double the volume distributed before the pandemic. Your Committee further finds that more than eighty-two thousand children in the State are projected to struggle with hunger in 2022, placing Hawaii as a state with the second highest rate of child food insecurity in the country. Your Committee acknowledges that the federal funds and donations that enabled the food banks to meet demands of the State during the height of the COVID-19 pandemic have declined considerably, and without additional funds, the food banks will not be able to continue meeting the food security needs of Hawaii residents. This measure will appropriate the funds necessary for the food banks to continue meeting the food security needs of the people in Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that of the sum appropriated:
 - (A) One percent shall be allocated to the Office of Community Services to administer the funds appropriated pursuant to this measure;
 - (B) Ten percent shall be allocated to the food bank in each county for administrative expenses, based on the county's proportional share of the State's poverty population as set forth in the latest small area income and poverty estimates issued by the United States Census Bureau (SAIPE formula); and
 - (C) The remainder shall be allocated to the food bank in each county for food purchase expenses using the SAIPE formula; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1745, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1745, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3374 Human Services on H.B. No. 1754

The purpose and intent of this measure is to appropriate funds to restore diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees; provided that the Department of Human Services obtains the maximum federal matching funds available and pursues all funding sources before expending any general revenue appropriations.

Your Committee received testimony in support of this measure from the Department of Human Services, University of Hawai'i System John A. Burns School of Medicine, Hawaii State Council on Developmental Disabilities, Executive Office on Aging, Hawaii Dental Association, AlohaCare, Hawai'i Public Health Institute -Hawai'i Oral Health Coalition, Hawaii Medical Service Association, Hawaii Disability Rights Center, AARP Hawai'i, Oral Health Progress and Equity Network (OPEN), Health Committee of the Democratic Party of Hawai'i, Hawai'i Children's Action Network Speaks!, Ho'ōla Lāhui Hawai'i, Hawaii Primary Care Association, UnitedHealthcare Community Plan Hawaii, Hawaii Association of Health Plans, Hawai'i Section of the American College of Obstetricians and Gynecologists, Americans for Democratic Action Hawai'i, Hawaii Dental Service, Kaiser Permanente Hawai'i, Hawaii Dental Hygienists' Association, Catholic Charities Hawai'i, Papa Ola Lōkahi, 'Ohana Health Plan, Waimānalo Health Center, The Queen's Health Systems, 'Ahaui o na Kauka – Association of Native Hawaiian Physicians, Parents And Children Together, Hawaii Medical Association, Kōkua Kalihi Valley Comprehensive Family Services, and forty-six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that oral diseases are a significant health problem that affects the overall health and well-being of many Hawaii residents. Despite this fact, in 2009, the State terminated all preventive and restorative dental care services for adult Medicaid recipients and reduced coverage to emergency-only care that is limited to pain relief, injuries, trauma, and tooth removal and extraction. Your Committee further finds that recent research shows a disproportionate number of adult Medicaid enrollees ages twenty-one to forty-four years using the emergency room to receive emergency dental services. Your Committee is concerned that the lack of preventive and restorative dentistry services for adult Medicaid beneficiaries increases potential health care complications for Hawaii residents, especially those who have co-existing chronic diseases, such as diabetes and heart disease, which may lead to increased disability or death. Investing in preventive dental benefits for Medicaid-enrolled adults will, in the long term, lead to reductions in medical costs paid by Medicaid. Therefore, your Committee believes it is in the best interest of the State and its residents to reinstate coverage of diagnostic, preventive, and restorative dental benefits for adult Medicaid enrollees. This measure will appropriate funds to enable the State to do so.

Your Committee notes that the companion to this measure, S.B. No. 1294, S.D. 2, which was previously passed by the Senate, includes a preamble that sets forth the following three options to restore dental benefits for adult Medicaid beneficiaries with all three options covering periodontal services:

- (1) Option 1 (\$7,800,000 per year or \$3.32 per enrollee) covers a basic dental benefit package of diagnostic, preventive, and restorative services;
- (2) Option 2 (\$19,900,000 per year or \$8.45 per enrollee) includes the basic dental benefit package, plus core prosthodontic services; and
- (3) Option 3 (\$36,200,000 per year or \$15.37 per enrollee) further expands prosthodontic services.

Your Committee notes multiple testimonies providing that the limited dental benefits in Option 1, although helpful, may be insufficient to address the oral health needs of Medicaid beneficiaries in Hawaii whose oral health needs have accumulated over the past decade, and recommending the more comprehensive dental benefits in Option 2.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 1 by incorporating the preamble language of S.B. No. 1294, S.D. 2 (Regular Session of 2022);
- (2) Inserting a blank appropriation amount to restore diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees consistent with Option 2;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1754, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1754, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3375 Human Services on H.B. No. 2424

The purpose and intent of this measure is to :

- (1) Expand the investigative power of the Department of Human Services to include inspections of families:
 - (A) That have adopted or received legal guardianship of a child for whom maintenance is provided pursuant to the Social Security Act or through the State Adoption Assistance Program, including adoptive families where an adoption decree is pending or where an adoption decree has been issued but adoption has not yet taken place; or
 - (B) That are receiving financial assistance through the State's Permanency Assistance Program, and

against whom a complaint has been lodged with the Department of Human Services;

- (2) Require the Department of Human Services to report to the Legislature before the convening of the Regular Session of 2027, regarding the impact of expanding home visits to families receiving adoption assistance or legal guardianship assistance;
- (3) Appropriate funds for the Department of Human Services to hire additional case workers and support staff to conduct annual or semi-annual in-home visits for families receiving adoption assistance or legal guardianship assistance; and
- (4) Appropriate funds for the Department of Human Services to increase compensation to fill vacancies and retain employees in existing Child Welfare Services Case Worker positions.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining, Hawaii Family Advocacy Team, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that many children in foster care continue to require support from the Department of Human Services' Child Welfare Services Branch after being placed in permanent custody of a family through adoption or legal guardianship. Your Committee further finds that the network of state systems that protect and ensure the safety and security for at-risk children must be enhanced to protect children who had previously been under the protection and legal jurisdiction of the State. This measure expands the authority of the Department of Human Services to allow case workers to conduct investigations of adoptive families and legal guardians that receive federal or state funding, and foster families of children for whom adoption has not been completed and against whom a complaint has been lodged with the Department.

Your Committee notes the testimony of the Department of the Attorney General raising concerns that the investigation of families by the Department of Human Services pursuant to this measure may affect the constitutional rights of parents, including adoptive parents, to raise their children, which limits an investigator's ability to investigate families without reasonable cause to suspect that a child has been harmed or is subject to threatened harm.

Your Committee also notes the testimony of the Office of Collective Bargaining stating that appropriating funds to increase the compensation of existing Child Welfare Services Branch case worker positions is inappropriate and premature, as compensation for these positions is subject to collective bargaining.

Your Committee has amended this measure by:

- (1) Limiting the expansion of the Department of Human Services' investigative powers to include the review and investigation of families that receive benefits from the State's Adoption Assistance Program against whom a complaint has been lodged;
- (2) Clarifying that the Department of Human Services' review or investigation of families receiving benefits from the State's Adoption Assistance program and against whom a complaint has been lodged shall be in accordance with chapters 350 and 587A, Hawaii Revised Statutes;
- (3) Limiting the subject of the Department of Human Services' report to the Legislature to be filed before the Regular Session of 2027, to the impact of expanding home visits to families receiving benefits from the adoption assistance program;
- (4) Clarifying that any increase in compensation of Child Welfare Services Branch case worker positions shall be subject to collective bargaining with the objective of expeditiously filling all vacancies;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2424, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2424, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3376 (Joint) Higher Education and Hawaiian Affairs on H.B. No. 2288

The purpose and intent of this measure is to transfer the parcel of land designated as tax map key: (1) 3-2-030-002-0000-000 to the Department of Hawaiian Home Lands.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Kūpuna for the Mo'opuna, and one individual. Your Committees received testimony in opposition to this measure from the University of Hawai'i System. Your Committees received comments on this measure from the Department of the Attorney General and Kaulana 'āina a Mahiku A'o Mai.

Your Committees find that the Oahu Island Plan was developed to provide recommendations for the future uses of lands on the island of Oahu to which the Department of Hawaiian Home Lands holds title to meet beneficiary and department needs over the next twenty years. As the Oahu Island Plan identified a land shortage and a large number of applicants seeking homesteading opportunities on Oahu, acquisition of new lands is necessary to award homesteads to all Oahu applicants.

However, your Committees note the testimony of the Attorney General regarding the land identified as tax map key: (1) 3-2-030-002-0000-000. As the land is currently held as a fee-simple parcel by the University of Hawaii, a quasi-independent state agency with exclusive jurisdiction over its internal affairs under the Hawaii State Constitution, the transfer of University land must obtain approval

by the Board of Regents of the University of Hawaii. However, University lands may be taken under eminent domain so long as the University is paid just compensation for the taking.

Your Committees also note the testimony of the Department of Hawaiian Home Lands regarding plans for the parcel currently held by the University of Hawaii. To address the decades-long waitlist for land administered by the Department of Hawaiian Home Lands, the department intends to utilize the land for multi-generational or rental units by maximizing the allowable density under residential zoning in the City and County of Honolulu. Therefore, your Committees believe that an amicable agreement should be reached to obtain the land from the University of Hawaii for use by the Department of Hawaiian Home Lands for housing.

Your Committees have amended this measure by inserting an appropriation in an unspecified amount to be expended by the Department of Hawaiian Home Lands for the purposes of this measure.

As affirmed by the records of votes of the members of your Committees on Higher Education and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2288, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2288, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Kidani).

Hawaiian Affairs: Ayes, 5; Ayes with Reservations (Ihara). Noes, none. Excused, none.

SCRep. 3377 (Joint) Higher Education and Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2302

The purpose and intent of this measure is to appropriate funds for the continued operation and disaster preparedness outreach efforts of the University of Hawaii Sea Grant College Program.

Your Committees received testimony in support of this measure from University of Hawai'i System, Hawai'i Emergency Management Agency, Hawai'i State Public Library System, Maui Emergency Management Agency, and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that continued education of Hawaii's people on emergency preparedness allows residents and the State to prepare for, mitigate against, and recover from disasters. Emergency preparedness education such as the *Homeowner's Handbook to Prepare for Natural Disasters*, prepared by the Hawaii Emergency Management Agency and the University of Hawaii College Sea Grant Program, are vital to the safety and resiliency of the State. The most recent fourth edition of the *Handbook* provides crucial information regarding options on home retrofit, evacuation planning guidance, and sections on volcanoes and climate change. As Hawaii continues to experience the impacts from climate change, sea level rise, coastal erosion, and extreme weather events, there is a greater need to continue crucial partnerships with emergency management and civil defense agencies across the State and at the county level to make Hawaii's communities more resilient and to develop a culture of emergency preparedness.

As affirmed by the records of votes of the members of your Committees on Higher Education and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2302, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Wakai).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Baker).

SCRep. 3378 (Joint) Higher Education and Health on H.B. No. 2220

The purpose and intent of this measure is to appropriate funds to the University of Hawaii to increase the State's capacity to train new nurses and project future nursing workforce needs.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Department of Health, Department of Labor and Industrial Relations, Hawai'i State Center for Nursing, Healthcare Association of Hawaii, and The Queen's Health Systems. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the ongoing coronavirus disease 2019 (COVID-19) pandemic has exacerbated the need for nurses to care for the ill. Nationwide and locally, there is a nursing faculty shortage with a vacancy rate of over fifty percent. The nursing faculty shortage has led to increased difficulty in finding lecturers to support clinical education for nurses in hospitals and health care settings. To meet the growing demand for nurses, nursing schools in the State need to increase faculty and lecturer hiring capacity. Additionally, increased funding is needed to support existing nursing faculty, provide transitions to faculty practice training, and align nursing workforce projections between the schools of nursing and industry partners.

However, your Committees note that the nursing program at the University of Hawaii at West Oahu has been terminated. While the nursing degree pathway at the West Oahu campus began in fall 2015, it currently offers only a bachelor's degree in health professions and health information management. The community needs of West Oahu, exacerbated by the COVID-19 pandemic, signal a dire need to reinstate and continue a nursing program at the West Oahu campus to offer students educational and professional opportunities within their communities.

Your Committees have amended this measure by:

- (1) Providing that the nursing program at the University of Hawaii, West Oahu, be reinstated as a condition for the appropriation;
- (2) Inserting an effective date of July 1, 2055; and
- (3) 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 Higher Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2220, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2220, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3379 Judiciary on H.B. No. 1427

The purpose and intent of this measure is to:

- (1) Clarify that candidates are not required to file preliminary general reports if they are either unsuccessful or are elected to office in the primary election; and
- (2) Clarify the aggregating contributions and expenditures that determine when a committee needs only to file the final election period report.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that reporting requirements under campaign finance laws are important to maintain transparency and fairness in elections. However, candidates who are either unsuccessful or who have been elected to office in a primary election will not appear on the ballot in the general election. Therefore, your Committee finds that requiring these candidates to file preliminary reports between the primary and general elections is unnecessary.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1427, H.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, 7. Noes, none. Excused, none.

SCRep. 3380 Judiciary on H.B. No. 1471

The purpose and intent of this measure is to amend provisions relating to dates and deadlines in statutory provisions governing political parties.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that every election year, qualified political parties must submit their current party rules and provide the names and addresses of their central committee officers and respective county committee officers. The deadline to submit the party rules and officers should be on the same day for qualified political parties. This measure aids qualified parties in keeping track of and facilitating compliance with deadlines.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1471, 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, 7. Noes, none. Excused, none.

SCRep. 3381 Judiciary on H.B. No. 1472

The purpose and intent of this measure is to amend the information necessary for a voter to withdraw their signature from a petition under election laws.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that this measure will standardize the requirements for a signatory to remove their name from a petition to match the withdrawal requirements of a signatory to a nomination paper.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1472, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1472, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3382 Labor, Culture and the Arts on H.B. No. 1475

The purpose and intent of this measure is to require state legislators and employees to complete mandatory ethics training courses every four years, subject to certain requirements.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Common Cause Hawaii, and four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the Hawaii State Constitution requires all public officers and employees to exhibit the highest standards of ethical conduct. This measure will ensure that state legislators and employees are aware of current ethics laws to meet this high standard.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of this measure is to require the state ethics commission to establish not only online, but also live ethics training courses;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1475, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1475, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3383 Labor, Culture and the Arts on H.B. No. 1789

The purpose and intent of this measure is to:

- (1) Require the representative of labor on the Hawaii Labor Relations Board to be a person whose name has been selected by a simple majority of the exclusive representatives of the collective bargaining units and submitted to the Governor for appointment;
- (2) Require the Governor to submit the name of the nominee to the Senate for advice and consent no later than twenty days after the exclusive representatives' submittal of the nominee's name to the Governor; and
- (3) Provide that if the Governor fails to do so, that the exclusive representatives who recommended the nominee shall transmit the nominee's name directly to the Senate for confirmation.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; Hawaii State Teachers Association; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Hawai'i Labor Relations Board.

Your Committee finds that the Hawaii Labor Relations Board is a quasi-judicial board that ensures that collective bargaining is conducted in accordance with law, with jurisdiction over state public sector collective bargaining, state private sector collective bargaining, and cases pertaining to state occupational safety and health citations and whistleblower discrimination claims. The Board consists of three members who represent three distinct interests--the Chair, who is the representative of the public, one member who is a representative of management, and another member who is a representative of labor. Under existing law, the representative of management is appointed by the Governor, who may first consider any names submitted by the counties. The representative of labor is appointed by the Governor from a list of three nominees submitted by mutual agreement from a majority of the exclusive representatives of the collective bargaining units. As for the Board Chair, the Governor's selection is not limited to names submitted by other parties.

Your Committee acknowledges the testimonies of numerous labor unions supporting this measure on the grounds that the existing appointment process for the representative of labor gives the Governor too much authority over a quasi-judicial body that adjudicates disputes in which the Governor, serving as the employer, would often be involved as a party.

This measure will allow the collective bargaining units to select their representative on the Hawaii Labor Relations Board by a simple majority of their exclusive representatives.

Accordingly, your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1789, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1789, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Ihara). Noes, none. Excused, none.

SCRep. 3384 Labor, Culture and the Arts on H.B. No. 2159

The purpose and intent of this measure is to:

- (1) Rename the Hawaii Workforce Development Council to the Hawaii Workforce Development Board;
- (2) Require the Hawaii Workforce Development Board to develop written conflict of interest policies that are consistent with the federal Workforce Innovation and Opportunity Act of 2014; and
- (3) Amend the composition and powers of the Hawaii Workforce Development Board.

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 the Workforce Development Council and one individual. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that Act 88, Sessions Laws of Hawaii 2021, also known as the General Appropriations Act of 2021, eliminated the program identification number for the Workforce Development Council (LBR135) and transferred its appropriations and positions to the Department of Labor and Industrial Relations' Workforce Development Division. This measure amends chapter 202, Hawaii Revised Statutes, which governs the Workforce Development Council, in conformance with the new appropriation structure set forth in the General Appropriations Act of 2021.

Your Committee also finds that the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. sections 3111(f) and 3122(h)), prohibits members of the state workforce development board and local workforce development boards from engaging in activities determined by the Governor to constitute a conflict of interest.

Your Committee notes the testimonies of the Department of Labor and Industrial Relations and Hawaii Workforce Development Council raising concerns over the significant changes this measure makes to the size and composition of the Hawaii Workforce Development Board. The testimonies also supported making amendments to section 202-3, Hawaii Revised Statutes, to have the Executive Director of the Hawaii Workforce Development Board be appointed by the Governor from a list of three nominees submitted by the Board.

Your Committee further notes that the companion to this measure, S.B. No. 3127, S.D. 1 (Regular Session of 2022), is a substantially similar measure that renames the Hawaii Workforce Development Council as the Hawaii Workforce Development Board and prohibits its members and members of local workforce development boards from engaging in any activity determined by the Governor to constitute a conflict of interest as provided in the federal Workforce Innovation and Opportunity Act of 2014 or chapter 84, Hawaii Revised Statutes. Your Committee concludes that the language in S.B. No. 3127, S.D. 1, is preferable because it addresses concerns raised in testimony by retaining the current composition of the Hawaii Workforce Development Board and requiring the Governor to appoint the Executive Director of the Hawaii Workforce Development Board from a list of three nominees submitted by the Board.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 3127, S.D. 1, a similar measure that addresses the concerns raised in the testimonies of the Department of Labor and Industrial Relations and Hawaii Workforce Development Council.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2159, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2159, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3385 Labor, Culture and the Arts on H.B. No. 2240

The purpose and intent of this measure is to:

- (1) Authorize the issuance of general obligation bonds to pay or prepay the State's Other Post-Employment Benefits liability under certain conditions; and
- (2) Require that the outstanding balance of general obligation bonds issued to pay or prepay the Other Post-Employment Benefits liability to be considered in the calculation of public employers' annual required contribution to the Other Post-Employment Benefits Trust Fund, beginning July 1, 2023.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual.

Your Committee finds that the Hawaii Employer-Union Health Benefits Trust Fund is a state agency administratively attached to the Department of Budget and Finance that provides eligible state and county employees and retirees and their eligible dependents with health and life insurance benefits. In 2013, to reduce the Hawaii Employer-Union Health Benefits Trust Fund's substantial amount of unfunded liability, the Legislature passed Act 268, Sessions Laws of Hawaii 2013, which required the Hawaii Employer-Union Health Benefits Trust Fund to establish a separate trust fund entitled the Other Post-Employment Benefits Trust Fund, into which public employers must pay annual required contributions to pre-fund the Other Post-Employment Benefits costs for existing employees, as well as pay down the Hawaii Employer-Union Health Benefits Trust Fund's existing unfunded liability.

In July 2020, to address the \$2.3 billion budget shortfall caused by the coronavirus disease 2019 (COVID-19) pandemic, the Governor suspended the State's required payment of the annual contributions to the Other Post-Employment Benefits Trust Fund for the fiscal year ending June 30, 2021. Act 229, Session Laws of Hawaii 2021, extended this suspension for two fiscal years, through fiscal year 2022-2023. According to the Department of Budget and Finance, as of July 1, 2021, the Other Post-Employment Benefits Trust Fund's unfunded actuarial accrued liability stood at \$8,125,000,000, and is projected to be paid down through the year 2044. This measure seeks to provide a viable financing option besides annual required contributions, with appropriate safeguards, to address and manage the Other Post-Employment Benefits Trust Fund's unfunded liability, thereby reducing the future financial strain on the State, counties, and taxpayers.

Your Committee acknowledges that Act 229, Session Laws of Hawaii 2021, suspended certain provisions in section 87A-42, Hawaii Revised Statutes, which governs the Other Post-Employment Benefits Trust Fund, until June 30, 2023. Therefore, section 2 of this measure which amends section 87A-42(f), Hawaii Revised Statutes, to require that Other Post-Employment Benefits bond debt be considered in the calculation of the annual required contribution by public employers, will take effect on July 1, 2023.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2240, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2240, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3386 (Majority) Labor, Culture and the Arts on H.B. No. 2449

The purpose and intent of this measure is as follows:

- (1) Part I of this measure appropriates funds to establish staff positions in the Hawaii State Archives;
- (2) Part II of this measure authorizes the issuance of general obligation bonds to finance the construction of an additional building for the state archives to expand and create new spaces for collections processing, storage, administrative use, public research, exhibitions, listening, learning, and community engagement; and
- (3) Part III of this measure requires:
 - (A) All departments, offices, and agencies to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians; and
 - (B) The Hawaii State Archives to develop a transfer plan to acquire those documents.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Historic Hawai'i Foundation, and one individual. Your Committee received testimony in opposition to this measure from thirty-eight individuals. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, Department of Health, Department of Land and Natural Resources, University of Hawai'i System, Office of the State Librarian, and one individual.

Your Committee finds that the Hawaii State Archives, an entity responsible for collecting, arranging, describing, and making accessible the public archives of the State, is an irreplaceable part of Hawaii's legacy, history, culture, and identity. Your Committee also finds that the coronavirus disease 2019 pandemic, which greatly disrupted the public's ability to travel and access the Hawaii State Archive records in person, highlighted the need to post more of the records online to be accessible to people around the world, twenty-four hours a day, seven days a week. However, the State Archives facility, which was designed seventy years ago, is severely outdated in both form and function to provide the digitization infrastructure necessary for such large-scale access. Your Committee finds that the facility is currently at ninety-eight percent of its approximately 14,000 cubic feet of storage-capacity and is projected to reach full capacity in the next biennium. This measure will assist the Hawaii State Archives to continue fulfilling its mission to "ensure open government by preserving and making accessible the historic records of state government and to partner with state agencies to manage their active and inactive records".

Your Committee notes the significant number of testimonies raising concerns over Part III of this measure based on various issues, including staffing, funding, confidentiality, professional ethics and standards, centralization of resources, and access, and recommending that Part III be removed from the measure. Your Committee appreciates the clarification provided by the Hawaii State Archives during the hearing, stating that it did not request Part III of this measure to be considered by the Legislature.

Accordingly, your Committee has amended this measure by:

- (1) Deleting Part III;
- (2) Amending section 3 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2449, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2449, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3387 Labor, Culture and the Arts on H.B. No. 2469

The purpose and intent of this measure is to:

- (1) Establish an Unemployment Compensation Insolvency Special Fund to be administered by the Department of Labor and Industrial Relations and expended solely to resolve an Unemployment Compensation Trust Fund insolvency emergency declared by the Governor;
- (2) Permit the Governor to declare an Unemployment Compensation Trust Fund insolvency emergency and expend moneys from the Unemployment Compensation Insolvency Special Fund if the Director of Finance determines that the trust fund balance is insufficient to meet the State's obligations; and

(3) Appropriate moneys into the Unemployment Compensation Insolvency Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that the Federal Unemployment Tax Act and Social Security Act (SSA) operate in tandem to provide a framework for the Federal-State Unemployment Compensation Program. Title XII of the Social Security Act provides loans to the states to pay unemployment insurance benefits when the state's unemployment compensation trust funds are insolvent. The Federal Unemployment Tax Act levies a federal tax on employers covered by a state's unemployment insurance program. The federal unemployment tax rate is 6.0 percent on the first \$7,000 of wages paid annually; however the law provides a 5.4 percent credit reduction, as long as the state remains in conformity with the unemployment insurance law and regulations and does not carry an outstanding loan balance beyond the allowable time frame. Specifically, if a state has an outstanding loan balance on January 1 for two consecutive years and does not repay the full amount of its loans by November 10 of the second year, the federal unemployment tax credit rate for employers in that state will be reduced until the loan is repaid. Therefore, employers in Hawaii will be detrimentally affected if the State depletes its Unemployment Compensation Trust Fund, takes out a loan, and does not pay the loan in full within the required time frame.

Your Committee acknowledges that section 328L-3, Hawaii Revised Statutes, establishes an Emergency and Budget Reserve Fund administered by the Director of Finance, which serves as a temporary supplemental source of funding for the State during times of emergency, severe economic downturn, or unforeseen reduction in revenues. Your Committee believes however, that establishment of the Unemployment Compensation Insolvency Special Fund will provide the State with greater flexibility to administer the Federal-State Unemployment Compensation Program, as it will not be required to receive advances from the federal government.

Your Committee has amended this measure by:

- (1) Clarifying that moneys from the Unemployment Compensation Insolvency Special Fund may also be expended as a temporary source of funding during times of emergency, severe economic downturn, or unforeseen reduction of revenues pursuant to an appropriation approved by a two-thirds majority vote of each house of the Legislature; and
- (2) Clarifying that a general or supplemental appropriations bill, as defined in article VII, section 9, of the Hawaii State Constitution, shall not be used to appropriate moneys from the Unemployment Compensation Insolvency Special Fund.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2469, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2469, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3388 Labor, Culture and the Arts on H.B. No. 2471

The purpose and intent of this measure is to amend the definition of "Adequate Reserve Fund" to exclude the benefit cost rate from June 2020 through August 2021, for calendar years 2023 through 2030.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that an employer's unemployment insurance tax rate is computed once a year using two factors: the employer's claim history, meaning the unemployment insurance benefits paid out to the employer's former employees over the years; and the applicable unemployment insurance tax rate for the year, categorized from Schedule A to Schedule H, with A being the lowest and H being the highest rate.

The unemployment insurance tax rate schedule for the year is calculated by dividing the balance of the Unemployment Compensation Trust Fund by the Adequate Reserve Fund. Thus, a higher Adequate Reserve Fund will result in a higher tax rate schedule for employers. The Adequate Reserve Fund is determined by multiplying the highest Benefit Cost Rate during the ten-year period by the total amount of wages paid by all employers during the last four calendar quarters. Thus, a higher Benefit Cost Rate will result in a higher Adequate Reserve Fund, which in turn will result in a higher tax rate schedule. The Benefit Cost Rate is calculated by dividing the total amount of unemployment insurance benefits paid to unemployed individuals during a twelve consecutive month period by the total amount of wages paid by all employers. Therefore, if there is a period during which a significant amount of unemployment benefits was paid out, the Adequate Reserve Fund, and in turn, the tax rate schedule for employers will be inflated for the subsequent ten years.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic caused an unprecedented increase in Hawaii's unemployment rate, which resulted in the State paying out a significant amount of unemployment insurance benefits, leading to the depletion of the Unemployment Compensation Trust Fund in June 2020. As such, the tax rate for 2021 and 2022 were slated to increase to Schedule H, the highest tax rate; however, the Legislature prevented this spike by passing Act 1, Session Laws of Hawaii 2021, which set the tax rates for 2021 and 2022 at Schedule D. This measure excludes the Benefit Cost Rate from June 2020 through August 2021 from the calculation of the Adequate Reserve Funds for calendar years 2023 through 2030, which will stabilize the tax rate schedules for those years while Hawaii's economy recovers from the disruptions caused by the pandemic.

Your Committee has amended this measure by inserting an effective date of January 1, 2060, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2471, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2471, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3389 Labor, Culture and the Arts on H.B. No. 2495

The purpose and intent of this measure is to prohibit employers from entering into or requiring employees to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault occurring in the workplace, at work-related events, between employees, or between the employer and an employee.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Civil Rights Commission, Hawai'i State Commission on the Status of Women, AAUW of Hawaii, Hawai'i Women Lawyers, Hawai'i State Democratic Women's Caucus, and four individuals.

Your Committee finds that nondisclosure agreements have functioned as a shield for repeat offenders of discrimination based on sex, including sexual harassment and sexual assault, by allowing the pattern of misconduct to continue unnoticed and other individuals to suffer similar abuse by the same offender. Your Committee further finds that existing law only prohibits employers from requiring their employees to enter into a nondisclosure agreement as a condition of employment, and therefore, does not cover circumstances after hire, including when a settlement agreement that releases the employer from an employee's claim of employment discrimination, including sexual harassment, includes a confidentiality or nondisclosure clause. This measure will prohibit employers from entering into nondisclosure agreements pertaining to sexual harassment or sexual assault under any circumstance.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2495, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2495, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3390 Labor, Culture and the Arts on H.B. No. 1924

The purpose and intent of this measure is to appropriate funds to the State of Hawaii Museum of Monarchy History and the State of Hawaii Museum of Natural and Cultural History, to be expended by the Hawaii State Foundation on Culture and the Arts.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Department of Land and Natural Resources, Hawai'i Tourism Authority, Bernice Pauahi Bishop Museum, The Friends of Iolani Palace, Historic Hawai'i Foundation, HT Hayashi Foundation, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State of Hawaii Museum of Monarchy History, also known as Iolani Palace, and the State of Hawaii Museum of Natural and Cultural History, also known as the Bernice Pauahi Bishop Museum, are irreplaceable cultural treasures for Hawaii. Your Committee also finds that these institutions have lost significant operating revenue due to the drop in the number of visitors as a result of the coronavirus disease 2019 pandemic. Despite the loss of revenues, the museums continue to be responsible for the maintenance and care of their respective collections and aging facilities. Your Committee believes that it is in the best interest of the State to appropriate funds to ensure the continued care, maintenance, and operation of these important repositories of irreplaceable collections of Hawaiian history and culture.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts 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, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3391 (Joint) Government Operations and Judiciary on H.B. No. 2085

The purpose and intent of this measure is to propose amendments to the Constitution of the State of Hawaii to expressly provide that the Legislature may authorize political subdivisions to issue tax increment bonds and to exclude tax increment bonds in calculating the debt limit of the political subdivisions.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; Hawaii Interagency Council for Transit-Oriented Development; Hawaii Community Development Authority; and NAIOP Hawaii. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that having various means of funding capital improvements benefits the State. A diverse financial toolkit builds vibrant and resilient communities. Your Committees further find that a lack of clarity in existing law has clouded the potential

of tax increment financing, which is a method of capturing value generated from rising real property tax assessments. Accordingly, this measure will benefit the State and its residents, and promote investment in vital community infrastructure, by authorizing the use of tax increment financing.

As affirmed by the records of votes of the members of your Committees on Government Operations and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2085, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

Judiciary: Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 3 (Gabbard, Kim, Lee).

SCRep. 3392 (Joint) Government Operations and Agriculture and Environment on H.B. No. 2423

The purpose and intent of this measure is to require all state building construction projects and state highway projects to use building and construction materials that seek to reduce their carbon footprint, where feasible and cost-effective.

Your Committees received testimony in support of this measure from the Department of Transportation, one member of the Hawai'i County Council, Kauai Women's Caucus, Climate Protectors Hawai'i, 350.org, Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, and twenty individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that climate change is a matter of global and statewide concern and that state government should be setting an example by affirmatively promoting climate change mitigation whenever possible. Hawaii, for obvious reasons, is particularly prone to the sea level rise that is associated with climate change. Accordingly, this measure will promote climate change mitigation efforts by requiring all state building construction projects and state highway projects to use materials that seek to reduce their carbon footprint, where feasible and cost-effective.

As affirmed by the records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2423, H.D. 1, and recommend that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3393 Education on H.B. No. 1561

The purpose and intent of this measure is to establish and appropriate funds for:

- (1) An Adult Workforce Readiness Program;
- (2) One full-time equivalent Adult Workforce Readiness Program Coordinator for McKinley Community School for Adults; and
- (3) One full-time equivalent Adult Workforce Readiness Program Coordinator for Waipahu Community School for Adults.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, State Council on Developmental Disabilities, McKinley Community School for Adults, Waipahu Community School for Adults, Hawaii State Teachers Association, Chamber of Commerce Hawaii, Workforce Development Council, Susannah Wesley Community Center, Society of Human Resource Management Hawaii, and fifty-eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State's high school students and adult education students, as well as employers, would benefit from a work readiness preparation program. Collaboration between educators and industry employers ensures that students develop the skills and credentials needed to make them highly employable. Your Committee further finds that allowing students, including students at adult and community schools, to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates, helps employers identify suitable candidates and enhances employment success for students. Accordingly, this measure will benefit all manner of students across the State, and employers, by promoting workforce readiness.

Your Committee has amended this measure by inserting an effective date of July 1, 2051, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1561, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1561, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3394 Education on H.B. No. 1562

The purpose and intent of this measure is to add the Director of Hawaii P-20 Partnerships for Education as an ex officio, nonvoting member to the Early Learning Board.

Your Committee received testimony in support of this measure from the Department of Education and one individual. Your Committee received comments on this measure from the Executive Office on Early Learning.

Your Committee finds that the Early Learning Board, which formulates statewide policy relating to early learning, benefits from the inclusion of additional perspectives. As noted in testimony, the Director of Hawaii P-20 Partnerships for Education is positioned to provide meaningful contributions to the Early Learning Board. The Hawaii P-20 Partnerships for Education helps students thrive in

school, work, and life by promoting and strengthening the education pipeline from early childhood through post-secondary education and training. Your Committee further finds that including the Director of Hawaii P-20 Partnerships for Education on the Early Learning Board will promote consistency and synergy between the efforts of the Hawaii P-20 Partnerships for Education and Early Learning Board. Accordingly, this measure will benefit students across the State by adding the Director of Hawaii P-20 Partnerships for Education as an ex officio, nonvoting member to the Early Learning Board.

Your Committee has amended this measure by inserting an effective date of July 1, 2051, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1562, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1562, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3395 Education on H.B. No. 1865

The purpose and intent of this measure is to:

- (1) Repeal the exemption for charter schools from the requirements on the administration and use of the federal funds allocated to the State for public education purposes;
- (2) Clarify that the disbursement of these funds shall not be conditioned on the agreement of a public charter school to amend an existing charter contract; and
- (3) Amend the manner in which per-pupil funds are disbursed to public charter schools.

Your Committee received testimony in support of this measure from Kanuikapono Public Charter School; South Maui Learning Ohana, Inc.; Kihei Charter School; and twenty-two individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Education.

Your Committee finds that there have been reports that the State Public Charter School Commission has handled per-pupil funding allocations in a manner that is inconsistent with chapter 302D, Hawaii Revised Statutes, and the legislative intent of that chapter, thereby necessitating this measure in its original form. Your Committee notes, however, concern expressed in testimony regarding proposed amendments to the disbursement of this funding. Accordingly, this measure clarifies chapter 302D, Hawaii Revised Statutes, by amending the manner in which per-pupil funds are disbursed to public charter schools and requiring authorizers to timely provide certain information to public charter schools.

Your Committee has amended this measure by:

- (1) Reverting proposed amendments to section 302D-25, Hawaii Revised Statutes, to restore the existing federal law exemption for charter schools, the State Public Charter School Commission, and authorizers;
- (2) Reverting proposed amendments to section 302D-28, Hawaii Revised Statutes, to restore the existing law's process of requiring authorizers to distribute certain federal funds to charter schools;
- (3) Deleting proposed amendments to section 302D-28, Hawaii Revised Statutes, to restore existing law;
- (4) Clarifying that the State Public Charter School Commission has the discretion to determine whether to consult with the Board of Education in adjustments to allocations;
- (5) Inserting a blank appropriation for certain infrastructure costs and related expenses for eligible public charter schools, subject to lease review and approval by the Department of the Attorney General under certain circumstances;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1865, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1865, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3396 Education on H.B. No. 1939

The purpose and intent of this measure is to appropriate funds for two positions in the Executive Office on Early Learning in order to enhance capacity and resources of the office.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning and Hawaii Children's Action Network Speaks!.

Your Committee finds that substantial investments in high-quality early learning programs yield significant and far-reaching benefits. Children who have accessed early learning programs are more likely to succeed in kindergarten and each successive grade, as well as outside of the classroom and into adulthood. Your Committee further finds that the Executive Office on Early Learning, which promotes the delivery of high-quality early learning programs in the State, is presently in need of additional staffing to fully realize its purpose and potential. Accordingly, this measure will help further the objectives of the Executive Office on Early Learning, and benefit all children in the State, by establishing and funding two new staff positions within the office.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2051, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1939, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1939, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3397 (Joint) Education and Human Services on H.B. No. 1999

The purpose and intent of this measure is to appropriate funds to the Department of Human Services for the Preschool Open Doors Program.

Your Committees received testimony in support of this measure from the Department of Human Services, Executive Office on Early Learning, Early Learning Board, Hui for Excellence in Education, Early Childhood Action Strategy, Children's Action Network Speaks!, Parents And Children Together, Kamehameha Schools, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the Preschool Open Doors Program promotes school readiness by providing child care subsidies for eligible families, helping to alleviate the high cost of care. Your Committees further find that in 2021 funding for the Preschool Open Doors program was significantly decreased. Accordingly, this measure provides funding to continue to support the Preschool Open Doors Program.

Your Committees have amended this measure by inserting an effective date of July 1, 2051, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Education and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1999, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1999, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

Human Services: Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3398 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 957

The purpose and intent of this measure is to:

- (1) Establish the Hawaii State Fusion Center as a program under the Office of Homeland Security as described in chapter 128A, Hawaii Revised Statutes; and
- (2) Establish the position of Hawaii State Fusion Center Director.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Defense, Department of Transportation, Honolulu Board of Water Supply, Hawaiian Electric Company, and one individual.

Your Committee finds that the Hawaii State Fusion Center serves as a focal point for the State for the receipt, analysis, gathering, and sharing of threat-related information between the federal, state, local, and private sector partners. The Fusion Center collaborates among all levels of government to receive, analyze, and disseminate threat-related information in coordination with intelligence partners by coordinating with the sixteen critical infrastructure sectors and lifelines, including electric, water, food, gas utilities, and communications. The collaboration includes the integration of cyber-related threat information, cyber-crime prevention, and analytic capabilities to assist in identifying cyber threats and indicators to individual networks and systems. Your Committee believes that the Hawaii State Fusion Center is an important part of Hawaii's Homeland Security. This measure will protect the citizens and visitors of the State by establishing the Hawaii State Fusion Center as a program under the Office of Homeland Security and establishing the position of Hawaii State Fusion Center Director.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 957, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 957, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3399 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1415

The purpose and intent of this measure is to address violence and threats of violence by:

- (1) Assisting organizations in developing threat assessment teams by providing them with available training and assistance with establishing threat teams;

- (2) Enabling threat assessment teams to obtain and share information from different sources in order to assess threats of violence; and
- (3) Protecting privacy by vetting threat assessment team members that may receive certain sensitive information and providing that the information may not be used for any purpose beyond what is necessary for assessment of a threat.

Your Committee received testimony in support of this measure from the Hawaii State Fusion Center, Department of Education, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that incidents of violence or threats of violence on the basis of race, ethnicity, or ancestry have increased at an alarming rate during the coronavirus disease 2019 pandemic. Recently, Asian Americans have often been the target of these hate crimes. This violence against Asians has been driven in part by the use of anti-Asian terminology and rhetoric that perpetuate anti-Asian stigma, such as the terms “Chinese virus”, “Wuhan virus”, and “kung-flu”. Your Committee believes that a multidisciplinary threat assessment team consisting of individuals with diverse training and experience can help prevent violence. This measure will prevent targeted violence and produce solutions to manage threats by establishing a program within the Hawaii State Fusion Center to train, establish, and operate threat assessment teams, including for educational institutions.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1415, H.D. 2, and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3400 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1567

The purpose and intent of this measure is to:

- (1) Eliminate the use of monetary bail and require defendants to be released on their own recognizance for traffic offenses, violations, nonviolent petty misdemeanor offenses, or nonviolent misdemeanor offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawai'i Alliance for Progressive Action, Common Cause Hawaii, Imua Alliance, Faith Action for Community Equity, and twenty-six individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Judiciary, Department of Public Safety, American Civil Liberties Union of Hawai'i, and Hawaii Substance Abuse Coalition.

Your Committee finds that the State's practice of making the payment of a money bond a condition for pretrial release discriminates based on wealth, exacerbates racial disparities, results in over-incarceration, and imposes unnecessary costs on individuals and society at large. On February 1, 2021, eight hundred eighty-three people were incarcerated throughout the State even though they had not been convicted of a crime. Feeding and caring for an incarcerated person costs \$198 a day in Hawaii. Before the coronavirus 2019 pandemic, the State was spending approximately \$209,000 a day, or \$76,000,000 annually, of taxpayer dollars to incarcerate more than one thousand people statewide, simply because they were too poor to afford bail. These costs come with trade-offs with other state spending priorities like education and healthcare. This measure will reduce the harms of the cash bail system upon the community by taking a necessary step in the State's phased approach to pretrial reform.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1567, H.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, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3401 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1586

The purpose and intent of this measure is to:

- (1) Clarify that federal funds received by the State for reimbursement of disaster-related expenses, except for federal funds received by the State to reimburse the Department of Education for disaster-related expenses, shall first be applied to the originating fund used by the department or agency for payment of disaster relief expenses; provided that if the original appropriation has lapsed, the funds shall be returned to the general fund;
- (2) Require the Administrator of the Hawaii Emergency Management Agency to submit an annual report to the Legislature on the status of federal reimbursement moneys for disaster response, and disaster response spending by each agency; and
- (3) Appropriate funds to the Department of Defense for disaster response efforts.

Your Committee received comments on this measure from the Hawai'i Emergency Management Agency, Department of Budget and Finance, and Department of Education.

Your Committee finds that the State has been historically vulnerable to natural disasters, including hurricanes, earthquakes, volcanic eruptions, storm surges, tsunamis, and wildfires. Various state departments and agencies have been affected by natural disasters and emergencies and have spent departmental funds to respond to incidents as necessary. Many departments apply for reimbursement for the costs of emergency response measures from the Federal Emergency Management Agency. However, disaster reimbursement may take months or years, depending on the federal government response. The delay in disaster reimbursements has resulted in the holding

of federal reimbursement funds in the major disaster fund, rather than the funds being returned to the originating department or agency. This measure will allow for quicker reimbursements to state departments and agencies that have expended funds due to disasters and will allow for the State to match federal emergency reimbursement funds.

Your Committee has amended this measure by:

- (1) Restoring statutory language that provides the Hawaii Emergency Management Agency with a rollover provision for unspent funds under \$2,500,000; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1586, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1586, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3402 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1584

The purpose and intent of this measure is to update:

- (1) The list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding the United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting the United States Citizenship and Immigration Services from the list; and
- (2) References to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including the United States Customs and Border Protection.

Your Committee received testimony in support of this measure from the U.S. Department of Homeland Security Immigrations and Customs Enforcement-Homeland Security Investigations, Department of the Attorney General, Department of Transportation, Department of Public Safety, Hawai'i Police Department, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that United States Immigration and Customs Enforcement-Homeland Security Investigations special agents work extensively with law enforcement officers of the State on investigations targeting transnational organized criminal activity. These investigations often involve violations of both federal and state criminal law. Your Committee believes that the sophistication of the methods employed by criminal organizations in the State make it essential for United States Immigration and Customs Enforcement-Homeland Security Investigations special agents to have state arrest authority. This measure will help stem the impact of criminality and protect the citizens of Hawaii by updating the list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding the United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting the United States Citizenship and Immigration Services from the list.

Your Committee has amended this measure by:

- (1) Clarifying findings relating to Act 95, Session Laws of Hawaii 2008; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1584, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1584, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

SCRep. 3403 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1588

The purpose and intent of this measure is to:

- (1) Ensure that the State is ready to receive federal funds from the Safeguarding Tomorrow through Ongoing Risk Mitigation Act by establishing the Resilient Hawaii Revolving Loan Fund;
- (2) Appropriate funds for the Resilient Hawaii Revolving Loan Fund; and
- (3) Establish and appropriate funds for two positions within the Hawaii Emergency Management Agency to provide administrative support associated with the Resilient Hawaii Revolving Loan Fund.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency and Department of Human Services. 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 as major natural disasters become more prevalent, it becomes more important for the State to leverage as many federal funding opportunities as possible to mitigate against and prepare for their impacts. This measure will allow the State to take advantage of federal capitalization grants to move toward future sustainability and resilience and will align with the State's overall efforts to combat and prepare for the effects of climate change.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1588, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3404 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1747

The purpose and intent of this measure is to require the State Building Code Council to:

- (1) Consult with building industry trade associations to gather cost data on the implementation of certain codes or standards and calculate the financial impact of those building codes and standards, including amortized utility costs, on the cost of constructing single-family and multi-family homes built in the State; and
- (2) Include the cost provided by building industry trade associations on certain codes and standards adopted by the council in the annual written report submitted to the Governor.

Your Committee received testimony in support of this measure from the Building Industry Association of Hawaii; D.R. Horton Hawaii, LLC; and NAIOP Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii State Energy Office. Your Committee received comments on this measure from Plumbers and Pipefitters UA Local 675.

Your Committee finds that the building codes and standards passed by the International Code Council add to the cost of housing construction and reduce affordability. Your Committee believes that in determining whether to adopt international standards, the State Building Code Council should assess the financial impact of changes to the construction costs, and the impact on amortized utility costs, for single-family and multi-family homes in the State. This measure will mitigate the rising costs of homes in the State by requiring the State Building Code Council to consult with building industry trade associations to gather cost data on the implementation of certain codes or standards and calculate the financial impact of those building codes and standards, including amortized utility costs, on the cost of constructing single-family and multi-family homes built in the State.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1747, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3405 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2118

The purpose and intent of this measure is to:

- (1) Codify the existing Hawaii State Cybersecurity Program, administered by the Office of Homeland Security in partnership with specified entities, to oversee cybersecurity and cyber resiliency matters; and
- (2) Eliminate the state Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the delineation of responsibilities, previously situated in the singular coordinator position, amongst planning and operations at the Hawaii State Fusion Center in the Office of Homeland Security will allow for a more effective and holistic effort to meet the cybersecurity objectives of the State. This measure will benefit the public at large, the general business community, and critical infrastructure owners and operators in Hawaii by codifying the existing Hawaii State Cybersecurity Program and eliminating the state Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position which will no longer be necessary as a result of this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2118, H.D. 1, and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3406 Public Safety, Intergovernmental, and Military Affairs on H.B. No. 2119

The purpose and intent of this measure is to:

- (1) Create a new Emergency Management Assistance Compact; and
- (2) Repeal the existing Emergency Management Assistance Compact.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency and Hawaii State Energy Office. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that, through the authority of the Governor, the Emergency Management Assistance Compact is implemented by the Hawaii Emergency Management Agency, which is governed by chapter 127A, Hawaii Revised Statutes. Your Committee believes that moving the Emergency Management Assistance Compact terms and provisions into the emergency management series of Hawaii Revised Statutes chapters will provide concise, logical organization to the emergency management laws of Hawaii. This measure will align the Hawaii Emergency Management Agency with the best emergency management practices across the country by

repealing chapter 128F, Hawaii Revised Statutes, and creating a new, appropriately designated chapter in the 127A series of the Hawaii Revised Statutes chapters to reincorporate the Emergency Management Assistance Compact.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2119, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3407 Judiciary on H.B. No. 1459

The purpose and intent of this measure is to require victim restitution in certain juvenile cases.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Mothers Against Drunk Driving Hawaii, and County of Kauai Victim/Witness Program. Your Committee received testimony in opposition to this measure from the Judiciary; Office of the Public Defender; Office of Hawaiian Affairs; one member of the Hawai'i County Council; one member of the Kaua'i County Council; Juvenile Law Center, Policy Advocacy Clinic at Berkeley Law; National Center for Youth Law; American Civil Liberties Union of Hawai'i; Native Hawaiian Legal Corporation; Opportunity Youth Action Hui; Hawaii Foodservice Alliance LLC; Hawai'i Health & Harm Reduction Center; Community Alliance on Prisons; Hawai'i Friends of Restorative Justice; Kupuna for the Mo'opuna; and thirty-six individuals.

Your Committee finds that victim restitution is perhaps the only core victims' right that addresses such a wide range of the devastating effects of crime, including physical, emotional, psychological, financial, and social impacts. Restitution is intended to not only repay the victim of a crime, but also to have a rehabilitative effect on the offender. However, some judges are using their discretion too liberally and not requiring restitution in cases where it is appropriate. Additionally, some judges are interpreting section 571-48, Hawaii Revised Statutes, to mean that the court is only authorized to order restitution as an alternative to community service, rather than having the authority to order either or both. Your Committee believes that there is a benefit to the law violator repaying the victim to right the wrong caused by the violator's criminal conduct. This measure creates a consistent and fair restitution process for all offenders, regardless of their age, by requiring all existing restitution orders in certain juvenile cases to be converted to independent orders at the time the court terminates jurisdiction.

Your Committee has amended this measure by:

- (1) Removing language that would have required victim restitution in certain juvenile cases;
- (2) Requiring all existing restitution orders to be converted to independent orders at the time the court terminates jurisdiction, mimicking the adult system whereby the victim can seek civil enforcement of that order;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1459, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1459, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3408 Judiciary on H.B. No. 1469

The purpose and intent of this measure is to create an affirmative defense for anyone charged with unauthorized control of a propelled vehicle, where the defendant purchased the vehicle in good faith and believed themselves to be the actual owner of the vehicle.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that an affirmative defense is defined, in section 701-115(b), Hawaii Revised Statutes, as a defense where the defendant is entitled to an acquittal if the trier of fact finds that the evidence, when considered in the light of any contrary prosecution evidence, proves, by a preponderance of the evidence, that the specified fact or facts negate penal liability. Often, in cases involving unauthorized control of a propelled vehicle in the second degree, the prosecution is blindsided at trial when a defendant makes an inference during questioning of a witness, or personally testifies, that the defendant purchased the vehicle. When this occurs, the trial has already commenced, and the prosecution is learning of this defense for the first time. At that point, the prosecution and police are unable to investigate these claims mid-trial, jeopardy has already been attached, and jurors are potentially left to question whether the State has in fact proven the case beyond a reasonable doubt. This measure codifies an affirmative defense for these types of cases, which will still require the prosecution to prove their case beyond a reasonable doubt, but also will put the burden on the defendant to prove the particular defense by a preponderance of the evidence.

Your Committee has amended this measure by:

- (1) Removing language that required the defendant to have purchased the vehicle in good faith;
- (2) Requiring the defendant to have the reasonable belief that they were the actual owner of the vehicle; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1469, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1469, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3409 Judiciary on H.B. No. 2421

The purpose and intent of this measure is to establish a three-year women's court pilot program in the Circuit Court of the First Circuit, which is intended to acknowledge the distinct pathways that lead women into the criminal justice system and address their individualized needs.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Bar Association, Hawai'i Women Lawyers, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that there has been a significant increase in the number of women in Hawai'i jails and prisons over the past forty years, resulting in a higher proportion of women who are incarcerated. Nationally, women have been outpacing men in the numbers entering the prison population since 1980, at a rate of seven hundred percent compared to fifty percent for men. Research has shown that for women, histories of abuse, trauma, poverty, mental illness, substance use disorders, and unhealthy relationships intersect with their entry into criminal behavior. Your Committee believes that if these issues are not addressed, the outcome is that these women risk reentering the system, which creates a cycle of suffering not only for themselves but for their families and their community. This measure will benefit Hawai'i women and their families by establishing a three-year women's court pilot program in the Circuit Court of the First Circuit to acknowledge the distinct pathways that lead women into the criminal justice system and be responsive to their individualized needs.

Your Committee has amended this measure by:

- (1) Inserting an appropriation of \$695,236 in general funds for fiscal year 2022-2023, allocated for the women's court pilot program as follows:
 - (A) \$62,136 for one full-time equivalent (1.0 FTE) social worker V position;
 - (B) \$52,200 each for four full-time equivalent (4.0 FTE) social worker IV positions;
 - (C) \$46,200 for one full-time equivalent (1.0 FTE) circuit court clerk II position; and
 - (D) \$41,100 for one full-time equivalent (1.0 FTE) judicial clerk position;
- (2) Requiring the Judiciary to submit a report to the Governor and Legislature no later than forty days prior to the convening of the Regular Sessions of 2023, 2024, and 2025; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2421, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2421, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3410 (Joint) Judiciary and Hawaiian Affairs on H.B. No. 1870

The purpose and intent of this measure is to appropriate funds for a program coordinator and various services to support the Judiciary's 'Ōlelo Hawai'i initiatives.

Your Committees received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, and four individuals. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that article XV, section 4, of the Hawaii State Constitution affirms that English and 'Ōlelo Hawai'i (Hawaiian language) shall be the official languages of the State. Your Committees further find that the Judiciary has already taken initial steps to explore ways of providing 'Ōlelo Hawai'i resources, interpreter, and translation services to the public. To advance this work, in 2015, the Legislature adopted a concurrent resolution, H.C.R. No. 217, Session Laws of Hawaii 2015, that requested the Judiciary to convene a task force to examine and report on establishing 'Ōlelo Hawai'i resources for the Judiciary. The task force report made several findings including that 'Ōlelo Hawai'i "possesses appropriate specificity, sophistication, and technical breadth of terminology to accurately translate legal terminology from English into 'Ōlelo Hawai'i." Further, the task force found that as an independent branch of government, the Judiciary could effectively serve as a focused model to demonstrate the use of 'Ōlelo Hawai'i. The task force report made several recommendations and identified projects that can serve as a guide to the Judiciary. This measure will appropriate funds to support the implementation of the recommendations and ultimately the revitalization of the Hawaiian language.

Your Committees have amended this measure by:

- (1) Inserting a \$300,000 appropriation amount to support the Judiciary's 'Ōlelo Hawai'i projects as follows:
 - (A) \$100,000 for a program coordinator; and

(B) \$200,000 for implementation, including translation services, website upgrades, preparation of materials, and educational efforts; and

(2) Making it effective on July 1, 2022.

As affirmed by the records of votes of the members of your Committees on Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1870, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1870, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3411 (Joint) Energy, Economic Development, and Tourism and Government Operations on H.B. No. 1637

The purpose and intent of this measure is to authorize a county to impose an annual in-lieu fee on land or improvements on land that are actively used to produce or store renewable energy that is sold to an electric utility, under certain conditions.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy; Public Utilities Commission; Hawaii State Energy Office; City and County of Honolulu's Department of Budget and Fiscal Services; Hawaii Solar Energy Association; Hawaiian Electric Company, Inc.; Kauai Island Utility Cooperative; Clearway Energy Group; and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that the successful deployment of renewable energy generation and storage projects to the Hawaii electric system is necessary to ensure that the State's electrical energy needs are met as the State works to achieve its goal of one hundred percent renewable energy by 2045. Electric utilities and independent power producers rely on transparent costs to ensure their proposed projects are completed within budget and contribute to the State's renewable energy portfolio standards. Your Committees reviewed the testimony received and acknowledge that clarifying language is needed to ensure that there are no unintended consequences that may inadvertently and negatively impact the counties, electric utilities, independent renewable energy producers and suppliers, and other stakeholders.

Accordingly, your Committees have amended this measure by:

- (1) Replacing all references to "fees" with "payments", as the payment in lieu of real property taxes is neither a regulatory fee nor a user fee;
- (2) Amending language to reference renewable energy that is sold under a contract, which would also limit the annual fixed payment for the duration of the contract and include independent energy project developers that sell their renewable energy through a contract instead of power purchase agreement, thereby eliminating the risk of fluctuating payments to renewable energy producers and suppliers; and
- (3) Instead of an annual in-lieu fee, authorizing a county to enact an ordinance that establishes a program allowing a fixed annual payment under certain conditions to minimize potential lost revenues to the counties;
- (4) Removing language that prohibits counties from imposing or increasing fees for renewable energy projects for which the county previously granted a real property tax exemption;
- (5) Removing language in section 1 that misstates an electric utility's tax liabilities under county law and further amends section 1 to reflect its amended purpose; and
- (6) 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1637, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1637, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3412 (Joint) Transportation and Government Operations on H.B. No. 1686

The purpose and intent of this measure is to require the Director of Transportation to establish and implement a digital identification pilot program.

Your Committees received testimony in support of this measure from the Department of Transportation, Office of Enterprise Technology Services, and Hawai'i Tourism Authority.

Your Committees find that digital identification has many benefits. With identification being tied to password protected phones, this method would increase both security and convenience. Additionally, digital identification may be useful for law enforcement to be able to identify a person quickly in the case of an emergency such as a medical crisis or car crash. Therefore, this measure implements a pilot program to study the use of digital identification.

Your Committees have amended this measure by removing the prohibition of digital identification being used or accepted as valid proof of identification for REAL ID purposes.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1686, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1686, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3413 (Joint) Human Services and Housing on H.B. No. 1744

The purpose and intent of this measure is to authorize:

- (1) The issuance of general obligation bond proceeds to the Hawaii Public Housing Authority to begin the development and construction of permanent supportive housing units to meet the needs of chronically homeless individuals and families and other vulnerable populations in the State; and
- (2) The Hawaii Housing Finance and Development Corporation to consider any application from the Hawaii Public Housing Authority, partner, or both, for competitive federal low-income housing tax credits for the construction of these units.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Department of Land and Natural Resources, Partners In Care, Catholic Charities Hawai'i, and four individuals. Your Committees received testimony in opposition to this measure from the State Procurement Office.

Your Committees find that Hawaii has one of the highest homelessness rate in the nation, which is, in part, driven by insufficient affordable housing. This measure will address the problem of chronic homelessness in Hawaii, which is a particularly costly problem for the State and one that puts a heavy burden on the State's health care and emergency service systems.

Your Committees note the testimony of the Governor's Coordinator on Homelessness, suggesting the establishment of a pilot program targeting the needs of homeless individuals with serious mental illness, chronic medical conditions, and chronic substance abuse; and in particular, by providing additional short-term shelter and triage capacity.

Your Committees also note the testimony of the State Procurement Office, objecting to the exemption from the Hawaii Procurement Code provided to Hawaii Public Housing Authority under this measure.

Accordingly, your Committees have amended this measure by:

- (1) Establishing a five-year Homelessness Triage Center Pilot Program to be administered by the Department of Human Services to assist homeless adults with serious mental illness, chronic medical conditions, or chronic substance abuse issues access appropriate treatment, shelter, care, and housing by providing temporary shelter and referral services;
- (2) Appropriating \$2,500,000 out of the general revenues of the State of Hawaii for the establishment, implementation, and administration of the homeless triage center pilot program, including funding for one full-time equivalent (1.0 FTE) planner or specialist position;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Deleting section 3(a), which exempts the Hawaii Public Housing Authority from the Hawaii Procurement Code for the purposes of this measure;
- (5) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (6) 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 Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1744, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1744, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Housing: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3414 Labor, Culture and the Arts on H.B. No. 2355

The purpose and intent of this measure is to appropriate funds for fiscal biennium 2021-2023 for Hawaii Employer-Union Health Benefits Trust Fund costs and other cost adjustments for legislative officers and employees of the Senate, House of Representatives, and various legislative agencies, who are excluded from collective bargaining.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau, Office of the Auditor, and Office of the Ombudsman.

Your Committee finds that this measure provides a legislative vehicle that can be used to appropriate funds should the Legislature determine that Hawaii Employer-Union Health Benefits Trust Fund costs and other cost adjustments for legislative officers and employees of the Senate, House of Representatives, and various legislative agencies, who are excluded from collective bargaining, are warranted.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2355, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2355, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3415 Labor, Culture and the Arts on H.B. No. 2091

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (1), which consists of nonsupervisory employees in blue collar positions, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (1) have reached an agreement, which was later ratified by the unit's members. Your Committee further finds that pursuant to section 89-10(b), Hawaii Revised Statutes, the Governor submitted the cost items and this measure serves as the corresponding legislative approval of those cost items.

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2091, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2091, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3416 Labor, Culture and the Arts on H.B. No. 2092

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (2), which consists of supervisory employees in blue collar positions, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (2) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2092, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2092, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3417 Labor, Culture and the Arts on H.B. No. 2093

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (3), which consists of nonsupervisory employees in white collar positions, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (3) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2093, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2093, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3418 Labor, Culture and the Arts on H.B. No. 2094

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (4), which consists of supervisory employees in white collar positions, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (4) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2094, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2094, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3419 Labor, Culture and the Arts on H.B. No. 2095

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (6), which consists of educational officers and other personnel of the Department of Education under the same pay schedule, 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 finds that the negotiations for collective bargaining agreements for bargaining unit (6) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2095, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2095, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3420 Labor, Culture and the Arts on H.B. No. 2096

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (8), which consists of non-faculty personnel of the University of Hawaii and the community college system, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (8) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2096, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2096, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3421 Labor, Culture and the Arts on H.B. No. 2097

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (9), which consists of registered professional nurses, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (9) have reached an agreement, which was later ratified by the unit's members. Your Committee further finds that pursuant to section 89-10(b), Hawaii Revised Statutes, the Governor submitted the cost items and this measure serves as the corresponding legislative approval of those cost items.

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2097, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2097, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3422 Labor, Culture and the Arts on H.B. No. 2098

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (10), which consists of institutional, health, and correctional workers, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; University of Hawai'i System; Hawaii Health Systems Corporation; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (10) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts 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 pass Second Reading in the form attached hereto as H.B. No. 2098, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3423 Labor, Culture and the Arts on H.B. No. 2099

The purpose and intent of this measure is to appropriate or authorize funds for fiscal biennium 2021-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (11), which consists of firefighters, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (11) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2099, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2099, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3424 Labor, Culture and the Arts on H.B. No. 2100

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (13), which consists of professional and scientific employees, who cannot be included in any other bargaining units, and their excluded counterparts.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the negotiations for collective bargaining agreements for bargaining unit (13) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2100, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2100, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3425 Labor, Culture and the Arts on H.B. No. 2101

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items including salary and other cost adjustments for the members of collective bargaining unit (14), which consists of state law enforcement officers, 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 finds that the negotiations for collective bargaining agreements for bargaining unit (14) are currently in progress. This measure provides a legislative vehicle that can be used to appropriate or authorize funds if an agreement is reached or an arbitration award is issued prior to the end of the 2022 Regular Session.

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 and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts 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 Second Reading in the form attached hereto as H.B. No. 2101, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 3426 (Joint) Transportation and Government Operations on H.B. No. 1412

The purpose and intent of this measure is to:

- (1) Require counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment; and
- (2) Require that, before a vehicle can be classified as being abandoned, notice be provided that the vehicle must be moved the specified distance within the specified timeframe or be subject to removal.

Your Committees received testimony in support of this measure from the County of Maui Department of Environmental Management, County of Hawai'i Department of Environmental Management, Hawaii Council of Mayors, Hawai'i State Association of Counties, Maui Metropolitan Planning Organization, and nine individuals.

Your Committees find that abandoned vehicles are a nuisance for Hawaii communities while also being unsafe for the environment and an economic burden for the State. The existing laws that determine how far a vehicle must move to not be abandoned are vague, and this lack of clarity creates a loophole where a vehicle can be moved only an inch to qualify as no longer abandoned. This measure establishes a minimum distance a vehicle must be moved within a specified time frame to be considered not abandoned.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1412, H.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3427 (Joint) Transportation and Government Operations on H.B. No. 1413

The purpose and intent of this measure is to:

- (1) Allow the Director of Finance of a county to require payment of outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle within the county by the registered owner of the abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and

- (2) Require the Director of Finance of a county to notify the appropriate county examiner of drivers of individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

Your Committees received testimony in support of this measure from the County of Maui Department of Environmental Management, County of Hawaii Department of Environmental Management, Department of Finance of the County of Kaua'i, Hawai'i Council of Mayors, Hawaii State Association of Counties, Maui Metropolitan Planning Organization, and eleven individuals.

Your Committees find that abandoned vehicles in Hawaii cost the State large amounts of money in disposal fees. Charges and fines are levied against individuals who abandon their vehicles to offset this cost, but there is no current mechanism that requires the individuals to pay the charges within a reasonable timeframe, resulting in numerous outstanding payments within the State. This measure prohibits the transfer of ownership of vehicles and the renewal of driver's licenses while an individual has an outstanding fine except under special circumstances, as well as authorizing the suspension or revocation of a license for having an outstanding fine.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1413, H.D. 2, and recommend that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3428 (Joint) Transportation and Government Operations on H.B. No. 1688

The purpose and intent of this measure is to:

- (1) Subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles; and
- (2) Authorize the counties to use certain motor vehicle registration fees to mitigate and address the impacts of tourism-related traffic congestion.

Your Committees received testimony in support of this measure from the County of Kaua'i Office of the Mayor, County of Kaua'i Department of Finance, Hawai'i State Association of Counties, Maui Metropolitan Planning Organization, Hertz Corporation, Enterprise Holdings, one member of the Maui County Council, and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii and the Maui Chamber of Commerce.

Your Committees find that U-drive motor vehicles should be classified in the same way as other vehicles regarding registration fees as they can affect highway usage expenses, be abandoned, and add to traffic congestion to the same degree as other motor vehicles. This measure standardizes the registration fees for motor vehicles including U-drive motor vehicles, and adds the mitigation of tourism-related traffic congestion as another way in which these collected fees may be spent.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1688, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Gabbard).

SCRep. 3429 (Joint) Human Services and Labor, Culture and the Arts on H.B. No. 1787

The purpose and intent of this measure is to:

- (1) Establish Employment First as a state policy with respect to persons with disabilities;
- (2) Require state and county agencies to implement the Employment First policy in hiring and all programs and services administered or funded by the State or counties; and
- (3) Require the Department of Human Services to apply Employment First principles to Medicaid home- and community-based services waiver program personnel.

Your Committees received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, Rainbow Family 808, and four individuals. Your Committees received comments on this measure from the Department of Human Services, Department of Labor and Industrial Relations, and Executive Office on Aging.

Your Committees find that over the past several years, the State has made strides in removing various barriers for individuals with disabilities to enter the workforce, including the enactment of Act 155, Session Laws of Hawaii 2019, which enabled individuals receiving Medicaid to earn up to a livable wage without losing their Medicaid services; and Act 55, Session Laws of Hawaii 2021, which ended the discriminatory practice of paying subminimum wages to individuals with disabilities. This measure will further expand employment opportunities for individuals with disabilities, thereby enabling them to further integrate into their communities.

Your Committees note that S.B. No. 2875, S.D. 1, Regular Session of 2022, is a substantially similar measure. Your Committees believe that the language of S.B. No. 2875, S.D. 1, is preferable as it provides a clearer definition of "Employment First", defines "Person with a disability", and provides a more explicit description of the Department of Human Services' responsibilities.

Your Committees also note the testimony of the Department of Labor and Industrial Relations raising concerns that the requirement under this measure that all state and county agencies share data and information could be construed to require the Department to share confidential data and information, such as unemployment insurance information.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 2875, S.D. 1, Regular Session of 2022;
- (2) Clarifying that the sharing of data and information among state and county agencies pursuant to this measure is voluntary; and
- (3) 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 Human Services and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1787, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1787, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3430 (Joint) Transportation and Agriculture and Environment on H.B. No. 2276

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Transportation for the coordinated removal of albizia and other invasive trees that potentially threaten the public roadways and utility infrastructure on public and private land; and
- (2) Require a two-to-one matching requirement from a public utilities source.

Your Committees received testimony in support of this measure from the Department of Transportation, Hawaiian Electric, and four individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, and one individual.

Your Committees find that non-native albizia trees pose a hazard to public safety and critical infrastructure, including overhead utilities. Invasive albizia trees can grow up to two hundred and fifty feet tall; however, due to their brittle branches and shallow root systems, tropical storms can easily bring down albizia trees, resulting in blocked roadways and millions of dollars in damage to homes and important electric utility lines. This measure will therefore help to facilitate their removal to resolve the safety hazards and environmental threats created by albizia trees.

As affirmed by the records of votes of the members of your Committees on Transportation and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2276, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

Agriculture and Environment: Ayes, 3. Noes, none. Excused, 2 (Acasio, Fevella).

SCRep. 3431 Transportation on H.B. No. 2218

The purpose and intent of this measure is to designate the reef runway at the Daniel K. Inouye International Airport as the Frank T. Okimoto Reef Runway.

Your Committee received testimony in support of this measure from three individuals.

Your Committee finds that the reef runway was constructed on the coral reef adjacent to the Daniel K. Inouye International Airport in 1977. It was the world's first major runway built entirely offshore and earned one of the Ten Outstanding Engineering Achievements Award from the National Society of Professional Engineers and the Aviation Environment Award from the Federal Aviation Administration. The project engineer for this runway was the late Frank T. Okimoto whose care and dedication for the environment minimized the environmental impact of the runway's construction while also ensuring it would be safe and functional. This measure designates the reef runway as the Frank T. Okimoto reef runway as a tribute to his legacy.

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. 2218, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3432 Transportation on H.B. No. 2336

The purpose and intent of this measure is to:

- (1) Clarify certain provision in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the photo red light imaging detector systems program; and
- (2) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for the current timetable of the photo red light imaging detector systems program.

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, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that statutes relating to the red light imaging detector systems pilot program require further clarification. The Session Laws of Hawaii also need to be amended to match the current timetable of the systems program. Therefore, this measure clarifies various provisions.

Your Committee has amended this measure by:

- (1) Inserting language to require traffic-control signals that are actively monitored by an official photo red light imaging detector system to display a steady yellow indication for a minimum number of seconds;
- (2) Inserting language to require traffic-control signals generally to display a steady yellow indication for a minimum of three seconds; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2336, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2336, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3433 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on H.B. No. 2108

The purpose and intent of this measure is to:

- (1) Beginning January 1, 2023, establish a program for the licensure, regulation, and oversight of special purpose digital currency companies;
- (2) Extend operations of companies in the Digital Currency Innovation Lab Pilot Program under certain circumstances; and
- (3) Appropriate funds out of the compliance resolution fund to implement the program.

Your Committees received testimony in support of this measure from the Hawai'i Technology Development Corporation; Cloud Nalu, LLC; Blockchain Solutions Hawai'i; and seven individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and Grassroot Institute of Hawai'i.

Your Committees find that the Digital Currency Innovation Lab was established as a two-year pilot program to create economic opportunities for the State through early adoption of digital currency, offer consumer protection by providing guidance to issues of digital currency, and provide data to shape legislation supporting digital currency activities. The pilot program received significant interest from residents in the State and confirmed the need for clear and consistent regulatory guidelines for companies to conduct business in Hawai'i following the end of the pilot program. This measure would establish a program for the licensure, regulation, and oversight of digital currency companies to ensure necessary consumer protections.

Your Committees note that S.B. No. 3025, S.D. 2 (Regular Session of 2022), which was previously passed by the Senate, is a substantially similar measure that also establishes a program for the licensure, regulation, and oversight of digital currency companies. In light of testimony received by your Committees, your Committees conclude that the language in S.B. No. 3025, S.D. 2, is preferable because it contains updated provisions that reflect stakeholder consensus language concerning the anti-money laundering compliance program and the cyber security program.

Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 3025, S.D. 2, a substantially similar measure that establishes a special purpose digital currency licensing program that will replace the Digital Currency Innovation Lab;
- (2) Inserting an effective date of July 1, 2022; and
- (3) 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2108, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2108, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Fevella).
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3434 (Joint) Health and Hawaiian Affairs on H.B. No. 1894

The purpose and intent of this measure is to accommodate the use of both traditional Native Hawaiian burial practices and environmentally-friendly burial practices by including water cremation in the treatment and disposal of human remains.

Your Committees received testimony in support of this measure from Aloha Mortuary; Council for Native Hawaiian Advancement; Fisher & Associates, LLC; and thirteen individuals. Your Committees received comments on this measure from the Department of Health; City and County of Honolulu Department of Environmental Services; and Hawaii Funeral & Cemetery Association, Inc.

Your Committees find that there has been an increased interest in traditional Native Hawaiian burial practices. Water cremation, also called alkaline hydrolysis, is not only a culturally appropriate method of burial but is also a more eco-friendly process than traditional flame cremation. Compared to flame cremation, water cremation uses one-eighth of the energy and has one-fourth the carbon footprint. This measure accommodates the use of traditional Native Hawaiian burial practices and the burial practice of water cremation.

Therefore, your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Health and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1894, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1894, H.D. 3, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3435 (Joint) Health and Water and Land on H.B. No. 1954

The purpose and intent of this measure is to:

- (1) Make an emergency appropriation from the general revenues of the State of Hawaii to fund a grant-in-aid to the City and County of Honolulu Board of Water Supply (Honolulu Board of Water Supply) for emergency operations, future planning, and remediation resulting from the contamination of the southern Oahu basal aquifer; and
- (2) Require the Honolulu Board of Water Supply to make reports to the Legislature on all expenditures, remediation efforts, and testing quality prior to the regular sessions of 2023, 2024, and 2025.

Your Committees received testimony in support of this measure from the City and County of Honolulu Board of Water Supply, one member of the Hawai'i County Council, Kauai Women's Caucus, 350Hawaii.org, and eighteen individuals. Your Committees received comments on this measure from Department of Land and Natural Resources, Department of Budget and Finance, and two individuals.

Your Committees find that the fuel release from the Department of the Navy's Red Hill Bulk Fuel Storage Facility has caused the Honolulu Board of Water Supply to incur significant costs in taking responsive actions to address the potential impacts of contamination to Oahu's drinking water. It has also forced the Honolulu Board of Water Supply to shut off the Halawa Shaft, and Halawa and Aiea wells, reducing its capacity to provide water service to metropolitan Honolulu, and the Aiea-Halawa neighborhoods of Oahu. This measure will help offset some of the costs already incurred and to support future water resource protection measures.

Your Committees acknowledge the testimony of the Department of Land and Natural Resources, which proposed an amendment that would allow the Honolulu Board of Water Supply to use moneys for outreach, education, and conservation activities.

Therefore, your Committees have amended this measure by:

- (1) Authorizing the Honolulu Board of Water Supply to use grant funding for outreach, education, and conservation activities;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1954, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1954, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Misalucha).

SCRep. 3436 (Joint) Health and Commerce and Consumer Protection on H.B. No. 2260

The purpose and intent of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries;
- (2) Increase the allowable number of plants for production centers;
- (3) Increase the number of production centers that may be allowed under a dispensary license;
- (4) Increase the number of retail dispensing locations that may be allowed under a dispensary license;
- (5) Redefine the term "medical cannabis production center" to include any series of structures located within the same secured perimeter fence-line;

- (6) Require the Department of Health to establish the fee structure for the submission of applications for additional production centers and retail dispensing locations and for dispensary-to-dispensary sales; and
- (7) Amend the Department of Health's duties with respect to the establishment of standards for manufactured cannabis products.

Your Committees received testimony in support of this measure from the Hawai'i Cannabis Industry Association, Green Aloha Ltd., Aloha Green Holdings Inc., Hawaiian Ethos LLC, Maui Grown Therapies, Noa Botanicals, and eight hundred forty-seven individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Health, Akamai Cannabis Consulting, and one individual.

Your Committees find that the Medical Cannabis Dispensary System was established to ensure that qualified patients have safe and legal access to medical cannabis. Your Committees additionally find that the Medical Cannabis Dispensary System needs to be updated to increase access to medical cannabis in rural areas, provide the Department of Health with improved administrative control, and increase the supply of medical cannabis in the State. This measure updates the existing Medical Cannabis Dispensary System and requires the Department of Health to establish additional manufacturing and product stability standards for medical cannabis products.

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

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2260, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2260, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5; Ayes with Reservations (Moriwaki, San Buenaventura, Fevella). Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 7; Ayes with Reservations (DeCoite, Riviere, San Buenaventura, Fevella). Noes, none. Excused, none.

SCRep. 3437 (Joint) Health and Transportation on H.B. No. 2338

The purpose and intent of this measure is to:

- (1) Make an appropriation from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund (Toxicology Special Fund) for fiscal year 2022-2023; and
- (2) Authorize the Department of Health to expend funds from the Toxicology Special Fund for the establishment of the state drug and alcohol toxicology testing laboratory (testing laboratory).

Your Committees received testimony in support of this measure from the Department of Health, Department of Transportation, and City and County of Honolulu Police Department.

Your Committees find that Act 196, Session Laws of Hawaii 2021 (Act 196), established the Toxicology Special Fund and authorized the Department of Health to utilize moneys from the Toxicology Special Fund to establish a testing laboratory. However, Act 196 did not appropriate money from the State Highway Fund to the Toxicology Special Fund, nor did it appropriate funds to the Department of Health to establish the testing laboratory. This measure addresses those matters by making an appropriation from the State Highway Fund.

As affirmed by the records of votes of the members of your Committees on Health and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2338, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

Transportation: Ayes, 3. Noes, none. Excused, 2 (Inouye, Shimabukuro).

SCRep. 3438 (Joint) Health and Transportation on H.B. No. 2339

The purpose and intent of this measure is to:

- (1) Make an emergency appropriation from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022; and
- (2) Authorize the Department of Health to expend funds from the State Drug and Alcohol Toxicology Testing Laboratory Special Fund for the establishment of the state drug and alcohol toxicology testing laboratory.

Your Committees received testimony in support of this measure from the Department of Health, Department of Transportation, and City and County of Honolulu Police Department.

Your Committees find that Act 196, Session Laws of Hawaii 2021 (Act 196), established the Toxicology Special Fund and authorized the Department of Health to utilize moneys from the Toxicology Special Fund to establish a testing laboratory. However, Act 196 did not appropriate money from the State Highway Fund to the Toxicology Special Fund, nor did it appropriate funds to the Department of Health to establish the testing laboratory. This measure addresses those matters by making an emergency appropriation.

As affirmed by the records of votes of the members of your Committees on Health and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2339, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).
 Transportation: Ayes, 3. Noes, none. Excused, 2 (Inouye, Shimabukuro).

SCRep. 3439 (Joint) Health and Higher Education on H.B. No. 1548

The purpose and intent of this measure is to appropriate funds to the John A. Burns School of Medicine (JABSOM) to expand medical school and residency training through the Department of Veterans Affairs (VA) graduate medical education programs.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Healthcare Association of Hawaii, Hawaii Health Systems Corporation, Hawai'i Pacific Health, Hawaii Psychiatric Medical Association, Hawai'i Primary Care Association, The Queen's Health Systems, and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that there is a severe shortage of physicians and other health care providers in the State. These shortages threaten the health of citizens and adversely affect the State's health care costs. Your Committees further find that there exists a strong collaboration between JABSOM and the VA Pacific Islands Healthcare System. The VA health system currently invests in Hawaii-based residency positions using federal funds. With additional faculty members, the capacity to train additional Hawaii-based residents through the VA program will enable JABSOM to expand the number of residency rotations and create new training opportunities. This measure appropriates funds to expand medical school and residency training through the VA medical education programs.

Your Committees have 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 and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1548, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1548, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).
 Higher Education: Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 3440 (Joint) Health and Higher Education on H.B. No. 1550

The purpose and intent of this measure is to establish the Hawaii Medical Education Special Fund to be administered by the John A. Burns School of Medicine for graduate medical education and training programs.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Department of Health, Hawaii Health Systems Corporation, Hawaii Medical Association, Hawai'i Pacific Health, Hawai'i Primary Care Association, and Hawaii Psychiatric Medical Association. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that there is a severe shortage of physicians and health care providers in the State. The Hawaii Medical Education Council (Council) is tasked with monitoring the State's graduate medical education programs, physician residency and fellowship training, and their ability to meet the health care workforce requirements. The Council also must ensure adequate funding of health care training programs, particularly graduate medical education. Your Committees find that ongoing funding of graduate medical education is vital to addressing the physician shortage in the State. This measure establishes the Hawaii Medical Education Special Fund to provide funding for graduate medical education in the State which will provide a stand alone source of funds to promote the State's efforts to create, attract, and retain qualified health care providers.

Your Committees have amended this measure by:

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

As affirmed by the records of votes of the members of your Committees on Health and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1550, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1550, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).
 Higher Education: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3441 (Joint) Health and Education on H.B. No. 1570

The purpose and intent of this measure is to:

- (1) Require the Department of Health to post monthly updates on its website on all deposits into and expenditures from the Tobacco Enforcement Special Fund, Hawaii Tobacco Settlement Special Fund, and Hawaii Tobacco Prevention and Control Trust Fund;
- (2) Require the Department of Health to submit annual reports to the Legislature that provides an accounting of the receipts and expenditures from the Hawaii Tobacco Settlement Special Fund and Hawaii Tobacco Prevention and Control Trust Fund;

- (3) Require the Department of the Attorney General to monitor all online sales of all tobacco products and electronic smoking device products and post monthly updates on its website regarding the estimated number of these products that have entered the State and how many products, by tonnage, have been confiscated;
- (4) Require the Department of Health to establish a standardized and scientific testing process for the presence of flavoring in all tobacco products and synthetic nicotine products and make the testing protocols and results available to the public;
- (5) Prohibit the sale or distribution of all flavored tobacco and synthetic nicotine products in the State;
- (6) Require the Department of Health, in collaboration with the Department of Education, to establish a take back program to collect and destroy all electronic smoking devices, flavored tobacco or synthetic nicotine products, and tobacco products voluntarily disposed of by students on school property; and
- (7) Require the Department of Health, in collaboration with the Department of Education, to establish quarterly meetings with students at all school complex areas and independent schools to seek input on addressing the youth vaping epidemic.

Your Committees received testimony in support of this measure from the Hawaii Association of Independent Schools; Parents for Public Schools of Hawai'i; Advantage Health Care Provider, Inc.; and twenty-six individuals. Your Committees received testimony in opposition to this measure from the Department of Health; Hawaii Primary Care Association; Retail Merchants of Hawaii; Volcano eCigs; Hawaii Cheapest Vape Shop; Hawaii Smokers Alliance; Consumer Advocates for Smoke-free Alternatives Association; R Street Institute; ABC Stores; BLVK, JOCOR Enterprises, LLC; American Cancer Society Cancer Action Network; Cigar Association of America, Inc.; Consumer Choice Center; Smoke-Free Alternatives Trade Association; and sixty-four individuals. Your Committees received comments on this measure from the Department of Education; Department of the Attorney General; Hawaii State Teachers Association; AlohaCare; American Heart Association, Inc.; Hawaii Children's Action Network Speaks!; Hawai'i Public Health Institute; American Lung Association; Coalition for a Tobacco-Free Hawai'i Youth Council; Hawaii COPD Coalition; Hawaii Food Industry Association; Hawaii Petroleum Marketers Association; Honolulu Youth Commission; one member of the Hawai'i County Council; Hawaii Youth Services Network; Save Medicaid Hawaii; Hawaii Substance Abuse Coalition; Hawaii Dental Hygienists' Association; Hawai'i – American Nurses Association; University of Hawai'i Student Health Advisory Council; We Are One, Inc.; 'Ohana Health Plan; Hamakua-Kohala Health; and forty-nine individuals.

Your Committees find that there has been a dramatic increase in the use of electronic smoking devices by Hawaii's youth. According to the 2019 Hawaii Youth Risk Behavior Survey, thirty-one percent of middle school students and forty-eight percent of public high school students had tried electronic smoking devices, and eighteen percent of middle school students and thirty-one percent of high school students currently vape. Your Committees find that the rates are higher in the neighbor island counties with high school vaping use rates exceeding thirty-five percent for Hawaii, Maui, and Kauai, which rank among the highest in the country. Your Committees also find that in a 2011 modeling study published in the American Journal of Public Health, an estimated 633,252 deaths, nationally, can be averted by the year 2050 if menthol cigarette smoking is banned.

The House Draft No. 1 of this measure added provisions that require:

- (1) The Department of Health to post monthly online updates on certain tobacco enforcement related expenditures, submit annual reports to the Legislature on the receipts of those expenditures, and establish a process for testing the presence of flavoring in tobacco products and synthetic nicotine products and post this information online;
- (2) The Department of the Attorney General to monitor online sales of tobacco products and electronic smoking device products and post online monthly updates; and
- (3) The Department of Health and Department of Education to establish a take back program for students to voluntarily dispose of certain tobacco products and hold quarterly meetings with students on addressing the youth vaping epidemic.

Your Committees acknowledge the overwhelming public outcry, as evidenced by the number of testifiers in opposition or providing comments to this measure particularly with respect to the amendments made by the House Draft No. 1 referenced above that place onerous administrative burdens on various state departments. Your Committees share the concern that these amendments add little to accomplishing the goals of the measure, make the measure untenable, and create a potential legal problem with the measure's title.

Therefore, your Committees have amended this measure by:

- (1) Replacing its contents with the contents of S.B. No. 3118, S.D. 2, Regular Session of 2022;
- (2) Exempting premarket tobacco application products; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Health and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1570, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1570, H.D. 1, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4; Ayes with Reservations (San Buenaventura). Noes, none. Excused, 1 (Fevella).

Education: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3442 (Joint) Health and Commerce and Consumer Protection on H.B. No. 1758

The purpose and intent of this measure is to allow temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country who are seeking a state license by endorsement.

Your Committees received testimony in support of this measure from East Hawaii Region of the Hawaii Health Systems Corporation, Hawaii Medical Service Association, Hawai'i Pacific Health, Hawai'i Primary Care Association, Healthcare Association of Hawaii, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, The Legal Clinic, and three individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, and The Queen's Health Systems.

Your Committees find that there is a severe nursing shortage in the State that has been exacerbated by the coronavirus disease 2019 pandemic. During the pandemic, many nurses were recruited to relocate to the State; however, because of the time required to provide the nurses with necessary permitting, they were left waiting for authorization to work instead of treating patients. Making it possible for qualified nurses from another territory or foreign country to be eligible for a temporary permit would create a pathway for more nurses to enter the workforce quickly. This process may encourage nurses from another state, territory, or foreign country to relocate to Hawaii. Therefore, this measure expands application for licensure by endorsement to include registered nurses and licensed practical nurses from a territory or foreign jurisdiction.

Your Committees have amended this measure by:

- (1) Making it effective upon its approval; 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 Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1758, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1758, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.

SCRep. 3443 (Joint) Higher Education and Water and Land on H.B. No. 2229

The purpose and intent of this measure is to:

- (1) Establish a two-year program at the University of Hawaii to study the impact of sandbag walls, or "sand burritos", on sand movement patterns and coastal erosion and on public trust resources, including beach access, coastal water quality, and recreation, at Ehukai Beach Park; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from the University of Hawai'i System, Oceanit Center, Surfrider Foundation Hawaii Region, 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 temporary erosion control devices with sandbag walls, or "sand burritos", and tarp systems can have effects similar to concrete and rock seawalls and other hardening structures. Emergency permits for "sand burritos" are designed to be temporary in nature, and to provide landowners time with the conditioned expectation that they work on short-, mid-, and long-range options. Currently, the Department of Land and Natural Resources' Office of Conservation and Coastal Lands is investigating potential permit non-compliance with each of the remaining erosion control structures. Alleged issues of non-compliance include the failure of the permit holders to secure the proper land disposition from either the Department of Land and Natural Resources' Land Division or the county departments of parks and recreation, failure to file a completion report, failure to clean debris from failed structures, and the use of unauthorized materials.

Your Committees encourage the Department of Land and Natural Resources to temporarily continue issuance of permits for "sand burritos" during the University of Hawaii, College of Engineering's two-year study to continue mitigation efforts against coastal erosion.

Your Committees have amended this measure by:

- (1) Expanding the scope of the University of Hawaii's program to include:
 - (A) Support of the design and implementation of a test project of a soft engineered shoreline protection system with one or more willing landowners, in collaboration with the relevant state and county agencies;
 - (B) Development of a beach and dune management plan for the area to identify potential short- and long-term sediment management techniques and coastal dune restoration and management strategies; and
 - (C) Analysis of potential changes to laws and policies that will allow for the implementation of adaptation measures identified in the study;
- (2) Clarifying that the University of Hawaii, College of Engineering will conduct the two-year study;
- (3) Requiring that one or more willing landowners to pay for the cost of design and implementation of any test project of a soft engineered solution, including removal; and
- (4) Amending section 1 to reflect its amended purpose.

As affirmed by the records of votes of the members of your Committees on Higher Education and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2229, H.D. 1, as amended herein, and

recommend that it pass Second Reading in the form attached hereto as H.B. No. 2229, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Wakai).
Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 3444 Human Services on H.B. No. 2422

The purpose and intent of this measure is to clarify that sentences for domestic violence intervention for abuse-related offenses shall be imposed, with or without probation.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Hawai'i State Coalition Against Domestic Violence. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that section 586-4, Hawaii Revised Statutes, authorizes a family court to order a violator of a temporary restraining order to undergo mandatory domestic violence intervention, which includes both anger management and domestic violence treatment, as domestic violence intervention is recognized as an important part of addressing the root causes of domestic violence. Existing law also provides that the family court may impose additional sanctions applicable to a misdemeanor sentence. Nevertheless, a recent Hawaii Supreme Court decision held that domestic violence intervention may only be ordered as a condition of probation. To clarify the legislative intent in light of this misinterpretation of existing law and to eliminate any confusion, this measure clarifies and restates that a family court is required to impose a sentence for domestic violence intervention, with or without probation, for violations of restraining orders, orders for protection, and abuse of family or household members.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2422, H.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, 3; Ayes with Reservations (Acasio, Ihara). Noes, none. Excused, 2 (Misalucha, Fevella).

SCRep. 3445 (Joint) Human Services and Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1741

The purpose and intent of this measure is to:

- (1) Establish a pilot Visitation and Family Resource Center located at Waiawa Correctional Facility on Oahu with trauma-informed professionals on its staff, who serve as liaisons and hookele for families affected by incarceration;
- (2) 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 submit a report to the Legislature before the 2023 Regular Session; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from Department of Public Safety, Department of Human Services, Community Alliance on Prisons, Hawai'i Children's Action Network Speaks!, Blueprint for Change, Hawaii Youth Services Network, Hawai'i Health & Harm Reduction Center, Rainbow Family 808, Early Childhood Action Strategy, Hawaii Association for Infant Mental Health, Family Programs Hawaii, Hawaii Substance Abuse Coalition, and fifteen individuals. Your Committees received comments on this measure from the Department of Budget and Finance and Office of Information Practices.

Your Committees find that children of incarcerated parents are some of the nation's most vulnerable and marginalized populations. Parental incarceration is noted as being a strong risk factor and determinant for many adverse outcomes for children, including antisocial and violent behavior, mental health problems, failure to graduate from school, and unemployment. Your Committees believe that the establishment of a Family Visitation and Resource Center that removes barriers and facilitates visitation to strengthen and reunify families with an emphasis on the well-being of the child, will not only be in the best interest of the children of incarcerated persons, but also the incarcerated parent, other family members, the community, and the State as a whole.

Your Committees note the testimony of the Office of Information Practices recommending clarification that the exemption provided to the working group under this measure is limited to part I of chapter 92, Hawaii Revised Statutes, that governs meetings held by certain public bodies, as known as the Sunshine Law, and not the entire chapter, which includes other matters, including authorization to charge for copies of government records.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the working group is exempt from part I of chapter 92, Hawaii Revised Statutes, rather than the entire chapter;
- (2) Appropriating \$305,000 to be expended by the Department of Human Services for the establishment of a pilot Visitation and Family Resource Center at Waiawa Correctional Facility on Oahu;
- (3) Appropriating \$115,000 to be expended by the Department of Public Safety for the establishment of a pilot Visitation and Family Resource Center at Waiawa Correctional Facility on Oahu; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1741, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1741, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3446 Transportation on H.B. No. 1953

The purpose and intent of this measure is to provide the Department of Transportation with more flexibility and discretion to address substantial hardship situations that impact airport concession contracts.

Your Committee received testimony in support of this measure from the Airport Concessionaires Committee and one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation and Airlines Committee of Hawaii.

Your Committee finds that the Department of Transportation needs flexibility and discretion to grant relief to airport concessions in times of hardship such as during the coronavirus disease 2019 pandemic. The Department of Transportation has not been able to grant consistent relief to all airport concessions during this pandemic leading to unfair treatment. Airport concession revenue is critical to the finances of airports and in times of crisis, airport concessions cannot appeal to the main public due to their location. The purpose of this measure is to give the Department of Transportation greater flexibility and discretion to grant relief and leeway to consider various relief opportunities.

Your Committee has amended this measure by:

- (1) Specifying that the modification of contract terms applies to any type of contract, lease, holdover, or revocable permit;
- (2) Deleting language that would have established contract term requirements for airport concessions; and
- (3) Amending section 1 to reflect its amended purpose.

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. 1953, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1953, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3447 Labor, Culture and the Arts on H.B. No. 2510

The purpose and intent of this measure is to help working families by:

- (1) Making the earned income tax credit refundable and permanent for taxable years beginning after December 31, 2022, and allowing the earned income tax credits that were earned in previous tax years to be carried forward and used to offset tax liability in subsequent years until exhausted or up to the end of the 2024 taxable year;
- (2) Increasing the State's minimum wage to \$13.00 per hour beginning on January 1, 2023, and thereafter incrementally increasing it by \$1.00 every year, up to \$18.00 per hour on January 1, 2028; and
- (3) Increasing the State's tip credit to \$1.50 per hour beginning on January 1, 2023, and thereafter incrementally increasing it by 25 cents every year, up to \$2.75 per hour on January 1, 2028.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Department of Human Services; two members of the Hawaii County Council; Pride at Work - Hawai'i; League of Women Voters® of Hawaii; Save Medicaid Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; The Church of the Crossroads; Community Alliance Partners; Hawaii State Association of Counties; Pono Hawai'i Initiative; Stonewall Caucus of the Democratic Party of Hawai'i; Early Childhood Action Strategy; Zero Waste Kauai; Hawaii Petroleum Marketers Association; Americans for Democratic Action Hawai'i; Hawai'i Children's Action Network Speaks!; Catholic Charities Hawai'i; and fifty-one individuals. Your Committee received testimony in opposition to this measure from IL Gelato Hawaii, Highway Inn, Gyotaku Japanese Restaurants, Magics Beach Grill, Raise Up Hawaii Kauai, Hawaii Clubhouse Advocacy Coalition, Hawai'i Alliance for Progressive Action, National Federation of Independent Business, Democratic Party of Hawai'i – Education Caucus, Imua Alliance, Society of Human Resources Management, Hawaii Food Manufacturers Association, Hawai'i County Democratic Party, Democratic Party of Hawaii - Labor Caucus; and nineteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Taxation; Tax Foundation of Hawaii; Hawai'i Restaurant Association; Microenvironmental; Retail Merchants of Hawaii; Free Access Coalition; Hawaii Appleseed Center for Law & Economic Justice; UNITE HERE Local 5; Grassroot Institute of Hawaii; Chamber of Commerce Hawaii; United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Public Health Institute; Living Wage Hawaii; Maui Chamber of Commerce; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawaii Workers Center; and twenty-two individuals.

Your Committee finds that, according to a report titled "Self-Sufficiency Income Standard – Estimates for Hawaii 2020" issued by the Department of Business, Economic Development, and Tourism in December 2021, approximately 18.2 percent of two-adult couples with no children, and 34.7 percent of two-adult couples with two children had incomes below the self-sufficiency standard in 2020. For single-adult with no children, single-adult with one child, and single-adult with two children, 43.1 percent, 50.0 percent, and 80.0 percent had incomes below the self-sufficiency level, respectively. The report also provided that a single adult with no children in City and County of Honolulu, Hawaii County, Maui County, and Kauai County, needed to earn an hourly wage of \$18.35, \$14.78, \$17.84, and \$19.33, respectively, in 2020 to be able to meet the individuals' basic needs and to be economically self-sufficient. Your Committee also finds that the annual inflation rate in the United States accelerated to seven percent in the last month of 2021, the highest since June of 1982, which will further increase the cost of living in Hawaii. Your Committee believes that this measure will help raise the quality of life for Hawaii residents, reduce poverty, increase economic activity in the State, and appropriately address inflation and the resulting increase of the cost of living in the State.

Your Committee notes that H.B. No. 1507, H.D. 1 (Regular Session of 2022), titled "A BILL FOR AN ACT RELATING TO TAX FAIRNESS," that passed the House of Representatives and was referred to your Committee on Ways and Means, includes provisions that makes Hawaii's earned income tax credit refundable and permanent. Your Committee believes that H.B. No. 1507, H.D. 1 (Regular Session of 2022), which pertains to income tax is a more appropriate vehicle for this matter.

Your Committee also notes multiple testimonies stating that increasing the State's minimum wage, which has not been changed since January 1, 2018, to \$18.00 per hour over a span of six years is insufficient to address the hardship which befalls the working families in Hawaii. Your Committee notes that S.B. No. 2018 (Regular Session of 2022), which passed the Senate in January 2022, proposes to increase the State's minimum wage on a more accelerated schedule, specifically, to \$12.00 per hour beginning October 1, 2022; \$15.00 per hour beginning January 1, 2024; and \$18.00 per hour beginning January 1, 2026. Your Committee believes that this schedule is preferable, as it more appropriately addresses the hardship that the working families in Hawaii are currently facing.

Your Committee finds that the tip credit currently allows an employer to pay an hourly wage up to 75 cents less than the current \$10.10 minimum wage, when the combined amount that an employee receives from the employer together with tips exceeds \$17.10 an hour. Your Committee received numerous testimonies for the total repeal of the tip credit because it penalizes employees who receive tips or gratuities for their services. In effect, the tip credit serves as a subsidy from customers to the employers of tipped workers, and the employers' obligation to pay the minimum wage is paid in part by customers via their tips. Your Committee received no testimony justifying the treatment of employers of tipped workers as a class of employers different from all other employers obligated to pay the minimum wage.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the purpose section;
- (2) Deleting section 2 relating to the earned income tax credit;
- (3) Replacing the schedule of the minimum wage increase with the schedule provided in S.B. No. 2018 (Regular Session of 2022);
- (4) Reducing the tip credit to 35 cents per hour beginning October 1, 2022, and zero cents per hour beginning January 1, 2026; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2510, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2510, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3448 Labor, Culture and the Arts on H.B. No. 2329

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to place historical markers in the State to indicate significant sites in the life of President Barack Obama, as identified by the Department in consultation with the Hawaii Tourism Authority and State Foundation on Culture and the Arts; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, and Hawai'i NAACP. Your Committee received comments on this measure from the Department of Budget and Finance, State Foundation on Culture and the Arts, and Society for Hawaiian Archaeology.

Your Committee finds that President Barack Obama, who served as the forty-fourth President of the United States of America from 2009 to 2017, was born on August 4, 1961, at Kapiolani Medical Center for Women and Children in Honolulu, Hawaii. After residing in other places such as Washington state and Indonesia, President Obama returned to Honolulu in 1971 to live with his maternal grandparents, and thereafter attended Punahou School with the aid of a scholarship from fifth grade until he graduated from high school in 1979. In an essay for the Punahou Bulletin published in 1999, President Obama wrote of his years in Honolulu as follows: "The opportunity that Hawaii offered — to experience a variety of cultures in a climate of mutual respect — became an integral part of my world view, and a basis for the values that I hold most dear." Your Committee finds that it is important and appropriate that the State of Hawaii celebrate and commemorate the first President of the United States of America to be born in Hawaii, by placing historical markers at sites that were significant to him during his early childhood.

Your Committee has amended this measure by:

- (1) Clarifying that:
 - (A) If the location identified for a historical marker is on private property or is used as a private residence, the historical marker shall be placed on the property only if the owner of the property agrees to have the marker placed at the location; and
 - (B) If the owner of the property does not agree to have a marker placed on the owner's property, the marker shall be placed on a public property in close proximity to that location;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2329, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2329, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3449 Labor, Culture and the Arts on H.B. No. 886

The purpose and intent of this measure is to:

- (1) Clarify when the State shall be exclusively liable for civil tort claims resulting from the negligent or wrongful act or omission of a professionally licensed or certified employee of the State acting within the course and scope of the employee's office or employment;
- (2) Preclude civil actions or proceedings for money damages against the employee, except for claims based on liability other than an employee's course and scope of employment with the State or other employer; and
- (3) Clarify liability when the State agrees to assume full or partial responsibility in a civil action against a professionally licensed or certified employee.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Transportation; Department of Human Services; Hawaii Association for Justice; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that in *Slingluff v. State*, 131 Hawai'i 239, 317 P.3d 683 (Haw. Ct. App. 2013), the court held that prison physicians are not entitled to a qualified privilege or immunity for the exercise of their professional judgment and discretion, because their actions in diagnosing and treating the plaintiff were medical, not governmental. The application of this rationale can lead to liability for other professionally licensed or certified employees of the State, including nurses, attorneys, and engineers, and make them personally liable for performing their job functions as State employees.

This measure will clarify that the exclusive remedy for a tort claim based on injury or loss of property, or personal injury or death, arising from the act or omission of a professionally licensed or certified employee of the State shall be against the State and not the individual, so long as the State agrees that the employee was acting within the course and scope of the employee's office or employment.

Your Committee notes the testimony of the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, contending that the qualified immunity under this measure be extended to all State employees, regardless of whether they hold professional licenses. While your Committee understands the basis for such sentiment, the title of this measure precludes the expansion of immunity under this measure to all State employees. Your Committee suggests that this measure does not preclude such a measure from being considered in the future.

This measure also provides that it does not create a right, claim, or cause of action by an employee against the State if the State does not invoke exclusive liability where the allegedly wrongful acts or omissions of its professionally licensed or certified employee are beyond the course or scope of employment. The Department of the Attorney General has clarified that this provision is not intended to preclude or extinguish any pre-existing rights that an employee may have against the State under chapter 662, Hawaii Revised States, including the right to seek declaratory relief. With that understanding, your Committee intends that this measure retains, and does not preclude, the employee's right to seek declaratory relief against the State for its failure to accept responsibility for the alleged negligence or other wrongful acts or omissions by a State employee.

Your Committee has amended this measure by:

- (1) Clarifying that the purpose of the measure is to override the Intermediate Court of Appeals' holding in *Slingluff*;
- (2) Clarifying that nothing in section 662-14, Hawaii Revised Statutes, creates a right, claim, or cause of action by an employee against the State if the State does not invoke exclusive liability;
- (3) Inserting an effective date of July 1, 2060, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 886, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 886, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3450 (Joint) Commerce and Consumer Protection and Judiciary on H.B. No. 1830

The purpose and intent of this measure is to:

- (1) Establish the State Self-Insurance Against Property and Casualty Risks Special Fund to be administered by the Comptroller to provide the State with self-insurance against the State's property and casualty risks; and
- (2) Appropriate funds.

Your Committees received testimony in support of this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Accounting and General Services, and one individual.

Your Committees find that the State currently expends significant funds every year in insurance premium costs for third-party insurance through its risk management and insurance administration to cover the State's property and casualty risks. This measure would require the State to self-insure against the State's property and casualty risks, thereby reducing the amounts paid in premiums every year.

Your Committees note the concerns raised in testimony, however, that a comprehensive actuarial study should first be completed to identify and address the viability and the potential risks and costs of converting the State to a completely self-insured system. Without this initial study, the State's ability to manage risk exposure may be compromised. Accordingly, amendments to this measure are necessary to address this concern.

Your Committees have amended this measure by:

- (1) Clarifying that the Comptroller shall request that the Governor authorize an advance to the special fund of sufficient sums of money from other funds in the state treasury to the extent permitted by law;
- (2) Inserting language to require the Department of Budget and Finance, in collaboration with the Department of Accounting and General Services and any other applicable department or agency, to perform an actuarial study on the potential risks, costs and economic impact, and viability of the State establishing and administering self-insurance coverage, and to submit the study, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (3) Inserting an appropriation for an unspecified amount to be expended by the Department of Budget and Finance to conduct the actuarial study;
- (4) Making the measure effective upon its approval, provided that sections 2 through 6 of this measure shall take effect on January 1, 2030; and
- (5) 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1830, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1830, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Fevella).

Judiciary: Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3451 Judiciary on H.B. No. 1536

The purpose and intent of this measure is to appropriate supplemental funds for the Judiciary for the fiscal biennium that began on July 1, 2021, and will end on June 30, 2023.

Your Committee received testimony in support of this measure from the Judiciary, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Hawaii State Bar Association, Hawaii Justice Foundation, Hawaii Access to Justice Commission, and Hawaii County Bar Association.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee recognizes that the coronavirus disease 2019 (COVID-19) pandemic has negatively impacted the Judiciary's budget. Notably, the Judiciary's budget was reduced by \$9,000,000 in fiscal year 2019-2020 and \$14,700,000 in fiscal year 2020-2021, for a total reduction of \$23,700,000 for those fiscal years. During the same period, one hundred ninety-two vacant positions were defunded, including twelve permanent judge positions and eight per diem judge positions. Your Committee also recognizes that the Judiciary adjusted to these lower budgets by reducing expenditures for service contracts, regular pay, utilities, jury costs, guardian ad litem and attorney fees, travel expenses, repair and maintenance, and overtime pay.

Your Committee finds that, in addition to the capital improvement projects listed in this measure as it was received by your Committee, the Judiciary has identified seventeen smaller capital improvement projects, the costs of which total \$3,120,000, that are necessary to ensure the safe, effective, and efficient operation of the court system:

- (1) For the First Circuit:
 - (A) Kaahumanu Hale – \$150,000 to waterproof judges' elevator 8, create an apron to divert water from the base of the building, make associated interior repairs, and re-landscape;
 - (B) Kauikeaouli Hale – \$500,000 to add fencing and gates to secure the entry courtyard against after-hours occupancy by unauthorized persons; and
 - (C) Abner Paki Hale – \$250,000 to excavate and waterproof the foundation exterior;
- (2) For the Second Circuit: Hoapili Hale - \$250,000 to replace broken cast iron storm water piping - with plastic piping where not already done;
- (3) For the Third Circuit: Hale Kaulike - \$50,000 to fund a power purchase agreement request for proposals to add solar power above parking;

- (4) For the Fifth Circuit:
- (A) Puuhonua Kaulike - \$125,000 to perform crack repair, reseal and restripe, and reapply miscellaneous markings in parking areas to renew the parking lot;
 - (B) Puuhonua Kaulike - \$300,000 to upgrade security cameras and related cabling to improve courthouse and grounds security;
 - (C) Puuhonua Kaulike - \$500,000 to remove failing duct insulation and install new insulation in multiple open-air locations, including the judges' garage, sally port, and sheriff's holding area;
 - (D) Puuhonua Kaulike - \$500,000 to replace select air handling units;
 - (E) Puuhonua Kaulike - \$100,000 to retrofit lighting in building interior to LEDs; and
 - (F) Puuhonua Kaulike - \$70,000 to retrofit emergency lighting and ballasts to LEDs; and
- (5) For administration and courts of appeal:
- (A) Aliiolani Hale and Kapuaiwa - \$25,000 for sprinkler system reconfiguration, repair, and upgrade;
 - (B) Aliiolani Hale - \$50,000 for temporary mitigation of the worst roof leaks and damages while a long-term solution is explored and implemented;
 - (C) Aliiolani Hale - \$25,000 to regrade and mitigate ponding and disperse condensate disposed from roof level air conditioning equipment along Queen Street;
 - (D) Aliiolani Hale - \$75,000 for skylight repairs;
 - (E) Kapuaiwa - \$50,000 for temporary mitigation of the worst roof leaks and damages while a long-term solution is explored and implemented; and
 - (F) Kapuaiwa - \$100,000 to repair a drain and add an enclosure at the electric service entry stairs.

Your Committee has amended this measure by:

- (1) Appropriating an additional \$200,000 in general funds to Administration (JUD601) for fiscal year 2022-2023 to be allocated as follows:
 - (A) \$100,000 for court-appointed guardians ad litem; and
 - (B) \$100,000 for court-appointed attorneys;
- (2) Subtracting \$203,406 from the amount of general funds appropriated for the First Circuit (JUD310), for the purpose of removing the current funding allocation for the following five vacant positions:
 - (A) Janitor II (position No. 500722) - \$22,146;
 - (B) Court bailiff I (position No. 15958) - \$39,540;
 - (C) Estate & guardianship specialist (position No. 4735) - \$50,016;
 - (D) Judicial clerk II (position No. 25250) - \$48,084; and
 - (E) Juvenile counselor I (position No. 500649) - \$43,620;
- (3) Authorizing the Judiciary to expend moneys appropriated by the measure to provide compensation to court-appointed guardians ad litem and attorneys at rates greater than those specified in section 571-87, Hawaii Revised Statutes; and
- (4) Authorizing an additional \$3,120,000 in general obligation bonds to fund the additional, smaller capital improvement projects identified by the Judiciary.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1536, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1536, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3452 (Joint) Judiciary and Human Services on H.B. No. 1759

The purpose and intent of this measure is to appropriate funds to the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants.

Your Committees received testimony in support of this measure from the Judiciary, Department of Human Services, Department of Labor and Industrial Relations Office of Community Services, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, The Legal Clinic, Americans for Democratic Action Hawai'i, Catholic Charities Hawai'i, and two individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that laws governing immigration are complex and not easily navigable without legal expertise. Additionally, Hawaii is currently experiencing a critical shortage of low-income legal service providers, which compounds many immigrants'

barriers to obtaining assistance with immigration law matters and other civil legal needs. A number of recent working groups have recommended increasing funding for civil legal services for Hawaii's low-income residents. Despite the significant contributions made by immigrants to the State's gross domestic product, immigration legal services remain prohibitively expensive for low- to moderate-income immigrants, which can further impact their abilities regarding employment, permanent and safe housing, and a number of other services that may include immigration matters. Statistics further indicate having legal counsel in immigration proceedings often makes a difference between whether an individual is allowed to remain safely in the United States or be deported to harmful circumstances or permanently separated from their family. Accordingly, this measure will help fill a critical gap in services for the low-income immigrant members of communities in the State.

Your Committees have amended this measure by:

- (1) Clarifying that the appropriated funds are for the Judiciary to contract with non-profit organizations to provide legal counsel and assistance to low-income immigrants and residents from nations comprising the Compact of Free Association in immigration proceedings, including deportation defense and asylum, and for any other immigration related legal issues;
- (2) Inserting a \$250,000 appropriation amount; and
- (3) 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 Judiciary and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1759, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1759, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

Human Services: Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 3453 (Joint) Public Safety, Intergovernmental, and Military Affairs and Government Operations on H.B. No. 1585

The purpose and intent of this measure is to reform the legal framework governing emergency management in the State by:

- (1) Clarifying that the powers granted for emergency purposes shall not be inconsistent with the state constitution;
- (2) Providing parameters for the duration of the suspension of laws and require justification for the suspension;
- (3) Authorizing the Governor to require counties to obtain the Governor's approval or the approval of the Director of the Hawaii Emergency Management Agency prior to issuing any emergency order, rule, or proclamation;
- (4) Clarifying that a state of emergency may be extended or terminated by a separate or supplementary proclamation;
- (5) Authorizing the Legislature to terminate a state of emergency, in part or in whole, by a two-thirds vote of the members of each legislative house; and
- (6) Specifying that prohibitions on price increases of essential commodities during a severe weather warning expire seventy-two hours after the effective date and time of the initial declaration or any supplemental proclamation.

Your Committees received testimony in support of this measure from one member of the Kaua'i County Council; State of Hawaii Organization of Police Officers; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and three individuals. Your Committees received comments on this measure from the Hawai'i Emergency Management Agency, Chamber of Commerce Hawaii, Common Cause Hawaii, Grassroot Institute of Hawaii, and one individual.

Your Committees find that the emergence of the coronavirus disease 2019 (COVID-19) and its variants created a great challenge to global health and the economy. The Governor and county mayors have exercised their emergency powers under chapter 127A, Hawaii Revised Statutes, to impose rules to combat the SARS-CoV-2 virus. Your Committees further find that the enforcement of these rules has been critical to efforts limit the spread of the virus, protect the health and safety of the community, manage medical resources, and promote economic recovery. However, the COVID-19 pandemic has also highlighted the importance of clear legal frameworks for state and county emergency management to ensure the State and counties are prepared for any type of emergency. Your Committees believe that existing law relating to emergency management should clearly specify and articulate the bases for emergency actions.

Your Committees have amended this measure by:

- (1) Changing the term "severe weather warning" to "severe warning" to include severe hazard warning messages from the Pacific Tsunami Warning Center, United States Geological Survey, and other public authorities;
- (2) Excluding seasonal price increases from being interpreted as "price gouging"; and
- (3) 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, Intergovernmental, and Military Affairs and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1585, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1585, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3454 (Joint) Public Safety, Intergovernmental, and Military Affairs and Government Operations on H.B. No. 1587

The purpose and intent of this measure is to establish a system of intrastate mutual aid that will allow counties to provide assistance across jurisdictional lines during emergencies.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Agency.

Your Committees find that some emergencies are so consequential or urgent that they can overwhelm political jurisdictions and their available resources. In such cases, intergovernmental coordination is essential for the protection of lives and property. Your Committees believe that systems of mutual assistance allow for political jurisdictions to assist in the prevention of, response to, and recovery from, these types of emergencies. This measure will allow for better governmental responses to emergencies by establishing a system of intrastate mutual aid that will allow counties to provide assistance across jurisdictional lines during emergencies.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1587, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3455 (Joint) Housing and Education on H.B. No. 2345

The purpose and intent of this measure is to:

- (1) Authorize the acquisition of real property located in Ewa Beach on the island of Oahu; and
- (2) Appropriate funds to the Hawaii Housing Finance and Development Corporation to purchase the fee simple interest or acquire an interest in the real property located in Ewa Beach on the island of Oahu to develop affordable housing, with priority given to Department of Education classroom teachers in the beginning of their careers.

Your Committees received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual. Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation, Department of Budget and Finance, and Hawaii Government Employees Association.

Your Committees find that housing affordably is a barrier to teacher recruitment and retention. Policies that increase the availability of affordable housing and grant priority to Department of Education teachers will serve the State's interest in providing more affordable housing and recruiting additional teachers. This measure authorizes and appropriates funds for the acquisition of real property in Ewa Beach for the Hawaii Housing Finance and Development Corporation to develop affordable housing for Department of Education teachers.

Your Committees further find, however, that there are numerous concerns about the development of the Ewa Beach property and the prioritization of affordable housing for classroom teachers at the beginning of their careers. Notably, testimony submitted by the Hawaii State Teachers Association requested that the affordable housing development be made available to teachers of all seniority levels and not only to those beginning their careers. Additionally, testimony submitted by the Hawaii Government Employees Association expressed that other government employees who work alongside teachers should also be provided affordable workforce housing, regardless of which agency they work for or their years of service.

Members of your Committees also note concerns that existing infrastructure and elementary school capacity near the Ewa Beach property are already insufficient to meet the needs of the surrounding community. The development of additional affordable housing without a corresponding investment in nearby infrastructure will further undermine quality of life of those already living in the area. Finally, your Committees note that determinations regarding reductions and waivers of impact fees will be made by the Department of Education.

Your Committees have amended this measure by:

- (1) Requiring the Department of Education to conduct an elementary school needs assessment before any development on the Ewa Beach property;
- (2) Inserting an appropriation in an unspecified amount for the Hawaii Housing Finance and Development Corporation to obtain a fair market appraisal report for the Ewa Beach property;
- (3) Inserting an appropriation in an unspecified amount for the Hawaii Housing Finance and Development Corporation to maintain landscaping and public safety on the Ewa Beach property until a developer is selected; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2345, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2345, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Kanuha).

Education: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3456 Housing on H.B. No. 1917

The purpose and intent of this measure is to indefinitely extend the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate or issue a new ground lease for the Front Street Apartments affordable housing project before the Corporation's requirement to initiate condemnation proceedings is triggered.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 amends this measure by:

- (1) Removing the indefinite extension of the ground lease on the Front Street Apartments; and
- (2) Inserting an appropriation of private activity bonds and funds from the Rental Housing Revolving Fund to the Hawaii Housing Finance and Development Corporation for the purpose of allowing an eligible developer to acquire and rehabilitate the Front Street Apartments affordable housing project in Maui County.

Your Committee received testimony in support of the proposed S.D. 1 from two members of the Maui County Council, Affordable Housing and Economic Development Foundation, Hawaii Appleseed Center for Law & Economic Justice, Ahe Group, and one individual. Your Committee received testimony in opposition to the proposed S.D. 1 from the Hawaii Housing Finance and Development Corporation. Your Committee received comments on the proposed S.D. 1 from the Department of Budget and Finance.

Your Committee finds that there is a severe shortage of affordable rental housing in the County of Maui. To address the shortage, the Legislature passed Act 150, Session Laws of Hawaii 2018 (Act 150), which appropriated funds to support the Front Street Apartments in Maui County. However, the Hawaii Housing Finance and Development Corporation was unable to renegotiate its lease for the Front Street Apartments before the 2021 deadline set by Act 150, thereby triggering a requirement for the Corporation to initiate condemnation proceedings. Your Committee further finds that a long-term solution for the Front Street apartments is necessary. Additionally, your Committee notes a need for the Hawaii Housing Finance and Development Corporation to work with the Department of the Attorney General and Department of Budget and Finance to find consensus language on this measure.

Accordingly, your Committee has amended this measure by adopting the proposed S.D. 1 and further amending this measure by changing the ground lease to be an amount determined by the Hawaii Housing Finance and Development Corporation Board of Directors.

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. 1917, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1917, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Kanuha, Rhoads).

SCRep. 3457 (Joint) Housing and Human Services on H.B. No. 1749

The purpose and intent of this measure is to establish and appropriate funds for a supportive housing task force to improve data collection on supportive housing needs in the State.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, State Council on Developmental Disabilities, Catholic Charities Hawai'i, and four individuals. Your Committees received comments on this measure from the Office of Information Practices, Department of Budget and Finance, Department of Human Services, and Common Cause Hawaii.

Your Committees find that there is a shortage of over ten thousand housing units for extremely low-income households with incomes below thirty percent of the area median income. Currently, there are no existing systems to address the supportive housing needs in each county for extremely low-income households. This measure establishes and appropriates funds for a task force to collect data on and analyze the supportive housing needs for various populations of vulnerable persons in each county.

Your Committees have amended this measure by:

- (1) Requiring at least one supportive services user or advocate to have a lived experience with homelessness at the time of appointment or earlier;
- (2) Removing the exemption to Chapter 92, Hawaii Revised Statutes; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1749, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1749, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Housing: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3458 (Joint) Housing and Government Operations on H.B. No. 1837

The purpose and intent of this measure is to:

- (1) Require each county to submit biennial reports to the Legislature on its efforts to reduce zoning and regulatory barriers to housing development; and

- (2) Require the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to submit biennial reports based on their review of the counties' reports to the Legislature and their respective boards.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority, Maui Chamber of Commerce, and Hawai'i Association of REALTORS. Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation, Department of Planning and Permitting of the City and County of Honolulu, and Grassroots Institute of Hawaii.

Your Committees find that, despite efforts to address the housing shortage in Hawaii, the State will need approximately thirty-six thousand new housing units between 2020 and 2030. However, many state and county regulations, ordinances, and other administrative rules inhibit the development of new housing. Greater flexibility in county zoning and regulation would allow for increased housing development and move the State closer to its goal of increasing affordable housing availability. This measure requires each county to submit biennial reports to the Legislature on the steps it has taken to reduce regulatory barriers to new housing development. The measure also requires the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to review and submit biennial reports to the Legislature based on their review of each county's reports.

Your Committees have amended this measure by:

- (1) Inserting an appropriation of \$130,000 for one full-time (1.0 FTE) position for the Hawaii Housing Finance and Development Corporation to manage reports and information from each county and prepare reports to the Legislature; 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1837, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1837, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

SCRep. 3459 (Joint) Housing and Government Operations on H.B. No. 1829

The purpose and intent of this measure is to:

- (1) Specify that the entire allocation of the state bond ceiling shall be allocated to the Hawaii Housing Finance and Development Corporation to be used for housing-related projects;
- (2) Require the Hawaii Housing Finance and Development Corporation, in consultation with the respective counties, to allocate specified percentage amounts for housing-related projects in each county;
- (3) Authorize the Hawaii Housing Finance and Development Corporation to accumulate each county's annual allocation before assigning the allocation for housing-related projects, pursuant to the discretion of the Hawaii Housing Finance and Development Corporation Board of Directors;
- (4) Authorize the Hawaii Housing Finance and Development Corporation, with the approval of the Governor, to assign and reassign the Corporation's allocation to the counties;
- (5) Remove the authorization for the Department of Budget and Finance to request return of all or any part of the allocations of any of the counties and to assign and reassign the allocation to other counties or issuers;
- (6) Remove the authorization for counties or issuers to request additional allocations of the state bond ceiling; and
- (7) Change the deadlines for reporting on unused or unassigned allocations and reversion of certain allocations to the State.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Catholic Charities Hawai'i; and Stanford Carr Development, LLC. Your Committees received testimony in opposition to this measure from the Department of Budget and Finance, Department of Planning and Permitting of the City and County of Honolulu, Kaua'i County Housing Agency, one member of the Maui County Council, and two individuals. Your Committees received comments on this measure from the Department of the Attorney General and Ahe Group.

Your Committees find that the Internal Revenue Code of 1986, as amended, provides a formula for the allocation of the State's tax-exempt private activity bond annual ceiling among governmental units that are authorized to issue private activity bonds. However, the State may establish its own formula for allocating the state bond ceiling. This measure specifies that one hundred percent of the State's bond ceiling must be allocated to the Hawaii Housing Finance and Development Corporation for housing-related projects in each county.

Your Committees have amended this measure by:

- (1) Inserting additional findings in section 1;
- (2) Removing sections 2 and 3;
- (3) Inserting language requiring each county or other issuer of private activity bonds to submit quarterly reports to the Department of Budget and Finance on the status or use of its portion of the allocation of the annual state ceiling;
- (4) Specifying that no special purpose revenue bonds requiring allocation of the annual ceiling, unless requested and approved by the Governor and Legislature, shall be authorized between June 30, 2022, and December 31, 2028;

- (5) Specifying further that the allocation of the annual ceiling to a county with a population of five hundred thousand or more between June 30, 2022, and December 31, 2028, shall be used only for rental housing projects eligible for low-income housing tax credits pursuant to section 235-110.8, Hawaii Revised Statutes;
- (6) Removing the repeal date; and
- (7) 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 Housing and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1829, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1829, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

SCRep. 3460 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1991

The purpose and intent of this measure is to:

- (1) Prohibit the sale of a bicycle that is reported as stolen and is listed on a publicly available online stolen item database in counties with a population of five hundred thousand or more residents; and
- (2) Require the county police department to establish the publicly available online stolen item database.

Prior to decision making on this measure, your Committees made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1:

- (1) Contains additional findings relating to electronic recordkeeping by pawnbrokers and secondhand dealers;
- (2) Updates the recordkeeping and retention requirements for businesses that purchase previously owned articles to require businesses to keep records upon receipt of any article in an electronic recordkeeping form or a paper form that includes a photograph of the person from whom the article was received; either a complete and accurate description of the article or photographs accurately depicting all markings, names, initials, and inscriptions of the article; and a signed copy of any pawn transaction agreement;
- (3) Requires the chief of police of each county to determine the method of submission of recordkeeping; provided that in any county with a population of five hundred thousand or more, forms shall be submitted electronically and free of charge;
- (4) Exempts dealers who have continually held a pawn or secondhand license since January 1, 2002, from the requirements for a photograph of the person from whom the article was received and submission of recordkeeping by electronic means; and
- (5) Applies the minimum retention of items requirement of fifteen calendar days under section 486M-4, Hawaii Revised Statutes, to all dealers in all counties.

Your Committees received testimony in support of the proposed S.D. 1 from the Honolulu Police Department, Hawaii Pawnbrokers Association, and nine individuals. Your Committees received testimony in opposition to the proposed S.D. 1 from Kama'aina Loan and Cash for Gold. Your Committees received comments on the proposed S.D. 1 from the Department of the Attorney General.

Your Committees find that beyond the inherent safety and economic problems of theft, theft of bicycles additionally impacts the State's sustainability goals of reducing carbon emissions by disincentivizing the use of bicycles for transportation. Reducing resale opportunities for these items is one way to decrease the motivation to steal them. Therefore, this measure establishes a public database to catalogue stolen bicycles and prohibits the sale of bicycles that are reported as stolen and listed on this public database.

Your Committees have amended this measure by adopting the proposed S.D. 1 and further amending it by:

- (1) Clarifying that in a county with a population of five hundred thousand or more, selling or offering for sale a bicycle that has been reported stolen and is listed on a publicly available online stolen bicycle database is a misdemeanor;
- (2) Clarifying that the prosecution need not prove the state of mind as to the attendant circumstance of the offense occurring in a county with a population of five hundred thousand or more;
- (3) Providing that it is an affirmative defense that the person viewed the publicly available online stolen bicycle database and did not see the bicycle listed prior to sale or offer for sale;
- (4) Clarifying that unique-identifying markings on an article required to be recorded include serial numbers and emblem numbers;
- (5) Specifying that the exemption to photograph and electronic recordkeeping submission requirements applies to dealers who have first obtained a pawn or secondhand license on or before January 1, 2002, and have continuously operated a pawn or secondhand business that is open to the public and has a physical address since January 1, 2002;
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (7) 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 Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1991, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1991, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

SCRep. 3461 (Joint) Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment on H.B. No. 2120

The purpose and intent of this measure is to:

- (1) Clarify current practices, policies, and procedures of the State Emergency Management Program and make them consistent with prevailing emergency management best practices; and
- (2) Highlight the intent of the State, Governor, and emergency management agencies to address environmental and climate impacts on emergency management.

Your Committees received testimony in support of this measure from the Hawai'i Emergency Management Agency, Department of Defense, Hawaii State Energy Office, Coordinating Group on Alien Pest Species, and two individuals.

Your Committees find that recent incidents, including the coronavirus disease 2019 pandemic, have proven that certain elements in chapter 127A, Hawaii Revised Statutes, need to be revised to conform to current emergency management practices, policies, and procedures of the State Emergency Management Program and with prevailing emergency management best practices. Your Committees believe that the updates provided by this measure, which include adding language that highlights the State's, Governor's, and the Hawaii Emergency Management Agency's focus on climate and environmental impacts on Hawaii, are important for the safety and security of Hawaii. This measure will ensure that the Hawaii Emergency Management Agency is adhering to best practices of emergency management and providing the best protection to the citizens of the State by updating existing law to be consistent with current practices, policies, and procedures.

Your Committees have amended this measure by 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, Intergovernmental, and Military Affairs and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2120, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2120, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3462 (Joint) Public Safety, Intergovernmental, and Military Affairs and Government Operations on H.B. No. 956

The purpose and intent of this measure is to formally establish the Statewide Interoperable Communications Executive Committee and its Coordinator for public safety communications purposes.

Your Committees received testimony in support of this measure from the Department of Defense, Office of Homeland Security, and one individual.

Your Committees find that a formal public safety communications governance body can produce a clear direction for future communications efforts to executive leadership, a framework for impacted parties to collaborate and make recommendations, and more effective and efficient use of financial and technology resources. This measure will better align public safety communications strategies at all levels of government within the State by formally establishing the Statewide Interoperable Communications Executive Committee and its Coordinator for public safety communications purposes.

Your Committees have amended this measure by:

- (1) Adding a definition of "interoperable communications"; 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, Intergovernmental, and Military Affairs and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 956, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 956, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3463 Health on H.B. No. 1575

The purpose and intent of this measure is to:

- (1) Expand the scope of practice for physician assistants; and
- (2) Require a sampling of medical records, rather than all medical records, to be reviewed when physician assistants prescribe controlled substances.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Disability and Communication Access Board, Hawaii Medical Board, Hawai'i Pacific Health, Hawai'i Academy of Physician Assistants, Kaiser

Permanente Hawaii, The Queen's Health System, Hawai'i Public Health Association, and two individuals. Your Committee received comments on this measure from Grassroot Institute of Hawaii.

Your Committee finds that the State has a severe shortage of doctors, particularly on the neighbor islands. Utilizing physician assistants is a viable option to manage this physician shortage. Your Committee also finds that physician assistants are skilled medical providers and are authorized to serve as primary care providers. Expanding physician assistants' scope of practice would provide access to health care workers in areas where they are most needed while maintaining a high standard of care for patients. This measure expands the scope of practice for physician assistants.

Your Committee acknowledges the testimony of several stakeholders proposing amendments clarifying the Hawaii Medical Board's authority to require when a physician assistant's medical records must be reviewed.

Therefore, your Committee has amended this measure by:

- (1) Clarifying the Hawaii Medical Board's authority to require when a physician assistant's medical records must be reviewed;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1575, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1575, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3464 Health on H.B. No. 1635

The purpose and intent of this measure is to:

- (1) Establish the Rural Health Task Force within the Department of Health to prepare and develop solutions and make recommendations on registered nurse recruitment and retention in rural areas of Maui, Molokai, and Lanai; and
- (2) Require the Rural Health Task Force to submit a report of its findings, recommendations, and any proposed legislation to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Hana Health, Hawai'i Primary Care Association, Lāna'i Community Health Center, Maui Chamber of Commerce, The Queen's Health Systems, and Molokai Community Health Center. Your Committee received comments on this measure from the Department of Health, Department of Human Services, and Hawai'i State Center for Nursing.

Your Committee finds that there is a shortage of health care workers in the State, which is most severe on the neighbor islands and in other rural communities. This measure would provide the Department of Health with assistance from the health care providers in east Maui, Molokai, and Lanai in developing tangible action steps to assist with the recruitment and retention of registered nurses in these areas.

Your Committee acknowledges the testimony of the Department of Human Services, which notes that although it provides access to health care coverage and works with hospitals and nursing facilities, it does not have expertise in the recruitment, employment, or management of registered nurses, and thus requests to be removed from the task force.

Therefore, your Committee has amended this measure by removing the Department of Human Services from the Rural Health Task Force.

As affirmed by the record of votes of 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. 1635, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1635, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3465 (Joint) Health and Agriculture and Environment on H.B. No. 1806

The purpose and intent of this measure is to require cesspools in the State to be upgraded or converted to a wastewater system approved by the Director of Health before January 1, 2050.

Your Committees received testimony in support of this measure from the Department of Health; Wastewater Alternatives and Innovations LLC; Hawai'i Reef and Ocean Coalition; Rotary Club Hanalei Bay Foundation; Zero Waste Kauai; The Hawaii Association for Marine Education and Research, Inc.; The Coral Reef Alliance; and five individuals. Your Committees received testimony in opposition to this measure from the Hawai'i Association of Realtors and one individual.

Your Committees find that there are approximately eighty-eight thousand cesspools in the State, which discharge fifty-three million gallons of raw sewage into the State's waters every day. This raw sewage threatens public health and the health of the State's streams, coral reefs, and coastal areas. This measure requires cesspools to be upgraded or converted to a wastewater system by January 1, 2050.

Your Committees have amended this measure by making it effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1806, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1806, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3466 (Joint) Health and Agriculture and Environment on H.B. No. 1842

The purpose and intent of this measure is to:

- (1) Establish one full-time (1.0 FTE) Climate Change and Human Health Adaptation Specialist within the Department of Health; and
- (2) Appropriate funds for the position and related operating expenses.

Your Committees received testimony in support of this measure from the Department of Health, Americans for Democratic Action Hawai'i, and one individual. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that major public health organizations, including the United States Centers for Disease Control and Prevention, World Health Organization, and Intergovernmental Panel on Climate Change, have reported that climate change is a critical public health problem. Your Committees further find that while investments in climate change mitigation are sound, there has been insufficient investment in societal adaptation to climate change, specifically for human health. This measure establishes and funds a position for a Climate Change and Human Health Adaptation Specialist within the Department of Health to determine future actions relating to climate change in human health, and to define and implement goals, objectives, policies, and priority guidelines.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1842, H.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3467 (Joint) Health and Public Safety, Intergovernmental, and Military Affairs on H.B. No. 1893

The purpose and intent of this measure is to:

- (1) Require the transfer of the Daniel K. Akaka state veterans Home to the Oahu Regional Health Care System and then to the Department of Health as part of the Oahu Regional Health Care System transfer pursuant to Act 212, Session Laws of Hawaii 2021; and
- (2) Extend, by one year, the date by which the transfer of the Oahu Regional Health Care System to the Department of Health must be completed.

Your Committees received testimony in support of this measure from the Department of Defense, Department of Defense Office of Veterans' Services, Department of Accounting and General Services, Hawaii Health Systems Corporation Oahu Region, and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Health; Department of Budget and Finance; Hawaii Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committees find that the Daniel K. Akaka State Veterans Home, a facility that will provide long-term care for veterans, their spouses, and gold-star parents, is currently under construction by the Department of Accounting and General Services and Department of Defense with an expected completion date of spring of 2023. The Daniel K. Akaka State Veterans Home is primarily funded through the United States Department of Veterans Affairs and Medicare or Medicaid. Your Committees find that the Department of Accounting and General Services and Department of Defense do not have the expertise to manage a long-term care facility. Your Committees further find that the Oahu Region of the Hawaii Health Systems Corporation currently manages two of the State's nursing homes. Transferring management responsibilities to the Oahu Region of the Hawaii Health Systems Corporation would bring Oahu's three nursing homes under one administrative body and allow them to have the benefit of consolidated purchasing and efficiency. This measure transfers the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System and to the Department of Health thereafter.

Your Committees note that part III of this measure extends, by one year, the date by which the transfer of the Oahu Regional Health Care System to the Department of Health must be completed; however, this extension of time is the subject of other measures being heard by the Legislature and therefore is unnecessary to include here.

Therefore, your Committees have amended this measure by:

- (1) Removing part III of this measure, which extends, by one year, the date by which the transfer of the Oahu Regional Health Care System to the Department of Health must be completed; 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 Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1893, H.D. 1, as

amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1893, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

SCRep. 3468 (Joint) Health and Agriculture and Environment on H.B. No. 2195

The purpose and intent of this measure is to establish and appropriate funds for a Cesspool Compliance Pilot Grant Project to assist low- and moderate-income property owners, including lessees on Hawaiian home lands, with the costs of upgrading, converting, or connecting a cesspool.

Your Committees received testimony in support of this measure from the Department of Health, Department of Hawaiian Home Lands, one member of the Hawai'i County Council, Hawai'i Reef and Ocean Coalition, Wastewater Alternatives and Innovations LLC, Rotary Club Hanalei Bay Foundation, Zero Waste Kauai, and seven individuals. Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that Act 125, Session Laws of Hawaii 2017, required all cesspools to be upgraded or converted to a septic system or aerobic treatment unit system, or connected to a sewerage system, by 2050. Your Committees further find that upgrading or converting a cesspool can impose a significant financial burden, particularly on low- and moderate-income families. This measure establishes and appropriates funds for a Cesspool Compliance Pilot Grant Project to help low- and moderate-income property owners upgrade or convert failing cesspools to a wastewater system approved by the Director of Health, or connect a failing cesspool to a sewerage system.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2195, H.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3469 (Joint) Health and Agriculture and Environment on H.B. No. 2514

The purpose and intent of this measure is to prohibit the operation of underground storage tanks with a capacity greater than one hundred thousand gallons.

Your Committees received testimony in support of this measure from the Department of Health, City and County of Honolulu Board of Water Supply, 'Ahaui o nā Kauka – Association of Native Hawaiian Physicians, Hawai'i Alliance for Community-Based Economic Development, Hawai'i Alliance for Progressive Action, Ko'olau Waialua Alliance, Livable Hawaii Kai Hui, Sierra Club of Hawai'i, 350Hawaii.org, and twenty-two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Land and Natural Resources Commission on Water Resource Management, and one individual.

Your Committees find that underground storage tanks containing fuel and their related plumbing pose a significant risk of leaking and contaminating potable drinking water aquifers. In December 2021, the United States Navy confirmed that the Red Hill Bulk Fuel Storage Facility on Oahu leaked petroleum into the Navy's water system and threatened to contaminate multiple underground aquifers of Oahu. This measure mitigates that risk by prohibiting the operation of underground storage tanks with a capacity greater than one hundred thousand gallons.

Your Committees have amended this measure by:

- (1) Prohibiting the operation of underground storage tanks with a capacity greater than one hundred thousand gallons beginning July 1, 2023;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2514, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2514, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3470 (Joint) Human Services and Government Operations on H.B. No. 1762

The purpose and intent of this measure is to:

- (1) Require the Executive Director of the Office of Language Access to submit an annual report to the Governor and Legislature on the compliance of state agencies and certain other entities with state and federal language access laws; complaints of noncompliance, if any; resolution of the complaints; and recommendations on how to enhance and promote language access; and
- (2) Appropriate funds to establish three full-time equivalent (3.0 FTE) Limited English Proficiency Language Coordinator positions in the Office of Language Access.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Labor and Industrial Relations – Office of Community Services, Department of Human Services, Hawaii Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, Common Cause Hawaii, Catholic Charities Hawai'i, Hawai'i Children's Action Network Speaks!, Refugee Advocacy Lab, The Legal Clinic, Pacific Gateway Center, and six individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Office of Language Access, Department of Commerce and Consumer Affairs, Department of Defense – Hawai'i Emergency Management Agency, Department of Budget and Finance, and one individual.

Your Committees find that one out of nine persons living in Hawaii has limited proficiency in English. This limitation often impedes those person's access to important benefits and services, including access to health care and other public benefits; essential information during public health emergencies, pandemics, or natural disasters; and access to earned benefits, including unemployment benefits and workers' compensation.

Chapter 321C, Hawaii Revised Statutes, was enacted for the purpose of affirmatively addressing the language access needs of limited English proficient persons defined as individuals who, on account of national origin, do not speak English as their primary language and self identify as having a limited ability to read, write, speak, or understand the English language. These principles are guided by Executive Order No. 13166 and succeeding provisions of federal law, regulation, or guidance. Under chapter 321C, state agencies and covered entities are required to take reasonable steps to ensure meaningful access to services, programs, and activities by limited English proficient persons.

The Office of Language Access was established under section 321C-6, Hawaii Revised Statutes, to provide oversight, central coordination, and technical assistance to state agencies in their implementation of language access requirements. However, existing law does not require the Office to file reports with the Governor or the Legislature on the status of state agencies' implementation of language access requirements. The reporting requirement under this measure will ensure that state agencies and other entities are in compliance with the state and federal language access laws. The establishment of permanent Limited English Proficiency Language Coordinator positions will facilitate the implementation and delivery of each state agency's language access plans.

Your Committees note the testimony of the Office of Language Access, stating that its existing office space cannot accommodate three more positions and requesting that it be allowed to utilize the funding for the establishment of one full-time equivalent (1.0 FTE) Limited English Proficiency Language Coordinator position and to cover the Office's operating expenses for purposes of this measure.

Accordingly, your Committees have amended this measure by:

- (1) Making an appropriation of an unspecified amount to fund:
 - (A) The establishment of one full-time equivalent (1.0 FTE) Limited English Proficiency Language Coordinator position in the Office of Language Access;
 - (B) The operating expenses of the Office of Language Access to collaborate with all state departments to ensure compliance with all state and federal language access laws; and
 - (C) The development of a comprehensive statewide plan to increase language access by the Office of Language Access; 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 Human Services and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1762, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1762, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Chang, Fevella).

SCRep. 3471 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1517

The purpose and intent 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 a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent after July 1, 2024;
- (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 in Hawaii; and
- (4) Appropriate moneys for the pesticide subsidy program and for one full-time equivalent position to conduct inspections.

Your Committees received testimony in support of this measure from the Department of Agriculture; three members of the Hawai'i County Council; Hawai'i Farmers Union United; Kona Coffee Farmers Association; Absolute Palate, LLC; Kauai Coffee Company; Hawaii Coffee Association; Cyanotech Corporation; Lions Gate Farms; Hawaii Coffee Growers Association; Kokoleka Lani Farms; Ka'u Coffee Growers Cooperative; Kauai Women's Caucus; The Four Sens, LLC; Huahua Farm; Rancho Aloha; Life of the Land; Kona Earth, LLC; Hawai'i Alliance for Progressive Action; Hawaii's Thousand Friends; Kona-Kohala Chamber of Commerce; South Kona Estate; LavaRock Farm; Chamber of Sustainable Commerce; and thirty-three individuals. Your Committees received testimony in opposition to this measure from Aloha Hills Kona Coffee, LLC; Cancino Family Farm; Hawaii Restaurant Association; Kona Coffee Council; Hawaii Food Industry Association; Hawaii Coffee Company; Retail Merchants of Hawaii; and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that coffee is one of Hawaii's most valuable agricultural crops. However, existing labeling requirements allow products containing as little as ten percent Hawaii-grown coffee to be advertised as Kona, Maui, or Kau coffee. The low threshold for products to be labeled with Hawaii's geographic names damages the reputation of Hawaii's coffee industry and reduces the revenues of the State's coffee producers. This measure establishes additional labeling requirements for coffee products to ensure that the products' advertising more appropriately reflects their origins. However, your Committees further find that the economic impacts of changes to the labeling requirements are unclear. Without more information on the economic impacts, there is a risk of unintended consequences for Hawaii's coffee growers and the State's economy.

Accordingly, your Committees have amended this measure by:

- (1) Removing the proposed changes to existing coffee labeling requirements;
- (2) Requiring the Department of Budget and Finance to conduct a study of the economic impacts of the proposed coffee labeling requirements; and
- (3) 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 Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1517, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1517, H.D. 2, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Rhoads, Fevella). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3472 (Joint) Agriculture and Environment and Government Operations on H.B. No. 1526

The purpose and intent of this measure is to:

- (1) Require each county to incorporate into its next integrated solid waste management plan revision a plan to divert all organic waste produced within the county by facilities generating more than a certain amount of organic waste per year; and
- (2) Appropriate funds to reimburse the counties for incorporation of the new requirement into their plan revisions.

Your Committees received testimony in support of this measure from the Department of Health, one member of the Hawai'i County Council, Hawai'i Alliance for Progressive Action, Kauai Women's Caucus, Climate Protectors of Hawai'i, and sixteen individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the production of waste in Hawaii poses a significant problem for the State. Importantly, waste requires the State to devote scarce land to the creation of new landfills and contributes to the expansion of existing landfills. However, organic waste can be used for other purposes, thereby reducing the amount of waste sent to landfills. This measure requires each county to incorporate plans for the management of organic waste into its next integrated solid waste management plan.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1526, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3473 (Joint) Agriculture and Environment and Government Operations on H.B. No. 1568

The purpose and intent of this measure is to:

- (1) Change the law requiring all state departments to ensure that a certain percentage of food purchased consists of fresh, local agricultural products or local value-added, processed, agricultural, or food products to apply only to the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System; and
- (2) Require each of those departments and the University of Hawaii System to report to the Legislature on its progress toward meeting these benchmarks and clarifies the information to be reported.

Your Committees received testimony in support of this measure from the Department of Health; University of Hawai'i System; Hawai'i Farm Bureau; Hawaii Food Industry Association; Hawaii Food+ Policy; Ulupono Initiative; Hawai'i Alliance for Progressive Action; Kauai Women's Caucus; Hawai'i Primary Care Association; Kanalani Ohana Farm; Hawaii Cattlemen's Council, Inc.; and seventeen individuals. Your Committees received comments on this measure from the Department of Public Safety and one individual.

Your Committees find that the State can support Hawaii's food security and local food production by purchasing food from local food producers. Notably, the Departments of Education, Health, Public Safety, and Defense, along with the University of Hawaii System, are the largest purchasers of food among the State's departments and agency. Accordingly, requirements for the State to purchase local food should focus on those departments and the University of Hawaii System. This measure limits the requirement for state departments and agencies to purchase local food to the Departments of Education, Health, Public Safety, and Defense, and the University of Hawaii System.

Your Committees have amended this measure by:

- (1) Removing amendments to Act 176, Session Laws of Hawaii, 2021, and inserting the same language from the proposed amendments into a new purpose section;

- (2) Excluding certain purchases within the University of Hawaii System from the local food purchasing requirement;
- (3) Requiring each department to prioritize contracts with vendors that use locally sourced food products; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1568, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1568, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3474 (Joint/Majority) Agriculture and Environment and Government Operations and Energy, Economic Development, and Tourism on H.B. No. 1640

The purpose and intent of this measure is to:

- (1) Change the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act;
- (2) Establish electronic device manufacturer recycling goals and record keeping and reporting requirements for manufacturers and collectors;
- (3) Require collectors to register with the Department of Health;
- (4) Expand the recycling and collection requirements of televisions to all electronic devices; and
- (5) Require the electronic device recycling and recovery program to include, among other things, a description of the methods for the convenient collection of electronic devices.

Your Committees received testimony in support of this measure from the Department of Health, Department of Environmental Management of the County of Maui, Department of Environmental Management of the County of Hawai'i, Mr. K's Recycle and Redemption Center, Koko Kai Foods LLC, and twenty individuals. Your Committees received testimony in opposition to this measure from the Retail Merchants of Hawaii and Consumer Technology Association.

Your Committees find that recycling is a crucial component of the State's sustainability goals. It is essential that the State's recycling requirements reflect the conditions and types of waste produced in Hawaii. This measure, as received by your Committees, changes the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act and establishes additional requirements to the recycling and reporting of electronic device waste. However, your Committees find that the long-term effects of electronic device recycling requirements are unknown.

Accordingly, your Committees have amended this measure by:

- (1) Removing requirements regarding electronic device recycling goals and record keeping;
- (2) Establishing a working group to study the effects of electronic device recycling requirements; and
- (3) 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 Agriculture and Environment, Government Operations, and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1640, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1640, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4; Ayes with Reservations (Rhoads). Noes, 1 (Acasio). Excused, none.

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 3475 (Joint/Majority) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1682

The purpose and intent of this measure is to authorize the issuance of special purpose revenue bonds to assist Next Level Solutions Group Inc. in developing a waste-to-energy facility.

Your Committees received testimony in support of this measure from Next Level Solutions Group Inc. Your Committees received testimony in opposition to this measure from Zero Waste O'ahu, Kauai Women's Caucus, and six individuals. Your Committees received comments on this measure from the Department of Budget and Finance and Climate Protectors Hawai'i.

Your Committees find that the lack of land in Hawaii suitable for use as landfills presents a significant problem for the State. Additionally, the existing landfills produce toxic emissions that are harmful to human health and the environment. Waste-to-energy technology can greatly benefit Hawaii by reducing the State's reliance on landfills. This measure authorizes the issuance of special purpose revenue bonds to assist Next Level Solutions Group Inc. in developing waste-to-energy technology to reduce the need for landfills in Hawaii.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1682, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 3; Ayes with Reservations (Nishihara). Noes, 2 (Acasio, Fevella). Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3476 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1800

The purpose and intent of this measure is to:

- (1) Establish a goal for the statewide greenhouse gas emissions limit to be at least fifty percent below 2005 levels by 2030;
- (2) Require the Hawaii State Energy Office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals; and
- (3) Appropriate funds out of the Energy Security Special Fund for the study.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Department of Health, Hawaii Climate Change Mitigation & Adaptation Commission, Department of Environmental Management of the County of Maui, one member of the Hawai'i County Council, Climate Protectors Hawai'i, Sierra Club of Hawai'i, Kauai Women's Caucus, Hawaii Association for Marine Education and Research, Skyline Hawaii, Blue Planet Foundation, Clean Future Team at the Center for Tomorrow's Leaders Program, Imua Alliance, Hawaii Electric Vehicle Association, KauaiEV, Our Revolution Hawaii, U.S. Green Building Council, and forty-one individuals. Your Committees received testimony in opposition to this measure from three individuals. Your Committees received comments on this measure from the Public Utilities Commission, Hawaiian Electric Company, NAIOP Hawaii, Big Island Electric Vehicle Association, 350Hawaii.org, and one individual,

Your Committees find that climate change poses an immediate and long-term threat to Hawaii's economy, public health, natural resources, environment, and way of life. Although the State has adopted many goals and targets for climate change mitigation, additional action is needed to support a fully decarbonized economy. Accordingly, this measure requires a study to identify challenges, opportunities, and actions that will be needed to achieve decarbonization goals.

Your Committees have amended this measure by:

- (1) Clarifying the purpose of this measure;
- (2) Removing the goal for the statewide greenhouse gas emissions limit to be at least fifty percent below 2005 levels by 2030;
- (3) Requiring the Hawaii Natural Energy Institute to conduct the study in place of the Hawaii State Energy Office;
- (4) Clarifying the requirements of the study; and
- (5) 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 Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1800, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1800, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3477 Agriculture and Environment on H.B. No. 1992

The purpose and intent of this measure is to:

- (1) Permit composting and co-composting operations in agricultural districts, under certain conditions; and
- (2) Establish and appropriate funds for an Environmental Health Specialist IV position in the Solid and Hazardous Waste Branch of the Department of Health.

Your Committee received testimony in support of this measure from the Department of Agriculture, Maui County Department of Environmental Management, Hawai'i County Department of Environmental Management, Kauai Climate Action Coalition, Kauai Women's Caucus, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Alliance for Progressive Action, West Maui Green Cycle, Zero Waste Maui, Environmental Caucus of the Democratic Party of Hawai'i, Our Revolution Hawaii, and thirty individuals. 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, Department of Health, and Hawai'i Farm Bureau.

Your Committee finds that allowing composting in agricultural districts will facilitate the production of local organic material that farmers can use to improve soil health, increase drought resistance, and reduce the need for supplemental water and fertilizer. However, composting is not currently permitted in agricultural districts, significantly hindering efforts to use organic material to improve crop yields. This measure permits composting and co-composting in agricultural districts under certain conditions to promote better use and management of organic waste materials.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1992, H.D. 3, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Rhoads, Fevella).

SCRep. 3478 (Joint/Majority) Agriculture and Environment and Water and Land on H.B. No. 2084

The purpose and intent of this measure is to:

- (1) Allow landowners and lessees of important agricultural lands to apply to the counties to develop, construct, and maintain farm cluster housing on the lands for rent to farmers and farm employees who actively and currently farm on the land, subject to certain exemptions; and
- (2) Remove restrictions on farm dwellings on important agricultural lands that are stricter than that for farm dwellings within agricultural districts.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Agriculture; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; Hawai'i Farm Bureau; Maui Chamber of Commerce; and one individual. Your Committees received testimony in opposition to this measure from the Makahanaloa Fishing Association and one individual.

Your Committees find that Act 233, Session Laws of Hawaii 2008 (Act 233), established incentives to promote agricultural productivity on the State's important agricultural lands. One incentive included in Act 233 was a provision that allowed landowners to develop, construct, and maintain farm dwellings and employee housing under certain conditions. Although the provision was intended as an incentive, it inadvertently imposed more restrictive standards on farm dwellings than the existing requirements. Given the importance of affordable housing for farmers and farm workers, it is necessary for the State to allow for greater development of farm dwellings on important agricultural lands. This measure allows landowners and lessees of important agricultural lands to develop, construct, and maintain farm housing, provided they receive approval from the county in which the important agricultural lands are located.

Your Committees have amended this measure by deleting language that would have exempted counties that impose less restrictive requirements for farm cluster housing.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2084, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2084, H.D. 3, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 4; Ayes with Reservations (Acasio). Noes, 1 (Fevella). Excused, none.
Water and Land: Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3479 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 1642

The purpose and intent of this measure is to require deposit beverage distributors that sell, offer for sale, or distribute deposit beverage containers in the State to meet minimum postconsumer recycled content requirements.

Your Committees received testimony in support of this measure from the Department of Health, one member of the Hawai'i County Council, Climate Protectors Hawai'i, Hawai'i Reef and Ocean Coalition, and two individuals. Your Committees received testimony in opposition to this measure from the Hawaii Food Industry Association. Your Committees received comments on this measure from the American Beverage Association.

Your Committees find that minimum postconsumer recycled content requirements for deposit beverage containers are needed to reduce waste, transition the State toward a circular economy, and encourage interest in recycling among deposit beverage distributors. Additionally, a minimum postconsumer recycled content requirement will divert waste from landfills. This measure establishes minimum postconsumer recycled content requirements for deposit beverage containers to support the State's sustainability goals.

Your Committees have amended this measure by inserting a blank appropriation for the Department of Health to fund additional positions for the enforcement of deposit beverage recycling requirements.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1642, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1642, H.D. 2, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.
Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Misalucha, Riviere). Noes, none. Excused, none.

SCRep. 3480 (Joint) Hawaiian Affairs and Water and Land on H.B. No. 2135

The purpose and intent of this measure is to allow the Department of Hawaiian Home Lands to assume historic preservation review of the effect of any proposed state project for lands under its jurisdiction under certain conditions and subject to certain exceptions for state projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places or located in a designated historic district.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Aha Moku, and Department of Land and Natural Resources. Your Committees received testimony in opposition to this measure from the Historic Hawai'i Foundation.

Your Committees find that currently, the Department of Hawaiian Home Lands, prior to any proposed project relating to lands under its jurisdiction, is required to consult with the Department of Land and Natural Resources regarding the effect of the project upon historic property or a burial site. For the sake of efficiency and the greater preservation of historic sites, this measure allows the Department of Hawaiian Home Lands to directly assume historic preservation review of proposed projects relating to lands under its jurisdiction.

Your Committees note that section 6E-43, Hawaii Revised Statutes, pertains to historic burials and historic burial sites themselves. This measure pertains to section 6E-8, Hawaii Revised Statutes, which refers to the review of state projects. Issues regarding the actual burial processes, inadvertent discovery of burial grounds, and burial councils are not affected by this measure.

Your Committees note that the companion to this measure, S.B. No. 3103, S.D. 1 (Regular Session of 2022), which was previously passed by the Senate, is a substantially similar measure that also allows the Department of Hawaiian Home Lands to assume historic preservation review of the effect of any proposed project for lands under its jurisdiction, except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places. Your Committees conclude that the language in S.B. No. 3103, S.D. 1, is preferable because it contains a more streamlined process to enable the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

Accordingly, your Committees have amended this measure by deleting its contents, inserting the contents of S.B. No. 3103, S.D. 1., and further amending it to remove the sunset date.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2135, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2135, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 1 (Fevella).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

SCRep. 3481 (Joint) Hawaiian Affairs and Agriculture and Environment on H.B. No. 1179

The purpose and intent 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 Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Aha Moku, Hawai'i Forest Industry Association, and two individuals. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that gorse is a plant invasive species native to western Europe originally introduced as food for sheep. Gorse is difficult to remove and is detrimental to native habitats. There exists a need for greater economic opportunities for Native Hawaiians and therefore, the purpose of this measure is to establish a pilot program to remove and harvest gorse from Mauna Kea and develop it as a marketable product to expand economic opportunities for Native Hawaiians.

Your Committees note concerns that the method of gorse removal likely to be used will not lead to the eventual eradication of the invasive species due to seeds spreading despite the plant being consumed by animals. Additionally, there are concerns that this measure proposes a method to assist the Native Hawaiian people without gathering the voices of the Kanaka Maoli first.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1179, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3482 (Joint) Hawaiian Affairs and Labor, Culture and the Arts on H.B. No. 2475

The purpose and intent of this measure is to establish July 31 of each year as La Hoihoi Ea.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the City and County of Honolulu Department of Human Resources.

Your Committees find that it is important for the people of Hawaii to learn about its culture and history. King Kamehameha III established La Hoihoi Ea in 1843 as the first national holiday in the Hawaiian Kingdom in celebration of the restoration of the Hawaiian Kingdom following illegal British control. The purpose of this measure is to establish July 31 of each year as La Hoihoi Ea to recognize the accomplishments of King Kamehameha III and honor upstanding members of the Hawaiian community.

Your Committees have amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2475, H.D. 1, as amended herein,

and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2475, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).
 Labor, Culture and the Arts: Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 3483 (Joint) Hawaiian Affairs and Higher Education on H.B. No. 2491

The purpose and intent of this measure is to:

- (1) Require all letterheads of the State and counties to include consistent Hawaiian names, spelling, and punctuation;
- (2) Require certain state officials to prominently display a Hawaiian language translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationery; and
- (3) Require the University of Hawaii to compile a full list of all dialects and other variations in the Hawaiian language currently in use and submit a report of its findings to the Legislature.

Your Committees received testimony in support of this measure from the Hawai'i Civil Rights Commission, State of Hawaii Office of Planning and Sustainable Development, Kaulana 'aina a Mahiku A'o Mai, Center for Hawaiian Sovereignty Studies, University of Hawai'i System, and seven individuals. 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 the Hawaiian language is Hawaii's indigenous language as well as the original language of Hawaii's executive, judicial, and legislative branches. Despite political, economic, and social pressures and changes, the Hawaiian language community has been maintained. In order to further revitalize the language and improve the learning experience of those new to the language, this measure will standardize the spelling and punctuation of Hawaiian names and words in certain documents prepared by state or county agencies or officials for the primary purposes of consistency and uniformity.

Your Committees have amended this measure by:

- (1) Inserting findings to clarify that it is intended to provide equal support and standing for both native speakers and second language speakers of Hawaiian languages;
- (2) Amending the list of sources with which the Hawaiian names and words used in the letterhead are to be in conformance;
- (3) Clarifying that if there is a conflict between words used by native speakers and second language speakers in a document covered by this measure, two versions of the document may be made available to the public upon request if the affected department has sufficient resources to do so;
- (4) Deleting language that would have required certain government officials and departments to display a Hawaiian translation of the name of their respective office or department on the main page of their official website;
- (5) Deleting language that would have required the University of Hawaii to compile a full list of all dialects and other variations in the Hawaiian language currently in use; and
- (6) 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 Hawaiian Affairs and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2491, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2491, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Hawaiian Affairs: Ayes, 5; Ayes with Reservations (Keohokalole). Noes, none. Excused, none.
 Higher Education: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Kidani).

SCRep. 3484 (Joint) Water and Land and Government Operations on H.B. No. 1432

The purpose and intent of this measure is to:

- (1) Increase the maximum term of a concession;
- (2) Exempt concessions for beach or ocean-related recreational services from sealed bid requirements, with certain conditions;
- (3) Provide that a county director of parks and recreation has sole discretion to designate which county parks are environmentally, culturally, historically, or operationally unique for purposes of determining whether a concession at the park is exempt from the sealed bid requirements; and
- (4) Expand the exemption for concessions at county zoos, botanic gardens, or county parks that are designated by the respective county director of parks and recreation, in the director's sole discretion, as environmentally, culturally, historically, or operationally unique; provided that the concessions are awarded to responsible offerors whose proposals are the most advantageous, rather than solely to certain nonprofit corporations.

Your Committees received testimony in support of this measure from the Department of Enterprise Services of the City and County of Honolulu. Your Committees received testimony in opposition to this measure from the Palekaiko Beachboys Club.

Your Committees find that, while public leases may be granted for up to sixty-five years, concession contracts may not exceed fifteen years, making it difficult for agencies to find concessionaires who are willing to invest in the necessary capital improvements to

provide satisfactory concession services to visitors and residents of the State. Notably, it is challenging for potential concessionaires to generate sufficient revenues to support operations while amortizing the concessions' construction and other costs at the current lease and contract length of fifteen years. This measure promotes a more efficient concessions bidding process by increasing the maximum length of concession contracts and establishing and expanding exemptions for certain types of concessions.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2022; 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 Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1432, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1432, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3485 (Joint) Water and Land and Government Operations on H.B. No. 1436

The purpose and intent of this measure is to expand the authority of the counties to transfer development rights to address areas at risk of sea level rise, coastal erosion, storm surge, or flooding.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development; one member from the Maui County Council; City and County of Honolulu Department of Planning and Permitting; City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency.

Your Committees find that all governmental entities must proactively plan, coordinate, and act to adapt to climate change and sea level rise to ensure the State's sustainable and resilient future. Your Committees note that an existing mechanism to transfer development rights currently assists the City and County of Honolulu Department of Planning and Permitting with the preservation of historic properties. Accordingly, expanding the authority of the counties to regulate the transfer of development rights could help the counties better manage vulnerable coastal, low-lying, and other areas that are at-risk from the effects of sea level rise, coastal erosion, storm surge, or flooding.

According to testimony received from the City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency, this measure would not only provide an economically feasible option for property owners to mitigate risk and relocate from existing and increasingly hazardous location, but will also facilitate growth in areas that are more appropriate for development.

Your Committees have amended this measure by:

- (1) Clarifying:
 - (A) That a purpose of the comprehensive planning program is to protect from development lands that are vulnerable to impacts and hazards associated with sea level rise, coastal erosion, storm surge, or flooding; and
 - (B) Language related to the transfer of development rights from lands vulnerable or adversely affected by sea level rise, coastal erosion, storm surge, or flooding;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1436, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1436, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3486 (Joint) Water and Land and Government Operations on H.B. No. 2034

The purpose and intent of this measure is to amend the membership of the Hawaii Community Development Authority by:

- (1) Removing the county council as the nominating authority for the community development district representatives;
- (2) Removing one at-large member;
- (3) Reducing the number of district resident representatives; and
- (4) Making the Director of Planning and Permitting of each county a voting, rather than a nonvoting, member.

Your Committees received testimony in support of this measure from the Hawaii Community Development Authority. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that under existing law, the Honolulu City Council has nominating authority for three members of the Hawaii Community Development Authority, who represent the Kaakaako, Kalaeloa, and Heeia community development districts. Your

Committees further find that this nominating authority is more appropriately placed within the offices of the President of the Senate and Speaker of the House of Representatives as the Hawaii Community Development Authority is a state agency. Accordingly, this measure removes the Honolulu City Council's nomination authority and places it within more appropriate offices.

Your Committees have amended this measure by making it effective on July 1, 2022.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2034, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2034, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3487 (Joint) Water and Land and Government Operations on H.B. No. 2332

The purpose and intent of this measure is to allow the granting of easements on public lands to be exempt from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Aquaculture and Aquaponics Association, and one individual. Your Committees received testimony in opposition to this measure from the Hawaii Land Surveyors Association and two individuals. Your Committees received comments on this measure from the Department of Agriculture and Department of Planning and Permitting of the City and County of Honolulu.

Your Committees find that pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), both the Department of Land and Natural Resources and Department of Agriculture agreed to the transfer of non-agricultural park lands. Currently, some public agencies experience difficulties in obtaining various types of easements resulting from subdivision approval requirements for easements and a costly, time-consuming process to survey and map the affected area. As some lands eligible for transfer under Act 90 are undeveloped, facilitating the jurisdictional transfer may allow for further utilization of state lands.

However, your Committees also note the concerns of the Hawaii Land Surveyors Association regarding easement exemptions. This measure, as drafted, would exempt all easements granted over public lands from formal county subdivision review which would further complicate use and development rights on public lands. Further, your Committees note the importance of facilitating the transfer of undeveloped state lands between the Department of Land and Natural Resources and Department of Agriculture for jurisdictional purposes. To promote the transfer of undeveloped lands between the Department of Land and Natural Resources and Department of Agriculture, limiting exemptions would allow for greater utilization of state lands.

Accordingly, your Committees have amended this measure by limiting the exemption of easements granted over public lands from formal county subdivision process and approval requirements to those affecting the transfer of undeveloped public lands between the Department of Land and Natural Resources and Department of Agriculture, pursuant to Act 90, Session Laws of Hawaii 2003.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2332, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2332, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3488 (Joint) Energy, Economic Development, and Tourism and Agriculture and Environment on H.B. No. 2088

The purpose and intent of this measure is to:

- (1) Establish an at- or below-market interest loan program and authorize property assessed financing for environmental, economic recovery, and economic diversification projects and initiatives;
- (2) Establish the Environmental and Economic Development Revolving Loan Fund; and
- (3) Appropriate and authorize funds to provide loans or other financial assistance to eligible property owners and for other purposes allowed by the Hawaii Green Infrastructure Authority (HGIA), including implementation costs.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Health; Department of Hawaiian Home Lands; Hawaii Green Infrastructure Authority; City and County of Honolulu Office of Climate Change, Sustainability, and Resiliency; Hawai'i Reef and Ocean Coalition; Maui Chamber of Commerce; Petros PACE Finance; Hawaii Solar Energy Association; Zero Waste Kauai; Nuveen Green Capital; Center for Biological Diversity; Surfrider Foundation – Hawai'i Region; Holu Hou Energy; C-PACE Alliance; and three individuals. Your Committees received testimony in opposition to this measure from Mortgage Bankers Association of Hawaii and Hawaii Credit Union League. Your Committees received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Public Utilities Commission, Department of Commerce and Consumer Affairs Division of Consumer Advocacy, Tax Foundation of Hawaii, Hawaii Financial Services Association, Hawaii Banker's Association, and one individual.

Your Committees find that, although the coronavirus disease 2019 pandemic demonstrated the importance of ensuring the health of our people and economy, it is equally important to invest resources sufficient to ensure Hawaii's environmental health. Your Committees further find that there is a compelling interest for state government to provide non-traditional financing options to assist certain property owners to voluntarily undertake projects for the upgrade, conversion, or connection to municipal or private wastewater

systems, installation of energy conservation, or renewable energy retrofits because properties that are not protected from harmful environmental health hazards contribute to the overall environmental health burdens affecting the State.

During the hearing, HGIA and local stakeholders, including the Hawaii Bankers Association, Hawaii Financial Services Association, and representatives of commercial property assessed clean energy (PACE) programs, residential PACE programs, and local banks, confirmed that they met and agreed on three amendments to propose to your Committees, which are as follows:

- (1) Limiting the scope of the measure to apply only to commercial properties;
- (2) Strengthening the language to allow each existing mortgage holder or servicer the sole and absolute discretion to withhold lender consent for the property owner to enter into a property assessed financing assessment contract; and
- (3) Expanding the definition of a property assessed financing lender to automatically include the members of the Hawaii Bankers Association and Hawaii Financial Services Association.

According to testimony received by your Committees, HGIA also requests a further amendment to allow non-ad valorem special tax assessments to be billed and collected on stand-alone tax bills so that the counties will not be burdened by additional work and will not require additional resources to upgrade its billing systems to accommodate this special tax assessment.

Accordingly, your Committees have amended this measure by:

- (1) Inserting language to:
 - (A) Allow the non-ad valorem special tax assessment to be billed and collected on a stand-alone tax bill;
 - (B) Allow existing mortgage holders of the benefitted or improved commercial property the discretion to withhold lender consent; and
 - (C) Include financial institutions defined under section 412:1-109, Hawaii Revised Statutes, relating to the Code of Financial Institutions, to the definition of a commercial property assessed financing lender;
- (2) Removing language that:
 - (A) Relates to the assessed financing of residential property to narrow the scope of the measure to commercial property;
 - (B) Establishes the Environmental and Economic Development Revolving Loan Fund; and
 - (C) Appropriates and authorizes funds to provide loans or other financial assistance to eligible property owners and for other purposes allowed by HGIA, including implementation costs;
- (3) Making conforming amendments to the remaining references to property to refer only to commercial property;
- (4) Expanding the definition of commercial property;
- (5) Inserting a severability clause;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) 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 Energy, Economic Development, and Tourism and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2088, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2088, H.D. 3, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

SCRep. 3489 (Joint) Higher Education and Agriculture and Environment on H.B. No. 1711

The purpose and intent of this measure is to appropriate funds to the University of Hawaii to support three additional full-time (3.0 FTE) positions at the College of Tropical Agriculture and Human Resources Kauai Research and Extension Station.

Your Committees received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Hawai'i Farm Bureau; Land Use Research Foundation of Hawaii; Hawaii Crop Improvement Association; Hawaii Floriculture and Nursery Association; Mulkern Landscaping & Nursery; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Maui County Farm Bureau; and four individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the College of Tropical Agriculture and Human Resources (CTAHR) provides important outreach and education, including programs that have benefited farmers and ranchers across the State. On Kauai, CTAHR has only one Active Research and Extension Station (KARES), which facilitates a number of critical greenhouse-based research and extension projects. Before recent events, KARES had five full-time staff who maintained and supported all active research and extension plot allocations at the Kauai station. They are now down to only two employees, which poses significant harm to the continuity of agriculture extension and research efforts on Kauai, especially in the areas of ranching and animal husbandry. This measure will help ensure vital assistance to support agricultural stakeholders who rely on a number of CTAHR programs for success of their operations.

Your Committees respectfully request that your Committee on Ways and Means to consider the purpose of the appropriation and whether the moneys should be appropriated to restore funding for unfunded positions, for new positions to support the College of Tropical Agriculture and Human Resources, or both.

As affirmed by the records of votes of the members of your Committees on Higher Education and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1711, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Wakai).
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3490 (Joint) Higher Education and Agriculture and Environment on H.B. No. 1844

The purpose and intent of this measure is to appropriate funds to the University of Hawaii for the College of Tropical Agriculture and Human Resources to establish one full-time (1.0 FTE) Agriculture Education Coordinator position.

Your Committees received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Department of Education; Hawai'i Farm Bureau; Local Food Coalition; Hawai'i Farm to School Hui; Hawaii Public Health Institute; Hawaii Floriculture and Nursery Association; Center for Getting Things Started; Grow Some Good; Hawaii Cattlemen's Council, Inc.; Hawai'i Alliance for Progressive Action; Hawai'i Youth Food Council; and eight individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the average age of farmers in Hawaii is sixty years, and the State does not have a farming workforce large enough for the expansion of cultivated agricultural lands and food production. One primary cause of the shortage of new farmers in Hawaii in the past several decades has been the decline in support for agriculture education from state government, including training for agriculture teachers. The lack of support for agriculture education has resulted in insufficient interest in pursuing the fields of agriculture and natural resource management among Hawaii's youth. This measure is therefore necessary to advance agriculture career awareness, exploration, preparation, and training in schools to sustain Hawaii's workforce and contribute to increasing agricultural production and resiliency.

As affirmed by the records of votes of the members of your Committees on Higher Education and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1844, H.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.
Higher Education: Ayes, 4. Noes, none. Excused, 1 (Wakai).
Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3491 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on H.B. No. 2399

The purpose and intent of this measure is to:

- (1) Establish an Extended Producer Responsibility Program;
- (2) Require certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year;
- (3) Provide for the deposit of fees into an Extended Producer Responsibility Special Fund;
- (4) Provide for the expenditure of moneys from the Extended Producer Responsibility Special Fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty percent and eighty percent by dates to be determined by rule; and
- (5) Appropriate moneys.

Your Committees received testimony in support of this measure from the Department of Health; Hawaii State Energy Office; City and County of Honolulu Department of Environmental Services; Hawai'i County Department of Environmental Management; Maui County Department of Environmental Management; one member of the Hawai'i County Council; Institute for Local Self-Reliance; Recycle Hawaii; Hawai'i Alliance for Progressive Action; Sustainable Kohala; 808 Sweets; Aloha Baskets and Balloons; Artful Cups By Lola; Attainable Sustainable, LLC; Aunt Sue's Sugar Shack; Auntie Lucinda's Bakery; Big Island Empanadas; Big Island Grindz; Creative Mae Studio; Eclectic Virgo; Grace Flowers Hawaii; Hana Hou; Hana Hou Recycling; Hilo Food Hub; Hilo Town Market; Into the Realms; In Harmony Hawaii LLC; Island Motion Wear; Island Naturals Markets; Kamuela Gourmet; Koko Kai Foods LLC; Kolohe By Nature; Kuke Pule 'Ai; Lotus Garden Hilo; Mother Felter Creations; NAP Glass; Neapolitan Pizza; Orig Media; Palace Grounds Cafe; Pop Culture Artisan Pops; Precision Palms LLC; Simply Homesteady; The Locavore Store; Upcycle Hawaii; Volcano Mushrooms; Volcano Precious Plastics; Whatta Waffle; Wild HeArtist; XLR8HI; Vespucci Collective; Zero Waste Kauai; Hawaiian Ethos; Center for Biological Diversity; Loved by the Sun; Our Revolution Hawaii; Kokua Diaper LLC; Hawai'i Wildlife Fund; Apollo Kauai; Kupuna for the Mo'opuna; 350Hawaii.org; Pacific Whale Foundation; Chamber of Sustainable Commerce; Hilo Downtown Improvement Association; Seed.World; Sea Hugger; Upstream; Climate Protectors Hawai'i; Hawai'i Reef and Ocean Coalition; Big Island Reef Keepers Hui; Kauai Women's Caucus; Association of Home Appliance Manufacturers; Surfriider Foundation; Recycle Hawai'i; Zero Waste O'ahu; Zero Waste Hawai'i Island; and eighty-three individuals. Your Committees received testimony in opposition to this measure from the Odom Corporation; Consumer Healthcare Products Association; Hawai'i Farm Bureau; ABC Stores; American Institute for Packaging and the Environment; American Chemistry Council; FCH Enterprises; Paradise Beverages; Hawaii Crop Improvement Association; CropLife America; Meadow Gold Dairies Hawaii; Island Plastic Bags, Inc.; Island Grown Foods, Inc.; Hawai'i Restaurant Association; Breezeway Consulting LLC; Hawaii Food Industry Association; Wine Institute; American Beverage Association; Chamber of Commerce Hawaii; Retail Merchants of Hawaii; and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance; Animal Health Institute; Urban Ore, Inc.; and one individual.

Your Committees find that the production of waste in Hawaii threatens human health and the environment. To mitigate such damage, the State strives to promote the public policy of reducing the production of waste. Extended producer responsibility policies

are designed to transfer some of the costs associated with waste management to the entities that produce the waste. This measure establishes an Extended Producer Responsibility Program to transfer some of the costs for waste management from taxpayers to waste producers.

Your Committees have amended this measure by:

- (1) Providing that this measure shall not apply to materials used in certain products regulated by federal law; 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 Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2399, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2399, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Rhoads). Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 3492 (Joint) Human Services and Health on H.B. No. 2293

The purpose and intent of this measure is to establish the Prevent Suicide Hawaii Task Force (Task Force) to develop annual recommendations to the Legislature with the goal of reducing suicide by twenty-five percent by 2025.

Your Committees received testimony in support of this measure from the Department of Education, Department of Health, University of Hawai'i System, Prevent Suicide Hawai'i Taskforce, Department of Public Safety, Hawaii Substance Abuse Coalition, Hawaii Psychiatric Association, Mental Health America of Hawai'i, Samaritan Counseling Center Hawaii, Hawai'i Primary Care Association, Hawai'i Health & Harm Reduction Center, Hawai'i Alliance for Progressive Action, and two individuals.

Your Committees find that in Hawaii, suicide accounts for twenty-five percent of all fatal injuries. According to the Department of Health, the percentage of teenagers in the State who plan to attempt suicide and the percentage of teenagers who die by suicide are among the highest in the nation. Your Committees further find that the Task Force convened in 1999 and is the largest and longest-standing grassroots collaborative focused on suicide prevention. This measure codifies the existing Task Force, thereby recognizing its importance to the State.

Your Committees acknowledge the testimony of the Task Force, which proposes amendments to the measure that would use preferred language regarding suicide and consolidate the Task Force's membership.

Therefore, your Committees have amended this measure by:

- (1) Removing the phrase "commit suicide" and replacing it throughout with "die by suicide";
- (2) Consolidating the representatives from each branch of the military into one representative from the Joint Military Suicide Prevention Taskforce;
- (3) Consolidating the named representatives from the Hawaii Chapter of the American Foundation for Suicide Prevention into one representative from the Hawaii Chapter as a whole;
- (4) Updating section 1 to provide more recent statistical data; and
- (5) 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 Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2293, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2293, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

SCRep. 3493 (Joint) Human Services and Housing on H.B. No. 2512

The purpose and intent of this measure is to:

- (1) Expand the statutory exemptions granted to the Ohana Zones Pilot Program contracts;
- (2) Extend the sunset date of the Ohana Zones Pilot Program for three years until June 30, 2026; and
- (3) Appropriate funds for the Ohana Zones Pilot Program, for purposes including expenses relating to staffing, facility construction, provision of services, and administrative costs.

Your Committees received testimony in support of this measure from the Kaua'i County Housing Agency, Partners in Care, Hawai'i Appleseed Center for Law & Economic Justice, Catholic Charities Hawai'i, AARP Hawai'i, Planning for Community LLC, and eleven individuals. Your Committees received testimony in opposition to this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Land and Natural Resources. Your Committees received comments on this measure from the Department of the Attorney General, Department of Defense – Hawai'i Emergency Management Agency, Department of Budget and Finance, and Hawai'i Association of REALTORS.

Your Committees find that Act 209, Session Laws of Hawaii 2018, established the Ohana Zones Pilot Program to provide temporary housing and services to homeless individuals and families based on principles similar to the Housing-First program. "Ohana Zones" is a place that has a program to address basic needs of individuals experiencing homelessness, and where wrap-around services, social and health care services, transportation, and other services may be offered with the goals of alleviating poverty and transitioning individuals experiencing homelessness into affordable housing.

To meet its goal of improving the health and well-being of individuals experiencing homelessness and providing individuals experiencing homelessness with needed services, the Ohana Zones Pilot Program is authorized to provide at each Ohana Zone Site, secure dwelling spaces, medical and social support services, and transportation to appointments related to medical care or supportive services that are not available onsite. To enable expeditious development of Ohana Zones, existing law exempts contracts entered into pursuant to the Ohana Zones Pilot Program from the requirements of the Hawaii Public Procurement Code, chapter 103D, Hawaii Revised Statutes, and state law that governs purchase of health and human services, pursuant to chapter 103F, Hawaii Revised Statutes.

Your Committees also find that due to the uncertain nature of the Ohana Zones Pilot Program's costs and benefits, the Legislature made the program temporary and imposed a sunset date of June 30, 2021, which was extended in 2019 to June 30, 2023. Your Committees believe that further extension of this sunset date and the expansion of statutory exemptions for the Ohana Zones Pilot Program contracts in this measure are critical for the State to address its rate of homelessness, which continues to stand as one of the highest in the nation.

Where Ohana Zones projects are meant to be temporary shelters into which the homeless on the street are provided shelter, temporary exemption status provided in this measure is needed.

Your Committees note multiple testimonies raising concerns over the breadth of regulatory exemptions granted to the Ohana Zones Pilot Program contracts under this measure; specifically, exemptions from Hawaii Revised Statutes that govern Public Procurement (chapter 103D), Wages and Hours of Employees on Public Works (chapter 104), Management and Disposition of Public Lands (chapter 171), and Social Services (chapter 346), as well as sections in chapter 46, with which compliance is required for the State and counties to participate in the National Flood Insurance Program, and could jeopardize the availability of federal flood insurance policies and federal disaster assistance.

Your Committees understand that some Ohana Zone programs like Oahu's HONU have assessment centers within the program that provide referral and wrap around services. Your Committees believe that the establishment of homeless triage centers, which supplement the assessment centers, is also essential for Hawaii to serve the needs of people experiencing homelessness. "Triage center" for the purpose of this measure means crisis assessment and management. The triage, or more appropriately, Crisis Assessment and Management program is meant to supplement, not supplant existing services.

Accordingly, your Committees have amended this measure by:

- (1) Amending section 1 by deleting chapters 103D, 104, 171, and 346, Hawaii Revised Statutes, and excluding sections 46-1.5(5)(B), 46-88(c)(5), and 46-88(j), Hawaii Revised Statutes, from the list of statutory exemptions granted to the Ohana Zones Pilot Program contracts;
- (2) Clarifying that no contract entered into pursuant to the Ohana Zones Pilot Program or structures constructed thereunder shall be exempt from county, state, or federal flood plain management development standards, or statutes, codes, ordinances, rules, or regulations with which compliance is required under the National Flood Insurance Program;
- (3) Establishing a five-year Homeless Triage Center Pilot Program administered by the Department of Human Services to operate homeless triage centers that serve as crisis assessment and management centers that provide temporary shelter and referral services for homeless individuals with serious mental illness, chronic medical conditions, or chronic substance abuse;
- (4) Appropriating \$2,500,000 for the establishment, implementation, and administration of the Homeless Triage Center Pilot program, including funding for one full-time equivalent (1.0 FTE) planner or specialist position; and
- (5) 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 Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2512, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2512, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair and President on behalf of the Committees.

Human Services: Ayes, 3; Ayes with Reservations (Acasio, Ihara). Noes, none. Excused, 2 (Misalucha, Fevella).

Housing: Ayes, 3; Ayes with Reservations (Rhoads). Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3494 (Joint) Transportation and Commerce and Consumer Protection on H.B. No. 1971

The purpose and intent of this measure is to:

- (1) Authorize and regulate peer-to-peer car-sharing, including establishing insurance requirements;
- (2) Impose the general excise tax and rental motor vehicle surcharge tax on peer-to-peer car-sharing programs; and
- (3) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Department of Taxation.

Your Committees received testimony in support of this measure from the Department of Taxation, Hawaii Insurers Council, Enterprise Holdings, American Property Casualty Insurance Association, GEICO, Maui Metropolitan Planning Organization, and the Hawaii Association for Justice. Your Committees received testimony in opposition to this measure from the Department of Commerce

and Consumer Affairs' Offices of Consumer Protection. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs Insurance Division, Tax Foundation of Hawaii, Getaround, and Turo.

Your Committees find that establishment of regulations and clarification of tax rules are necessary for peer-to-peer car-sharing programs. This measure establishes requirements and clarifies taxation laws for peer-to-peer car-sharing programs.

Your Committees note that existing law empowers the Department of Transportation Airports Division to establish policies and rules governing use and access to the airports' premises. Peer-to-peer car-sharing programs should be subject to such rules when operating at airports.

Your Committees have amended this measure by:

- (1) Removing insurance provisions governing peer-to-peer car-sharing;
- (2) Clarifying that both the shared car owner and peer-to-peer car-sharing program are responsible for ensuring cars with recalls are not in circulation;
- (3) Clarifying that the peer-to-peer car-sharing program shall be subject to the rental vehicle surcharge tax; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1971, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1971, H.D. 2, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (San Buenaventura, Fevella).

SCRep. 3495 (Joint) Energy, Economic Development, and Tourism and Labor, Culture and the Arts on H.B. No. 2448

The purpose and intent of this measure is to:

- (1) Require the Department of Business, Economic Development, and Tourism (DBEDT) to establish and maintain a statewide data hub to collect employer and employee data;
- (2) Authorize DBEDT to determine the type of employer and employee data to collect, the functions of the statewide data hub, and access and document retention policies for the data; and
- (3) Appropriate funds for the design, installation, population, and management of a statewide data hub.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Office of Enterprise Technology Services. Your Committees received testimony in opposition to this measure from the Hawaii Food Industry Association, Retail Merchants of Hawaii, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance and Chamber of Commerce Hawaii.

Your Committees find that DBEDT currently does not have the authority to collect and analyze employer data related to industry and occupational wages by county or other employment conditions and practices. Your Committees further find that this type of data is vital to the effective operation of several programs within the purview of DBEDT. Your Committees recognize the concerns of testifiers in opposition regarding the broad language in the measure relating to the employer and employee data to be collected.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that the employer and employee data to be collected by DBEDT is limited to the information and data that is available to the Department of Labor and Industrial Relations pursuant to section 371-11, Hawaii Revised Statutes, regarding research, statistics, and the duty of employers to keep certain records; 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 Energy, Economic Development, and Tourism and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2448, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2448, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Labor, Culture and the Arts: Ayes, 5. Noes, none. Excused, none.

SCRep. 3496 (Joint) Higher Education and Agriculture and Environment on H.B. No. 2305

The purpose and intent of this measure is to appropriate funds to the University of Hawaii for the College of Tropical Agriculture and Human Resources to study diseases affecting the production of ornamental red ginger on Oahu and the neighbor islands and to develop mitigation strategies for any identified diseases.

Your Committees received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; Hawai'i Farm Bureau; Land Use Research Foundation of Hawaii; Hawaii Crop Improvement Association; East Oahu County Farm Bureau; Hawaii Floriculture and Nursery Association; Mulkern Landscaping & Nursery; Hawaii Tropical Flowers and Foliage Association; Maui County Farm Bureau; and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that *alpinia purpurata*, known as ornamental red ginger or flowering ginger, is an herbaceous, perennial plant with bright red or pink floral bracts and inconspicuous white flowers that is popular for tropical landscape designs as well as floral displays. The plant is native to the Pacific Basin and was introduced to Hawaii, where it became naturalized sometime prior to 1930.

Your Committees also find that during recent years, ornamental red ginger growers on Oahu have been reporting outbreaks of diseases causing severe dieback that threaten their livelihood. Reports of crop decline, which originally started in the Kahaluu area of Oahu have spread to surrounding areas, raising concerns over the spread of pathogens. According to the University of Hawaii, the College of Tropical Agriculture and Human Resources and Department of Agriculture were able to identify the presence of various viruses and pathogens that are infecting ornamental ginger. This measure will allow funding for further research on infectious plant diseases to ensure that appropriate measures can be developed and implemented to mitigate or prevent further negative impacts on Hawaii's agriculture, environment, and economy.

As affirmed by the records of votes of the members of your Committees on Higher Education and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2305, H.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 4; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Wakai).

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3497 Education on H.B. No. 1941

The purpose and intent of this measure is to require the Department of Education to establish grant programs to provide funds for the planning and implementation of community schools through a two-year pilot program.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Hawaii Children's Action Network Speaks!, Mahiku A'o Mai, Democratic Party of Hawai'i Education Caucus, Early Childhood Action Strategy, Hawai'i Afterschool Alliance, and one individual.

Your Committee finds that community schools can be a critical educational resource in the State. These schools understand the unique challenges facing their communities, which results in educational experiences that are tailored to the actual needs of the surrounding community. As noted in testimony, these schools also help organize and deploy existing community resources, serving as a beacon for self-improvement, prosperity, and hope. Your Committee further finds, however, that community schools have not yet fully realized their potential as an educational resource in the State. Accordingly, this measure will strengthen communities statewide by establishing a pilot grant program to promote the development and expansion of community schools.

Your Committee has amended this measure by:

- (1) Replacing references to "sustainable community schools" with "community schools";
- (2) Clarifying the definition of "applicant";
- (3) Inserting definitions for "eligible school" and "school leadership team" based on language from the body of the measure;
- (4) Inserting a definition for "pillars of community schools";
- (5) Inserting a new section to clarify the types of grants awardable under the pilot program and maximum funding amounts;
- (6) Clarifying the term of planning grants and implementation grants and extending the term of the pilot program from two to five years;
- (7) Replacing references to "request for proposal" with "application process";
- (8) Streamlining and clarifying the application requirements for planning grants;
- (9) Inserting maximum funding amounts for planning grants and implementation grants;
- (10) Clarifying submission, content, and timing requirements for community school plans;
- (11) Requiring the school leadership team to issue recommendations on a quarterly basis;
- (12) Replacing references to "operational grant" with "implementation grant";
- (13) Clarifying the entity responsible for hiring coordinator and director positions;
- (14) Deleting the requirement to implement certain federal funding and services;
- (15) Clarifying allowable uses of the implementation grant;
- (16) Streamlining and clarifying application requirements for implementation grants;
- (17) Streamlining and clarifying reporting requirements, and clarifying the identity of entities responsible for submission and approval of reports;
- (18) Streamlining and clarifying evaluation criteria for pilot program;
- (19) Inserting an appropriation of unspecified funds for purposes of funding the pilot program and grants;
- (20) Inserting a repeal date of June 30, 2027; and
- (21) Making technical, nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1941, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1941, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3498 Education on H.B. No. 1942

The purpose and intent of this measure is to require the Department of Education to establish a tiered student bus fare rate system to include free bus passes for students and households that qualify for free or reduced lunch under the free and reduced price lunch program.

Your Committee received testimony in support of this measure from Mahiku A'o Mai. Your Committee received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that the Department of Education provides critical student transportation services, particularly for students who lack other transportation options or face hardship in obtaining transportation to school due to economic difficulty. Your Committee further finds that a student who qualifies for free lunch under the free and reduced price lunch program is eligible for a free bus pass. However, free bus passes do not extend to students who qualify for reduced lunch under the program. Accordingly, this measure expands access to student transportation services by establishing a tiered student bus fare system to allow for comparable bus fare rates for students and households that qualify for reduced lunch under the free and reduced price lunch program.

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

As affirmed by the record of votes of the members of your Committee on Education 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 Second Reading in the form attached hereto as H.B. No. 1942, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3499 (Joint) Water and Land and Government Operations on H.B. No. 1672

The purpose and intent of this measure is to expand the purpose and rationale for which counties may create special improvement districts to include:

- (1) Environmental research, restoration, and maintenance; and
- (2) Natural hazard mitigation to improve environmental conditions and provide community benefits.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Sierra Club of Hawai'i, and Waikiki Beach Special Improvement District Association. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committees find that existing law allows counties to create special improvement districts to provide supplemental financial support for purposes of restoring or promoting business activity; however, the needs and demands of these districts has grown to include the management or mitigation of environmental conditions that impact natural resources. As threats to environmental ecosystems continue to increase, including coastal hazards, frequent severe storms and drought, sea level rise, groundwater inundations, and coastal erosion, it is necessary to broaden the counties' authority to create special improvement districts. Therefore, this measure allows the counties to establish special improvement districts for environmental protection and preservation, natural resource management, and natural hazard mitigation.

Your Committees have amended this measure by:

- (1) Clarifying that the purposes of creating a special improvement project district include but are not limited to providing, financing, and coordinating federal, state, and county efforts to further the district's goals;
- (2) Inserting an effective date of July 1, 2022; and
- (3) 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 Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1672, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1672, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Signed by the Chairs on behalf of the Committees.
Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Fevella).
Government Operations: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3500 (Joint) Water and Land and Agriculture and Environment on H.B. No. 1658

The purpose and intent of this measure is to authorize the Department of Agriculture, prior to the transfer of non-agricultural park lands, to request information from the Department of Land and Natural Resources related to the establishment of necessary and reasonable easements upon the land.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Department of Agriculture; Hawai'i Farm Bureau; Local Food Coalition; Hawaii Cattleman's Council, Inc.; Hilo Fish Company; and one individual. Your Committees received comments on this measure from the Land Use Research Foundation of Hawaii, Ulupono Initiative, and one individual.

Your Committees find that Act 90, Session Laws of Hawaii 2003 (Act 90), was enacted to transfer certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture. In 2021, the Act 90 Working Group, established by Act 139, Session Laws of Hawaii 2021, determined that lands under the Department of Land and Natural Resources used for the primary purpose of agricultural production should be transferred to the Department of Agriculture following the conditions and procedures set out by Act 90, Session Laws of Hawaii 2003. Despite its intent to foster collaborative working relationships between the Department of Land and Natural Resources, Department of Agriculture, and lessees of multi-use agricultural lands, lengthy transfer processes have stalled the transfer of lands utilized for the primary purpose of agricultural production.

Your Committees have amended this measure by:

- (1) Exempting easements granted over public lands affecting the transfer of undeveloped public lands between the Department of Land and Natural Resources and the Department of Agriculture, pursuant to Act 90, from formal county subdivision process and approval requirements;
- (2) Requiring the Department of Agriculture to accept the transfer of and manage certain qualifying encumbered non-conservation, non-agricultural park lands, including pasture leases;
- (3) Providing that designated conservation lands not in current agricultural use shall remain under the Department of Land and Natural Resources;
- (4) Requiring the Department of Agriculture, prior to offering a lease, to inquire with the Department of Land and Natural Resources regarding any easements required for access to landlocked forest reserves or other assets on the lands subject to the lease;
- (5) Requiring a lessee to develop a conservation program and plan if conservation resources exist on the land;
- (6) Requiring approval from the Board of Land and Natural Resources and the Board of Agriculture before removing pasture lands for reforestation, or other public purposes;
- (7) Inserting a savings clause;
- (8) Amending section 1 to reflect its amended purpose; and
- (9) 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 Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1658, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1658, H.D. 1, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3501 (Joint) Water and Land and Agriculture and Environment on H.B. No. 1768

The purpose and intent of this measure is to exempt the instream use of water for:

- (1) Traditional and customary kalo cultivation practices; and
- (2) Commercial kalo cultivation conducted in a manner consistent with traditional and customary Native Hawaiian practices from the existing process for disposition of water rights.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Aha Moku, Office of Hawaiian Affairs, one member of the Hawai'i County Council, one member of the Kaua'i County Council, County of Kaua'i Office of the Mayor, Restore the Commons, Center for Biological Diversity, Kua'āina Ulu 'Auamo, Hanalei Watershed Hui, Sierra Club of Hawai'i, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, Kanaeokana Network, 'Ai Pohaku – The Stone Eaters, Wai'oli Valley Taro Hui, Earthjustice, Papa Ola Lōkahi, Waipā Foundation, Hanalei Hawaiian Civic Club, Hui o Nā Wai 'Ehā, Hawai'i Alliance for Progressive Action, Hawaiian Islands Land Trust, 'Ahahui o nā Kauka – Association of Native Hawaiian Physicians, Council for Native Hawaiian Advancement, and twenty-seven individuals. Your Committees received testimony in opposition to this measure from Makahanaloa Fishing Association.

Your Committees find that for nearly two thousand years, Native Hawaiians have been farming successfully on lands throughout the State without adversely impacting the land. As a significant cultural and traditional practice, Native Hawaiian farming practices serve as a key tradition that also benefits the quality of life for Hawaii's residents. While the State has a fiduciary duty to assure the preservation and enhancement of water for various public interests, some regulatory actions disrupt protected cultural rights and traditions of Native Hawaiians.

However, your Committees have heard the concerns of many testifiers, including Hui o Nā Wai 'Ehā, that this measure as drafted should confirm and uphold existing water rights. According to Hui o Nā Wai 'Ehā, protections of traditional, customary, and kuleana rights, including rights to access traditional water course or auwai, support kalo farmers across the State. Some kalo farmers have waited over twenty years to have priority rights recognized. The gap in recognition has led to delays or deprivation of water rights access. To preserve traditional Native Hawaiian cultural rights while also providing clean, safe, and protected water to the people of

Hawaii, amendments to this measure are therefore necessary to provide further justice for kalo farmers to exercise traditional, customary, and kuleana water rights.

Your Committees have amended this measure by:

- (1) Deleting language that would have exempted commercial kalo cultivation conducted in a manner consistent with traditional and customary Native Hawaiian practices from the existing process for disposition of water rights;
- (2) Clarifying that the powers and duties of the Commission on Water Resource Management to determine appurtenant water rights include the specification of the water course or the means of access and delivery entitled to by that right;
- (3) Clarifying that nothing in chapter 174C, part IV, Hawaii Revised Statutes, shall be construed to deny the exercise of an appurtenant right, including the use, access, delivery, and quality of water, by the holder thereof at any time;
- (4) Clarifying that the appurtenant water rights of kuleana and taro lands, include but are not limited to the rights of use, access, delivery, and quality of water;
- (5) Inserting a severability clause;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) 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 Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1768, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1768, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3502 (Joint) Water and Land and Agriculture and Environment on H.B. No. 1872

The purpose and intent of this measure is to:

- (1) Require the Department of Land and Natural Resources to recognize that game mammals and game birds provide a food source;
- (2) Require the Department of Land and Natural Resources to recognize that striking an appropriate 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;
- (3) Require the Department of Land and Natural Resources to recognize that 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; and
- (4) 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 department, office, or agency employs.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Farm Bureau; Good Shepherd Foundation; Hawaii Sportsmen's Alliance; Wailoa River and Reeds Bay Boater and User Association Inc.; Hawaii Cattlemen's Council, Inc.; Hawaii Firearms Coalition; Hawai'i Forest Industry Association; Hawaii County Game Management Advisory Commission; Native Hawaiian Gathering Rights Association; and six individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that it is important to balance the management of game populations with the sustainability of their natural habitats to reduce negative impacts to significant watershed areas. Hunting game mammals and birds is an accepted generational practice that helps many local families and individuals supplement their food supply. If game and bird populations are left unmanaged, they can contribute to environmental degradation to both farmland and the natural environment. However, game mammals are also a first line of defense against wildfires that can destroy native trees and cause the growth of additional invasive plants. This measure will help guide the Department of Land and Natural Resources to balance hunting with the management of healthy ecosystems.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the Department of Land and Natural Resources to recognize that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1872, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1872, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5; Ayes with Reservations (Riviere, Fevella). Noes, none. Excused, none.

Agriculture and Environment: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3503 (Joint) Water and Land and Energy, Economic Development, and Tourism on H.B. No. 1788

The purpose and intent of this measure is to:

- (1) Establish the Waiakea Peninsula Redevelopment District and Redevelopment and Planning Committee for the redevelopment of public lands on the Waiakea peninsula;
- (2) Establish the Waiakea Peninsula Redevelopment District Revolving Fund; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Hawai'i Primary Care Association. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, League of Women Voters of Hawaii, and three individuals. Your Committees received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committees find that the County of Hawaii has faced considerable challenges in diversifying its local economy, despite public lands on the Waiakea Peninsula holding significant potential for reasoned and strategic development due to its close proximity to hotels and sections of Hilo Bay. This measure is intended to promote redevelopment of the Waiakea Peninsula area and would establish a committee to act as the policy-making body for the redevelopment district.

Your Committees note the concerns raised in testimony that this measure, as currently written, adds unnecessary administrative burdens, designates the Waiakea Peninsula Redevelopment District on public lands and excludes important infrastructure components, and complicates the Department of Land and Natural Resources' funding sources regarding lease revenues, among other items. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

- (1) Substituting the Redevelopment and Planning Committee for the Waiakea Peninsula Redevelopment District with a working group to serve as an advisory body to the Board of Land and Natural Resources and to:
 - (A) Assess the challenges to and desired outcomes for redevelopment; and
 - (B) Make findings and recommendations for proposed redevelopment to the Board of Land and Natural Resources for consideration in an open meeting in accordance with chapter 92, Hawaii Revised Statutes;
- (2) Requiring the working group to consist of the following members:
 - (A) The Chairperson of the Board of Land and Natural Resources, or the Chairperson's designee;
 - (B) The Administrator of the Land Division of the Department of Land and Natural Resources, or the Administrator's designee;
 - (C) The Director of the Office of Planning and Sustainability, or the Director's designee;
 - (D) The Chairperson of the Senate Committee on Water and Land, or the Chairperson's designee;
 - (E) The Chairperson of the House of Representatives Committee on Water and Land, or the Chairperson's designee; and
 - (F) The Director of Planning of the County of Hawaii, or the Director's designee;
- (3) Clarifying that the working group shall conduct its work through meetings, informational briefings, and consultation with Department of Land and Natural Resources' lessees, interested community members and organizations, and persons who have expressed an interest in redevelopment projects in the Waiakea Peninsula Redevelopment District;
- (4) Requiring the Department of Land and Natural Resources to provide any necessary administrative support to the working group;
- (5) Deleting language that would have established the powers and duties of the Redevelopment and Planning Committee;
- (6) Clarifying that the working group shall prepare, or cause to be prepared through one or more planning departments or consultants procured through the department, a redevelopment plan for the Waiakea Peninsula Redevelopment District, which may include certain criteria;
- (7) Deleting language that would have required the redevelopment plan to include areas principally for processing, construction, deconstruction, manufacturing, transportation, wholesaling, storage, and similar industrial activities, and the required parceling of land into minimum size areas related to specific uses;
- (8) Clarifying that the Board of Land and Natural Resources may withdraw dormant or underutilized public land under existing public auction or directly negotiated leases for other priority needs or purposes under certain circumstances, which shall apply retroactively to all existing leases;
- (9) Requiring the working group to submit the redevelopment plan to the Board of Land and Natural Resources for approval and requiring the Board, rather than the Redevelopment and Planning Committee, to hold a public hearing on the proposed redevelopment plan;
- (10) Clarifying that the Board of Land and Natural Resources shall submit a preliminary report to the Legislature of its findings and recommendations, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2024;
- (11) Deleting language that would have regulated leases renewed or reissued by the Redevelopment and Planning Committee;

- (12) Deleting language that would have established the Waiakea Peninsula Redevelopment District Revolving Fund;
- (13) Deleting Sections 3 through 7 of the measure;
- (14) Inserting language appropriating an unspecified amount of general funds to the Department of Land and Natural Resources for the establishment and operations of the Waiakea Peninsula Redevelopment District Working Group;
- (15) Deleting the repeal date of June 30, 2032;
- (16) Amending Section 1 of the measure to reflect its amended purpose; and
- (17) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees further note the questions raised in the hearing on this measure concerning whether the Waiakea Peninsula Redevelopment District Working Group should terminate after a certain date, or continue in perpetuity, and whether the Board of Land and Natural Resources should submit subsequent reports, or a final report in 2026, to the Legislature. Your Committees find that these issues merit further consideration and request that your Committee on Ways and Means examine those issues and concerns further.

As affirmed by the records of votes of the members of your Committees on Water and Land and Energy, Economic Development, and Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1788, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1788, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

SCRep. 3504 Energy, Economic Development, and Tourism on H.B. No. 2256

The purpose and intent of this measure is to:

- (1) Establish a Department of Environmental Protection on July 1, 2026;
- (2) Create a Department of Environmental Protection Working Group (Working Group) to address the logistics required for the State to establish a Department of Environmental Protection; and
- (3) Require the Working Group to submit a report to the Legislature prior to the 2025 Regular Session.

Your Committee received testimony in support of this measure from the State Environmental Advisory Council, City and County of Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Reef and Ocean Coalition, Climate Protectors Hawai'i, Rotary Club of Hanalei Bay, WAI: Wastewater Alternatives & Innovations, Hawaii Association for Marine Education and Research, Coral Reef Alliance, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Department of Health, Hawaii State Energy Office, and Office of Planning and Sustainable Development.

Your Committee finds that the State's current environmental protection functions are scattered across various executive departments and agencies. Your Committee believes that the establishment of an executive-level Department of Environmental Protection would allow the State to better manage and develop its projects that are dedicated to implement the environmental policy goals enacted by the Legislature.

Your Committee has amended this measure by:

- (1) Removing language regarding the Department of Environmental Protection Working Group;
- (2) Creating:
 - (A) The position of Director of Environmental Protection; and
 - (B) A Board of Environmental Protection to which the Director of Environmental Protection shall report;
- (3) Directing the Department of Environmental Protection to manage energy and develop projects that protect the environment of the State;
- (4) Transferring the Hawaii State Energy Office into a division within the Department of Environmental Protection; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2256, H.D. 1, S.D. 1, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as H.B. No. 2256, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Riviere, Fevella). Noes, none. Excused, none.

SCRep. 3505 Higher Education on H.B. No. 2024

The purpose and intent of this measure is to:

- (1) Establish the Mauna Kea Stewardship Authority as the sole authority for management of state-managed lands on Mauna Kea;

- (2) Require the Authority to develop a single plan that dictates the management of land uses; human activities, uses, and access; stewardship; education; research; disposition; and overall operations;
- (3) Require the Authority to develop a framework to limit astronomy development on Mauna Kea;
- (4) Allow the Authority to prohibit certain commercial use and activities on Mauna Kea;
- (5) Require an application and fee for all recreational users of Mauna Kea;
- (6) Establish the Mauna Kea Management Special Fund;
- (7) Repeal the Mauna Kea Lands Management Special Fund; and
- (8) Appropriate funds.

Your Committee received testimony in support of this measure from ‘Āina Aloha Economic Futures Initiative, Hawaiian Civic Club of Hilo, Protect Kaho‘olawe ‘Ōhana, ‘Ahahui o nā Kauka, Kamehameha Schools, Hawai‘i Alliance for Progressive Action, and twenty-three individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, University of Hawai‘i System, University of Hawai‘i Board of Regents, Kona-Kohala Chamber of Commerce, Hawaii Island Economic Development Board, Mauna Kea Hui, Hawai‘i Island Chamber of Commerce, Center for Hawaiian Sovereignty Studies, Hawaii Business Roundtable Incorporated, Pana‘ewa Hawaiian Home Lands Community Association, and one hundred thirty-seven individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Office of Hawaiian Affairs, Maunakea Observatories, and one individual.

Your Committee finds that Mauna Kea is a place that holds significant cultural value and scientific potential. However, the management of Mauna Kea has evolved into a divisive issue, in part from the University of Hawai‘i’s “snail pace” in addressing the management deficiencies and lack of community engagement. When initial protests began against the construction of telescopes on Mauna Kea, the University of Hawai‘i Board of Regents became paralyzed rather than developing a sense of urgency. The University of Hawai‘i failed to adopt administrative rules governing public and commercial activities to ensure effective management and enforcement for the protection and preservation of the natural and cultural resources. Concerns raised throughout Hawai‘i’s communities focused on the lack of confidence within the University of Hawai‘i’s leadership to continue its management of Mauna Kea. In 2019, the University of Hawai‘i Board of Regents adopted Resolution 19-03, which provided the President of the University of Hawai‘i with a framework and deadlines to address ongoing issues on Mauna Kea. As future activities on Mauna Kea affect various communities across the State, addressing the management of Mauna Kea is a matter of statewide concern.

In 2021, the House of Representatives convened a working group to develop recommendations for a governance and management structure for Mauna Kea, pursuant to House Resolution No.33, House Draft 1, Regular Session of 2021. The Mauna Kea Working Group was tasked with the development of recommendations, elaborating on the findings of the Independent Evaluation of the Implementation of the Mauna Kea Comprehensive Management Plan, and determined a new governance and management structure for Mauna Kea that collaboratively engages with all stakeholders, particularly the Native Hawaiian community.

Despite the work completed by the Mauna Kea Working Group to address the management of the Mauna, your Committee notes that this measure, as drafted, may not allow a newly created authority to manage Mauna Kea, envisioned by the Mauna Kea Working Group, without financially overburdening the taxpayers. In addition, your Committee recognizes that the needs of the University of Hawai‘i’s astronomy program must also be met. To address the myriad of stakeholders regarding Mauna Kea, a gradual transition, transformation, and change in a sustainable way will require constant review and accountability to ensure effective management.

As the proposed Mauna Kea Stewardship and Oversight Authority will be a new board, your Committee encourages the Authority to strive to be a financially self-sustaining body. As your Committee notes, mitigation of financially overburdening taxpayers is of utmost importance.

Your Committee also notes the concerns from the Department of the Attorney General and constituents regarding the race-based criteria for the proposed Mauna Kea Stewardship Authority membership and the usage of the name “Mauna a Wākea.” Creating selection criteria for board members based on race or ethnicity may pose legal challenges and inadvertently prohibit qualified candidates who are interested in serving on the Authority. To address the concerns of the Attorney General and community members, your Committee recommends the removal of race-based criteria in this measure and reverting all instances of “Mauna a Wākea” to “Mauna Kea”. Your Committee also recommends that the Senate committees whose purview are higher education and water and land lead the advise and consent hearings to confirm qualified community members to serve on the Authority.

To recognize the importance of science and astronomy research on Mauna Kea, your Committee notes that, to fulfill the University of Hawai‘i’s astronomy program needs, the University shall receive at least seven percent, and up to fifteen percent, of total viewing time at telescopes situated on Mauna Kea.

Finally, your Committee further notes the concerns regarding the membership of the University of Hawai‘i, Hilo Chancellor as an ex officio nonvoting member of the Mauna Kea Stewardship and Oversight Authority. As the University of Hawai‘i, Hilo Chancellor has been remotely working away from Hawai‘i since June 2021, your Committee raised concerns that the Chancellor may not fully understand the issues regarding the management of Mauna Kea or attend meetings that are vital to the Authority’s success. As the University of Hawai‘i, Hilo, will play a major role with the new Mauna Kea Stewardship and Oversight Authority, it is imperative that the Chancellor be present to ensure the enactment of the Authority’s mission.

Your Committee has amended this measure by:

- (1) Changing references from “Mauna a Wākea” to “Mauna Kea” throughout the measure;
- (2) Changing the name of the proposed authority to the Mauna Kea Stewardship and Oversight Authority (Authority) as the principal authority for the management of state-managed lands above the 9,200 feet elevation line on Mauna Kea, in conjunction with the Department of Land and Natural Resources;

- (3) Changing the composition of the Authority to include eleven voting members, with the Chancellor of the University of Hawaii, Hilo serving as an ex officio nonvoting member;
- (4) Establishing term lengths of three years and term limits of not more than four partial or full terms for Authority members;
- (5) Requiring the Authority to be financially self-sustaining by the first year following the three-year transitional period;
- (6) Limiting administrative expenses to five percent of the Authority's budget;
- (7) Deleting certain provisions to increase flexibility for the Authority to develop a workable management plan;
- (8) Requiring the timely decommissioning of the California Institute of Technology (Caltech) Submillimeter Telescope and the University of Hawaii, Hilo Hōkūke'a Teaching Telescope;
- (9) Providing that certain renewal of lease terms and other leases that result in terms that exceed sixty-five years require approval by supermajority vote of Authority members;
- (10) Requiring the Authority to allow the University of Hawaii a certain amount of viewing time at the telescopes;
- (11) Requiring annual reports to the Legislature, beginning with the Regular Session of 2024;
- (12) Removing the section that would have excluded Mauna Kea lands from the definition of "public lands";
- (13) Requiring the Auditor to conduct a performance and financial audit of the Authority and submit a report to the Legislature before the convening of the Regular Session of 2029;
- (14) Requiring the University of Hawaii Board of Regents and President to exercise their management authority under chapter 304A, Hawaii Revised Statutes, only to the extent necessary to assist the transition of management to the Mauna Kea Stewardship and Oversight Authority;
- (15) Requiring the University of Hawaii to continue equitably funding the Authority;
- (16) Inserting an appropriation of \$12,000,000 for startup costs for the Authority;
- (17) Inserting a blank appropriation for one full-time equivalent (1.0 FTE) executive assistant position, who shall also serve as secretary to the Authority, and who shall be exempt from chapter 76, Hawaii Revised Statutes, to support the Authority;
- (18) Amending section 1 to reflect its amended purpose;
- (19) Requiring the University of Hawaii, Hilo to provide supports to the transition;
- (20) Providing that, if the Auditor's report finds that the Authority is unfit to continue its stewardship and oversight roles, then the management of Mauna Kea lands reverts back to the University of Hawaii Board of Regents and President;
- (21) Amending section 1 to reflect its amended purpose;
- (22) Making it effective on January 1, 2055, to encourage further discussion; and
- (23) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2024, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2024, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Wakai). Noes, none. Excused, none.

SCRep. 3506 (Joint) Energy, Economic Development, and Tourism and Government Operations on H.B. No. 1785

The purpose and intent of this measure is to require the Legislative Reference Bureau to conduct a study that identifies and analyzes alternative tourism governance systems and to submit a report to the Legislature of potential tourism governance options for its consideration.

Your Committees received testimony in support of this measure from the Hawaii Tourism Authority, Maui Chamber of Commerce, and two individuals.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees received comments on this measure from the Department of Budget and Finance, Legislative Reference Bureau, and State Procurement Office.

Your Committees recognize the significance of tourism to the State's economy but are also cognizant of the strain that tourism places on our daily lives and infrastructure. Further, your Committees share the long-standing concern that the Hawaii Tourism Authority's 2020 adopted destination management strategic plan will face the same fate as its 2005-15 strategic plan, which lacked a formal system and failed to achieve lasting results.

To ensure a lasting achievement of the destination management plan with its four major "pillars," your Committees believe that establishing those goals and objectives in statute and aligning the Hawaii Tourism Authority's organizational structure would enhance the authority's ability to execute the governance recommendations resulting from the governance study.

Your Committees believe the following amendments will align the Hawaii Tourism Authority's current mission with its destination management action plans, facilitate the execution of its plans more quickly and effectively, and improve the Authority's accountability:

- (1) Utilizing part III of SB No. 106, which defines destination management objectives, and placing that language into the measure;
- (2) Establishing an organizational structure that broadens the Hawaii's Tourism Authority's functions beyond branding and culture by adding the other destination management functions – community and environment - to ensure the organizational objectives are aligned with the organizational structure;
- (3) Aligning appropriations to the authority with objectives, functions, and actions, by providing five funding mechanisms to allow the Hawaii Tourism Authority to execute its four pillars and also meet administrative expenses. The appropriations, in addition to the necessary administrative budget, are as follows:
 - (A) Hawaiian Culture - \$12,903,800;
 - (B) Natural Resources - \$7,652,500;
 - (C) Community - \$16,436,783; and
 - (D) Branding - \$15,322,500.

Your Committees note that the total Hawaii Tourism Authority budget proposed in this measure totals \$60,000,000, which is what the Hawaii Tourism Authority Board has approved. In contrast, the House of Representatives budget has \$1;

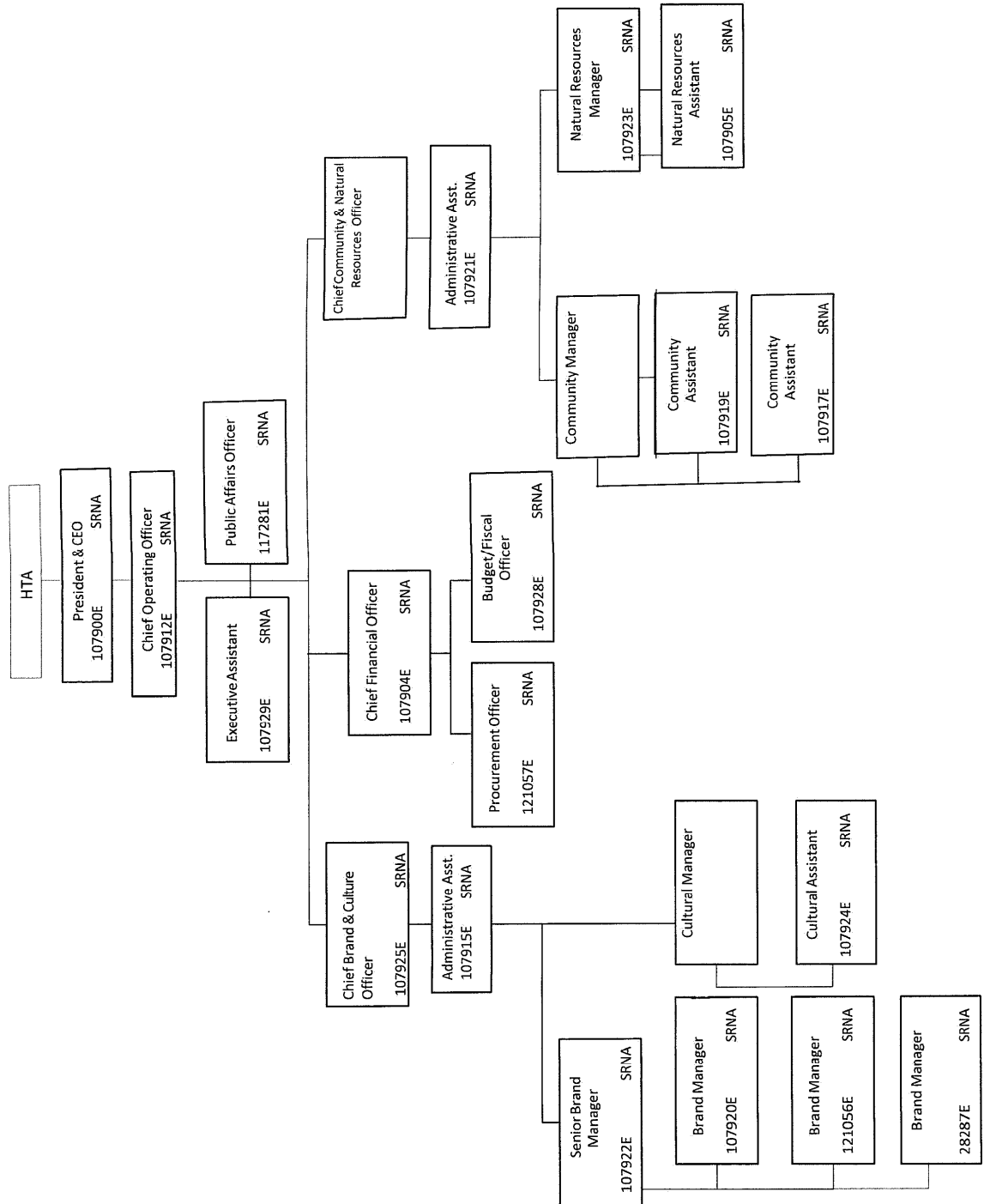
- (4) Prohibiting any contractor hired to address one pillar from engaging in responsibilities for multiple pillars. For example, a branding contractor cannot perform work in the community or cultural pillars when that is not their area of expertise; and
- (5) Requiring that all branding contracts be performance based.

In summary, your Committees find that part I of this measure will better achieve the expected study results of alternative tourism governance options. While your Committees look forward to the results of the required study in 2025, your Committees believe that, in the meantime, these amendments will conform the statute to the destination management action plans and enable the authority to continue to act on its destination management action plans. Further, the revamping of the Hawaii Tourism Authority will clearly be set up to support the four pillars. Your Committees also find that adding \$60,000,000 will assist the Hawaii Tourism Authority to execute its responsibilities in this new direction.

Accordingly, your Committees have amended this measure by:

- (1) Establishing in statute the four core functions under which the Hawaii Tourism Authority shall operate programs;
- (2) Requiring the Hawaii Tourism Authority to perform actions specified in the Authority's destination management action plans;
- (3) Prohibiting the Authority from contracting with entities for services or programs that fall within more than one of the four core functions;
- (4) Requiring all branding contracts to be performance-based;
- (5) Requiring the organization of the Hawaii Tourism Authority to reflect the four core functions, and establishing applicable positions; and
- (6) Appropriating moneys to the Hawaii Tourism Authority.

Your Committees note that the following organizational chart, reflecting a focus on the four "pillars" or core functions of the Hawaii Tourism Authority, graphically depicts your Committees' intended organizational structure of the Hawaii Tourism Authority, as contemplated under this measure:



Your Committees note that all existing employees will be retained, but that some of the positions will be redescribed.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1785, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1785, H.D. 1, S.D. 1, and be referred to your Committees on Labor, Culture and the Arts and Ways and Means.

Signed by the Chairs on behalf of the Committees.
 Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).
 Government Operations: Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3507 Health on Gov. Msg. Nos. 532 and 533

Recommending that the Senate advise and consent to the nominations of the following:

HEALTH PLANNING COUNCIL, WEST OAHU SUBAREA

G.M. No. 532 PAUL ROEDER, for a term to expire 06-30-2023; and

G.M. No. 533 MAE PATRICIA LA CHICA, for a term to expire 06-30-2023

Your Committee reviewed the personal histories, resumes, and statements submitted by Paul Roeder and Mae Patricia La Chica for service on the Health Planning Council, West Oahu Subarea.

PAUL ROEDER

Your Committee received testimony in support of the nomination for the appointment of Paul Roeder from the State Health Planning and Development Agency, Kaiser Permanente Hawaii, and one individual.

Upon review of the testimony, your Committee finds that Mr. Roeder's experience as a health care analyst and consultant, commitment to public service, and analytical skill set qualify him for appointment to the Health Planning Council, West Oahu Subarea. Mr. Roeder is currently a Senior Consultant with Kaiser Permanente. Prior to that, Mr. Roeder served as a Lead Consultant and Senior Analyst with Kaiser Permanente and a Research Associate with the Naval Postgraduate School. Your Committee notes that Mr. Roeder has over eight years of experience in health care, six of which have focused on local health topics. His educational background is in statistics, economics, and optimization theory, and he also possesses two years of legal training. Mr. Roeder earned a Bachelor's degree in Economics and Statistics and a Master's of Science in Statistics from California State University.

Mr. Roeder indicated in his personal statement that he is eager to help his community and to take challenging health questions facing the State such as health care provider shortages, an aging population with increased care requirements, as well as exploring and addressing social determinants of health such as housing and economic uncertainty. Mr. Roeder has served on the Health Planning Council, West Oahu Subarea, as an intern member since September 2021 and is familiar with the duties and responsibilities of members.

Your Committee therefore recommends that Paul Roeder be appointed to the Health Planning Council, West Oahu Subarea based on his experience in health care analysis and commitment to improving the health of the community.

MAE PATRICIA LA CHICA

Your Committee received testimony in support of the nomination for the appointment of Mae Patricia La Chica from the State Health Planning and Developmental Agency, AlohaCare, American Heart Association, Hawaii Children's Action Network Speaks!, Hawai'i Public Health Institute, and five individuals.

Upon review of the testimony, your Committee finds that Ms. La Chica's experience as a public health advocate, commitment to public service, and passion for improving the health of the community, qualify her for appointment to the Health Planning Council, West Oahu Subarea. Ms. La Chica is currently the Executive Director of the Office of Housing for the City and County of Honolulu. Prior to that, Ms. La Chica served as community and government relations manager for AlohaCare, Policy and Advocacy Director for the Hawai'i Public Health Institute, and a policy analyst for the Governor. Your Committee notes that Ms. La Chica has authored key sections of the Hawaii State Health Care Innovation Plan and has co-authored several articles regarding public health. Ms. La Chica earned a Bachelor's degree in Communications from Ateneo de Manila University and a Master's in Public Administration from the University of San Francisco.

Ms. La Chica indicated in her personal statement that her work in public health, health care, and social services has given her the relevant experience necessary to serve effectively on the Health Planning Council, West Oahu Subarea, and advocate for the health needs of Central and West Oahu. Your Committee notes that Ms. La Chica has served on the Health Planning Council, West Oahu Subarea as an interim member since August 2021 and therefore is familiar with the duties and responsibilities of the Council.

Your Committee therefore recommends that Mae Patricia La Chica be appointed to the Health Planning Council, West Oahu Subarea based on her experience in public health and commitment to the health and well-being of the community.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
 Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3508 Health on Gov. Msg. Nos. 604, 605, 606, 607, 608, 609, 610, 611, 612, and 613

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

G.M. No. 604 MICHELLE ARAKAWA, for a term to expire 06-30-2026;

G.M. No. 605 KIRIKO TAKAHASHI, for a term to expire 06-30-2026;

G.M. No. 606 JANE PREECE, for a term to expire 06-30-2025;

- G.M. No. 607 KEVIN BARDSLEY-MARCIAL, for a term to expire 06-30-2022;
- G.M. No. 608 KEVIN BARDSLEY-MARCIAL, for a term to expire 06-30-2026;
- G.M. No. 609 HO'OPI'OOKALANI BALAZ, for a term to expire 06-30-2024;
- G.M. No. 610 SHANA METSCH, for a term to expire 06-30-2025;
- G.M. No. 611 HOWARD GREENBERG, for a term to expire 06-30-2026;
- G.M. No. 612 REINALYN TERRADO, for a term to expire 06-30-2022; and
- G.M. No. 613 REINALYN TERRADO, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Michelle Arakawa, Kiriko Takahashi, Jane Preece, Kevin Bardsley-Marcial, Ho'opi'ookalani Balaz, Shana Metsch, Howard Greenberg, and Reinalyn Terrado for service on the State Council on Developmental Disabilities.

MICHELLE ARAKAWA

Your Committee received testimony in support of the nomination for the reappointment of Michelle Arakawa from the State Council on Developmental Disabilities.

Upon review of the testimony, your Committee finds that Ms. Arakawa's experience as an educator, commitment to public service, and passion for assisting students with special needs, qualify her for reappointment to the State Council on Developmental Disabilities. Ms. Arakawa is currently an Educational Specialist with the Department of Education. Prior to that, Ms. Arakawa served as Student Services Coordinator, Special Education Department Chair, and a special education teacher, all at Kailua Intermediate School. Ms. Arakawa earned a Bachelor's degree in English from the University of Hawai'i at Manoa and a Master's of Arts in Education from Chaminade University.

Your Committee further finds that because she represents the Department of Education, Ms. Arakawa's service on State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that a member be a representative of a state entity that administers funds provided under federal law relating to individuals with disabilities. Your Committee notes that Ms. Arakawa currently serves on the State Council on Developmental Disabilities and therefore is already familiar with its work.

Your Committee therefore recommends that Michelle Arakawa be reappointed to the State Council on Developmental Disabilities based on her experience in special education and commitment to improving the lives of persons with developmental disabilities.

KIRIKO TAKAHASHI

Your Committee received testimony in support of the nomination for the reappointment of Kiriko Takahashi from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, University of Hawai'i Center on Disability Studies, and seven individuals.

Upon review of the testimony, your Committee finds that Dr. Takahashi's experience as an expert on persons with disabilities, commitment to public service, and passion for improving the lives of persons with disabilities, qualify her for reappointment to the State Council on Developmental Disabilities. Dr. Takahashi currently serves as the Interim Director of and Associate Specialist at the Center on Disabilities at the University of Hawai'i at Manoa, Director of the Pacific Basin University Center for Developmental Disabilities, and Project Associate Professor at the Research Center for Advanced Science and Technology of the University of Tokyo. Prior to that, Dr. Takahashi served as an assistant specialist, junior specialist, and product specialist for the Center on Disability Studies. Furthermore, she has also co-authored numerous articles published in academic journals regarding students with developmental disabilities. Dr. Takahashi earned a Bachelor's degree in Sociology and Speech and a Master's in Arts in Learning Disabilities from Northwestern University, and a Doctor of Philosophy from the University of Hawai'i at Manoa.

Your Committee further finds that Dr. Takahashi's service on the State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that a member be a representative of the University Centers from Excellence in Developmental Disabilities, Education, Research, and Service. Your Committee notes that Dr. Takahashi currently serves on the State Council on Developmental Disabilities and therefore is already familiar with its work.

Your Committee therefore recommends that Kiriko Takahashi be reappointed to the State Council on Developmental Disabilities based on her experience in developmental disabilities research and commitment to improving the lives of persons with developmental disabilities.

JANE PREECE

Your Committee received testimony in support of the nomination for the appointment of Jane Preece from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, and one individual.

Upon review of the testimony, your Committee finds that Ms. Preece's experience as an attorney for the rights of persons with developmental disabilities, commitment to public service, and passion for improving the lives of persons with developmental disabilities, qualify her for appointment to the State Council on Developmental Disabilities. Ms. Preece is currently a staff attorney for the Hawaii Disability Right Center. Prior to that, Ms. Preece worked at the Hawaii Office of Disciplinary Counsel and maintained a solo family law litigation practice. Your Committee notes that Ms. Preece has over thirty years of legal experience; has published numerous articles in Family Law News, a publication of the Family Law Section of the State Bar of California; and was named Family Law Attorney of the Year by the Legal Aid Association of California. Ms. Preece earned a Bachelor's degree in Economics from the University of California, Berkeley, and a Juris Doctorate from the University of California, Hastings College of the Law.

Your Committee further finds that Ms. Preece's service on State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that a member be a representative of the state protection and advocacy system. Your Committee notes that Ms. Preece currently serves as an interim member on the State Council on Developmental Disabilities and therefore is already familiar with its work.

Your Committee therefore recommends that Jane Preece be appointed to the State Council on Developmental Disabilities based on her experience in legal advocacy for persons with disabilities and commitment to improving the lives of persons with developmental disabilities.

KEVIN BARDSLEY-MARCIAL

Your Committee received testimony in support of the nomination for the appointment and reappointment of Kevin Bardsley-Marcial from the State Council on Developmental Disabilities, Hawaii Self Advocacy Advisory Council, and one individual.

Upon review of the testimony, your Committee finds that Mr. Bardsley-Marcial's experience as a director for a non-profit organization serving people with developmental disabilities, commitment to public service, and passion for improving the lives of persons with developmental disabilities, qualify him for appointment and reappointment to the State Council on Developmental Disabilities. Mr. Bardsley-Marcial is currently the Director of Intellectual Disability Services for Goodwill Industries of Hawai'i and a consultant for Balanced ABA, an organization that provides applied behavior analysis. Prior to that, Mr. Bardsley-Marcial served as a consultant for Full Life, a non-profit dedicated to serving those with developmental disabilities, and was the community liaison and held various positions with BAYADA Home Care, a non-profit organization serving individuals with a variety of behavioral health needs. Your Committee notes that Mr. Bardsley-Marcial has also served on the Hawai'i Best Buddies Advisory Board, and is a member of the West Honolulu Children's Community Council. Mr. Bardsley-Marcial earned a Bachelor's degree in Political Science and Psychology from the University of Hawai'i at Manoa, and a Master's of Arts in Education from the University of Phoenix.

Your Committee further finds that Mr. Bardsley-Marcial's service on State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that a member be a representative of a local, non-governmental agency. Your Committee notes that Mr. Bardsley-Marcial currently serves on the State Council on Developmental Disabilities and therefore is already familiar with the its work.

Your Committee therefore recommends that Kevin Bardsley-Marcial be appointed and reappointed to the State Council on Developmental Disabilities based on his experience in working with non-profit organizations dedicated to individuals with disabilities and commitment to improving the lives of persons with developmental disabilities.

HO'OPI'OOKALANI BALAZ

Your Committee received testimony in support of the nomination for the appointment of Ho'opi'ookalani Balaz from the State Council on Developmental Disabilities, Hawaii Self Advocacy Advisory Council, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Balaz's experience as an active member of various organizations serving individuals with developmental disabilities, commitment to public service, and passion for improving the lives of persons with developmental disabilities, qualify him for appointment to the State Council on Developmental Disabilities. Mr. Balaz is currently a trainer for Feeling Safe, Being Safe Emergency Preparedness, an initiative designed to help individuals with disabilities be prepared in an emergency. Your Committee notes that Mr. Balaz has also volunteered for the Alzheimer's Association Walk, Best Buddies Hawaii Friendship Jam, and Special Olympics Hawaii. He also serves the community by being a Hawaii Self-Advocacy Council officer, Best Buddies Hawaii board member and ambassador, Toastmasters Hawaii member, Tammy Evrard Counseling member, and participant in the Special Olympics Hawaii. Mr. Balaz earned a high school diploma from Leilehua High School.

Your Committee further finds that section 333E-4, Hawaii Revised Statutes, requires that the State Council on Developmental Disabilities have not less than sixty percent of its membership consist of individuals with developmental disabilities. Mr. Balaz's appointment helps fulfill this requirement. Mr. Balaz indicated in his personal statement that his goal for being a representative of the State Council on Developmental Disabilities is to help people with developmental disabilities have a better future in this world. Your Committee notes that Mr. Balaz currently serves as an interim member of the State Council on Developmental Disabilities and therefore is already familiar with its work.

Your Committee therefore recommends that Ho'opi'ookalani Balaz be appointed to the State Council on Developmental Disabilities based on his experience in serving various organizations dedicated to persons with developmental disabilities and commitment to improving the lives of persons with developmental disabilities.

SHANA METSCH

Your Committee received testimony in support of the nomination for the appointment of Shana Metsch from the State Council on Developmental Disabilities.

Upon review of the testimony, your Committee finds that Ms. Metsch's experience as a mother of a child with developmental disabilities, commitment to public service, and passion for improving the lives of persons with developmental disabilities, qualify her for appointment to the State Council on Developmental Disabilities. Ms. Metsch has over a decade of experience advocating and participating in community outreach focused on supporting disabled community members. In her advocacy, Ms. Metsch helps the disabled community evaluate their patient care for effectiveness and works with support networks and the Legislature to assure that disabled community members have the support needed for their Medicaid and health plans. Ms. Metsch also has extensive knowledge and working experience with the Department of Health, Department of Human Services, and Hawaii Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee further finds that Ms. Metsch's service on State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that certain members be parents of individuals with developmental disabilities.

Your Committee notes that Ms. Metsch currently serves on the State Council on Developmental Disabilities and therefore is already familiar with its work.

Your Committee therefore recommends that Shana Metsch be appointed to the State Council on Developmental Disabilities based on his experience as a mother of a child with developmental disabilities and commitment to improving the lives of persons with developmental disabilities.

HOWARD GREENBERG

Your Committee received testimony in support of the nomination for the appointment of Howard Greenberg from the State Council on Developmental Disabilities.

Upon review of the testimony, your Committee finds that Mr. Greenberg's experience as a father of a child with developmental disabilities, commitment to public service, and passion for improving the lives of persons with developmental disabilities, qualify him for appointment to the State Council on Developmental Disabilities. Mr. Greenberg is currently the President of Autism Management Service, Inc., an organization that provides autism related services. Your Committee notes that Mr. Greenberg is also the founder and President of the Maui Autism Center Foundation, a non-profit organization established to help people with developmental disabilities. Mr. Greenberg earned a Bachelor's degree in Psychology from Florida State University and a Master's of Education from Arizona State University.

Your Committee further finds that Mr. Greenberg's service on State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that certain members be parents of individuals with developmental disabilities.

Your Committee therefore recommends that Howard Greenberg be appointed to the State Council on Developmental Disabilities based on his experience as a father of a child with developmental disabilities and commitment to improving the lives of persons with developmental disabilities.

REINALYN TERRADO

Your Committee received testimony in support of the nomination for the appointment and reappointment of Reinalyn Terrado from the State Council on Developmental Disabilities and one individual.

Upon review of the testimony, your Committee finds that Ms. Terrado's experience as a mother of a child with developmental disabilities, commitment to public service, and passion for improving the lives of persons with developmental disabilities, qualify her for appointment and reappointment to the State Council on Developmental Disabilities. Ms. Terrado is currently a parent consultant for the Leadership in Disabilities and Achievement of Hawaii, an organization dedicated to ensuring children with disabilities receive a proper public education. Prior to that, Ms. Terrado served as an outreach advocate for the Hawaii Disability Rights Center. Your Committee notes that Ms. Terrado has volunteered with several advocacy organizations, including the Hawaii Early Intervention Coordinating Council and the special needs ministry of One Love Ministries, and is a published author. Ms. Terrado earned a Bachelor's degree in Journalism from the University of the Philippines Diliman and a Master's of Divinity and Arts from Pacific Rim Christian University.

Your Committee further finds that Ms. Terrado's service on State Council on Developmental Disabilities fulfills the requirement pursuant to section 333E-4, Hawaii Revised Statutes, that certain members be parents of individuals with developmental disabilities.

Your Committee therefore recommends that Reinalyn Terrado be appointed and reappointed to the State Council on Developmental Disabilities based on her experience as a mother of a child with developmental disabilities and commitment to improving the lives of persons with developmental disabilities.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3509 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 614, 615, 616, 617, 618, 619, 620, and 621

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII TECHNOLOGY DEVELOPMENT CORPORATION

- G.M. No. 614 CRAIG NAKANISHI, for a term to expire 06-30-2022;
- G.M. No. 615 CRAIG NAKANISHI, for a term to expire 06-30-2026;
- G.M. No. 616 SANDRA FUJIYAMA, for a term to expire 06-30-2023;
- G.M. No. 617 EDWARD BARNABAS, for a term to expire 06-30-2022;
- G.M. No. 618 EDWARD BARNABAS, for a term to expire 06-30-2026;
- G.M. No. 619 BERNICE GLENN, for a term to expire 06-30-2023;
- G.M. No. 620 VINCENT KIMURA, for a term to expire 06-30-2024; and
- G.M. No. 621 RICK VOLNER JR., for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Craig Nakanishi, Sandra Fujiyama, Edward Barnabas, Bernice Glenn, Vincent Kimura, and Rick Volner Jr. for service on the Hawaii Technology Development Corporation.

CRAIG NAKANISHI

Your Committee received testimony in support of the nominations for the appointment and reappointment of Craig Nakanishi from the Rotary Club of Honolulu and four individuals.

Upon review of the testimony, your Committee finds that Mr. Nakanishi's experience, knowledge, and dedication in serving on the Hawaii Technology Development Corporation qualify him for appointment and reappointment to the Hawaii Technology Development Corporation as a member nominated by the President of the Senate, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that Mr. Nakanishi has practiced law in Hawaii for over thirty years, focusing on energy, public utilities, and business and real property transactions. Your Committee notes that Mr. Nakanishi has been a partner at Cades Schutte LLP since 2015, where he currently chairs both the Energy and Public Utilities practice group and the Digital Media, Internet and Information Technology practice group. Your Committee further finds that Mr. Nakanishi is a current member of the Hawaii Technology Development Corporation and served on the Board of Directors of the High Technology Development Corporation from 2008 to 2015 and on the Board of Directors of the Hawaii Strategic Development Corporation from 2016 to 2019. His experience and knowledge will continue to be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Craig Nakanishi be appointed and reappointed to the Hawaii Technology Development Corporation based on his experience, knowledge, and commitment to public service.

SANDRA FUJIYAMA

Your Committee received testimony in support of the nomination for the appointment of Sandra Fujiyama from four individuals.

Upon review of the testimony, your Committee finds that Ms. Fujiyama's experience, knowledge, and willingness to serve qualify her for appointment to the Hawaii Technology Development Corporation as a member nominated by the President of the Senate, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that Ms. Fujiyama has been the Executive Director of the Pacific Asian Center for Entrepreneurship at the University of Hawaii at Manoa's Shidler College of Business since October 2021. Prior to being named the Executive Director of the Pacific Asian Center for Entrepreneurship late last year, Ms. Fujiyama was appointed as the Innovation and Business Development Officer of the University of Hawaii at Manoa's Office of Innovation and Commercialization in 2018. Your Committee notes that Ms. Fujiyama graduated with a Bachelor of Science in Biochemistry from the University of California, Los Angeles and a Juris Doctorate from the University of California, Los Angeles School of Law. She practiced as an attorney in California and Hawaii for over fifteen years, focusing on the areas of intellectual property, patent, trademark, technology, and biotechnology. Your Committee further finds that Ms. Fujiyama is a member and the secretary on the Board of Directors for the Entrepreneurs Foundation of Hawai'i, a nonprofit organization that helps local startup companies create community impact that scales with their business. She has a thorough understanding of the role and responsibilities of board members and her experience and knowledge in innovation and intellectual property will be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Sandra Fujiyama be appointed to the Hawaii Technology Development Corporation based on her experience, knowledge, and desire to serve the public.

EDWARD BARNABAS

Your Committee received testimony in support of the nominations for the appointment and reappointment of Edward Barnabas from ten individuals.

Upon review of the testimony, your Committee finds that Mr. Barnabas's experience, knowledge, and willingness to serve qualify him for appointment and reappointment to the Hawaii Technology Development Corporation as a member nominated by the Speaker of the House of Representatives, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that Mr. Barnabas is currently a Principal/Director of Booz Allen Hamilton's Indo-Pacific Strategic Innovation Group. He graduated with a Bachelor of Arts in Political Science from the University of Maryland at College Park and a Master's in Business Administration from the University of Maryland, Robert H. Smith School of Business. Your Committee notes that Mr. Barnabas has over twenty years of experience of project management in the technology sector with a focus on capacity building, client delivery, and business development. According to testimony received by your Committee, Mr. Barnabas is actively involved with a wide range of local organizations, institutions, and companies, including but not limited to CyberHawaii, Hawaii Defense Alliance, and Hawai'i Executive Collaborative. Your Committee further finds that Mr. Barnabas has an understanding of the role and responsibilities of board members and that his experience and knowledge will be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Edward Barnabas be appointed and reappointed to the Hawaii Technology Development Corporation based on his experience, knowledge, and commitment to public service.

BERNICE GLENN

Your Committee received testimony in support of the nomination for the appointment of Bernice Glenn from six individuals.

Upon review of the testimony, your Committee finds that Ms. Glenn's experience, knowledge, and willingness to serve qualify her for appointment to the Hawaii Technology Development Corporation as a member nominated by the Speaker of the House of Representatives, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that prior to becoming a senior advisor for Pacific Strategy, Ms. Glenn was a managing member of Inovi Group LLC, which provided management, scientific, and technical consulting services. Your Committee notes that Ms. Glenn graduated with a Bachelor of Arts in East Asian Studies from Princeton University and has over thirty years of experience as a senior manager in areas, including defense technology acquisition and strategic human resource development. Your Committee further finds that Ms. Glenn was appointed to the Board of Directors of the High Technology Development Corporation in 2012. She has an understanding of the role and responsibilities of board members and her illustrious background, particularly with the military, will be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Bernice Glenn be appointed to the Hawaii Technology Development Corporation based on her experience, knowledge, and desire to serve the public.

VINCENT KIMURA

Your Committee received testimony in support of the nomination for the appointment of Vincent Kimura from seven individuals.

Upon review of the testimony, your Committee finds that Mr. Kimura's experience, knowledge, and willingness to serve qualify him for appointment to the Hawaii Technology Development Corporation as a member nominated by the Speaker of the House of Representatives, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that, in addition to being the Director of Programs and Partnerships of the University of Hawaii at Manoa's Office of Innovation and Commercialization, Mr. Kimura is the former Chief Executive Officer and lead founder of Smart Yields, Inc., an agricultural technology cooperative that provides a data analytics platform that offers crop protection alerts and real-time monitoring, especially for small- to medium-sized independent farms. Your Committee notes that Mr. Kimura graduated with a Bachelor of Science in Environmental Science from Oregon State University and a Master of Business Administration in Global Management from Arizona State University's Thunderbird School of Global Management. He has twenty-five years of leadership experience in national and international complex, data-driven projects and is active in a number of community organizations, including Hawaii Farmers Union United, Purple Maia, and the Urban Land Institute. Your Committee further finds that Mr. Kimura has an understanding of the role and responsibilities of board members and that his experience and knowledge, especially in marketing and fund development, will be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Vincent Kimura be appointed to the Hawaii Technology Development Corporation based on his experience, knowledge, and desire to serve the public.

RICK VOLNER JR.

Your Committee received testimony in support of the nomination for the appointment of Rick Volner Jr. from one individual.

Upon review of the testimony, your Committee finds that Mr. Volner's experience, knowledge, and willingness to serve qualify him for appointment to the Hawaii Technology Development Corporation as a member from the economic development board of Maui County, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that Mr. Volner is the Vice President of Maui Operations & Environmental, Health, & Safety of HC&D, LLC, a local manufacturer of ready-mix concrete, sized basaltic aggregates, and precast concrete products. Your Committee notes that he has a Bachelor of Science in Mechanical Engineering from the University of Hawaii at Manoa and over twenty years of experience in agricultural operations and management. Your Committee further finds that Mr. Volner actively serves in a wide range of local organizations, including as a board member for the Hawaii Agriculture Research Center, Hawaii Foundation for Agricultural Research, Maui Chamber of Commerce, Maui Economic Development Board, and Boys and Girls Clubs of Maui. Your Committee further notes that he has a thorough understanding of the role and responsibilities of board members and his experience and knowledge will be assets to the Hawaii Technology Development Corporation, especially regarding its value-added agriculture manufacturing programs. Your Committee therefore recommends that Rick Volner Jr. be appointed to the Hawaii Technology Development Corporation based on his experience, knowledge, and desire to serve the public.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 3510 Ways and Means on S.C.R. No. 3

The purpose and intent of this measure is to expand an easement for state submerged lands.

Specifically, this measure authorizes the Board of Land and Natural Resources to add a portion of state submerged lands to a term, non-exclusive easement covering a portion of state submerged lands fronting property located in Wailupe, Honolulu, Oahu, for the maintenance and repair of the existing seawall, and for the use, repair, and maintenance of the existing improvements.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources to obtain authorization from the Legislature to engage in the disposition of state submerged lands. The Board has identified portions of a seawall fronting the property identified as Tax Map Key: (1) 3-6-003:015, as encroaching upon state submerged lands, but not resolved by the existing easement that resolves other portions of that seawall. The grantees of the abutting property have worked with the Department of Land and Natural Resources to increase the area of the easement, including the payment of \$1,240. Your Committee further finds that this measure expresses the requisite legislative approval so that the additional portion of the encroaching seawall may be added to the easement for the use of those state submerged lands.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 3, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Taniguchi, Wakai).

SCRep. 3511 Ways and Means on S.C.R. No. 4

The purpose and intent of this measure is to authorize the issuance of an easement for state submerged lands.

Specifically, this measure authorizes the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting property located in Kahaluu, Koolaupoko, Oahu, for the maintenance and repair of the existing seawall, steps, and filled land, and for the use, repair, and maintenance of the existing improvements.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources to obtain authorization from the Legislature to engage in the disposition of state submerged lands. The Board has identified portions of a

seawall, steps, and filled land fronting the property identified as Tax Map Key: (1) 4-7-001:006, as encroaching upon state submerged lands. The current owner of the abutting property has worked with the Department of Land and Natural Resources to obtain a long-term easement, as the existing seawall, steps, and filled land are located on state submerged lands. Your Committee further finds that this measure expresses the requisite legislative approval so that an easement may be issued for the use of those state submerged lands.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 4, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Taniguchi, Wakai).

SCRep. 3512 Ways and Means on S.C.R. No. 5

The purpose and intent of this measure is to authorize the issuance of an easement for state submerged lands.

Specifically, this measure authorizes the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting property located in Kaneohe, Koolaupoko, Oahu, for the maintenance and repair of the existing pier and portions of an existing house, rock wall, and landscape area and for the use, repair, and maintenance of the existing improvements.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources to obtain authorization from the Legislature to engage in the disposition of state submerged lands. The Board has identified a pier and portions of a house, rock wall, and landscape area fronting property identified as Tax Map Key: (1) 4-4-016:016, as encroaching upon state submerged lands. The current owner of the abutting property has worked with the Department of Land and Natural Resources to obtain a non-exclusive easement, as the pier and portions of the house, rock wall, and landscape area are located on state submerged lands. Your Committee further finds that this measure expresses the requisite legislative approval so that an easement may be issued for the use of those state submerged lands.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 5, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Taniguchi, Wakai).

SCRep. 3513 Ways and Means on H.B. No. 2392

The purpose and intent of this measure is to make an emergency appropriation to the Department of Health for coronavirus disease 2019 (COVID-19) pandemic mitigation, including vaccinations, supply distribution, testing, monitoring, reporting, and related staffing.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, Department of Health, Hawaii Medical Service Association, and Hawaii Primary Care Association.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that the emergency appropriation made in this measure will allow the Department of Health to continue providing COVID-19 community testing services through March 31, 2022, and will reimburse the Department for already-provided testing and medical surge staffing.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2392, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Taniguchi, Wakai).

SCRep. 3514 Commerce and Consumer Protection on S.C.R. No. 61

The purpose and intent of this measure is to request the Auditor to conduct an assessment, pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes, of the social and financial effects of mandating health insurance coverage for hearing aids, as proposed in S.B. No. 2439, S.D. 1 (2022).

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Kaiser Permanente Hawaii, and two individuals.

Your Committee finds that the inability of many residents to pay for medically necessary hearing aids can negatively impact the education, health, and quality of life for children and adults who experience hearing loss. While some health insurance plans provide partial coverage for hearing aids, the amount of coverage may be low and inconsistent, leaving patients with large copayment obligations. Your Committee notes that the Auditor, pursuant to Report No. 14-10, analyzed S.B. No. 309, S.D. 1 (2014), which would have mandated health insurance coverage for hearing aids, and determined that S.B. No. 309, S.D. 1 (2014), not be enacted as written, noting that it lacked certain coverage parameters, such as the frequency for replacement or costs covered by insurers for hearing aids. Your Committee notes that S.B. No. 2439, S.D. 2 (2022), identifies specific coverage parameters and would require health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for hearing aids, subject to a minimum benefit of \$1,500 per hearing-impaired ear every thirty-six months. Accordingly, amendments to this measure are necessary to request the Auditor to analyze the specific coverage parameters identified in S.B. No. 2439, S.D. 2 (2022), and provide any update to Report No. 14-10, to assess both the social and financial effects of requiring coverage.

Your Committee has amended this measure by:

- (1) Requesting the Auditor, pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes, to analyze S.B. No. 2439, S.D. 2 (2022), which proposes a minimum benefit of \$1,500 per hearing impaired ear every thirty-six months;
- (2) Acknowledging the procedural history of the Auditor's Report No. 14-10 and requesting the Auditor to prepare an update to the Legislature in its report assessing S.B. No. 2439, S.D. 2 (2022); and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 61, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 61, S.D. 1.

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

SCRep. 3515 Commerce and Consumer Protection on S.C.R. No. 62

The purpose and intent of this measure is to request the Auditor to conduct a social and financial assessment of proposed mandatory health insurance coverage.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawai'i and Planned Parenthood Alliance Advocates – Hawai'i.

Your Committee finds that recent federal attacks on health care rights, especially reproductive health care rights, has heightened the importance of codifying into state law certain provisions of the Affordable Care Act's no-cost preventative service coverage requirements. Accordingly, House Bill No. 249, introduced in the Regular Session of 2021, would establish the Reproductive Health Equity Act to fortify health benefits and safeguard equitable access to abortion care, expand coverage of critical cost-saving preventative services, and ensure that all people in the State can access these important services, regardless of gender, gender identity, or sexual orientation. Your Committee further notes that section 23-51, Hawaii Revised Statutes, requires that, before any legislative measure mandating health insurance coverage can be considered, there shall be concurrent resolutions passed requesting the Auditor to conduct an assessment of the social and financial effects of the proposed mandated coverage. This measure is therefore necessary to advance consideration of House Bill No. 249 (2021) and to support continued access to comprehensive sexual and reproductive health care without discrimination.

Your Committee has amended this measure by:

- (1) Inserting language requesting the Auditor to determine whether the proposed mandated benefits in House Bill No. 249 (2021) are in excess of the essential health benefits under the Affordable Care Act, thus requiring the State to defray such costs;
- (2) Inserting language requesting the Auditor to research whether mandating the full range of reproductive health services, at no cost-share, is in violation of section 1303 of the Affordable Care Act; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 62, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 62, S.D. 1.

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

SCRep. 3516 Commerce and Consumer Protection on H.B. No. 2111

The purpose and intent of this measure is to:

- (1) Amend the limited lines producer licenses to include all aspects of travel insurance;
- (2) Remove references to outdated and obsolete limited lines product offerings;
- (3) Exclude dental insurers and dental service corporations as third-party administrators;
- (4) Increase the surety bond requirement and require renewal certificates and audited financial statements in the annual reports of third-party administrators; and
- (5) Adopt the National Association of Insurance Commissioners' revised Suitability in Annuity Transactions Model Regulation provisions.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; National Association of Insurance and Financial Advisors; American Council of Life Insurers; American Insurance Group, Inc.; and Hawaii Independent Insurance Agents Association. Your Committee received comments on this measure from Hawaii-Western Management Group.

Your Committee finds that existing state laws concerning limited lines producer licenses do not cover general travel insurance products, such as trip interruption or cancellation, damages to accommodations or rental vehicles, emergency evacuations, or repatriation of remains, which can create potential confusion for consumers. This measure covers the gaps in limited lines product offerings and removes existing products that are outdated and obsolete.

Your Committee further finds that the National Association of Insurance Commissioners recently adopted a revised model regulation that more clearly defines a producer's responsibility to act in the best interest of the consumer when making a recommendation of an annuity and requires insurers to establish and maintain a system to supervise recommendations. This measure

adopts these provisions to ensure that the insurance needs and financial objectives of consumers are effectively considered and to provide additional consumer protections.

Your Committee has amended this measure by:

- (1) Requiring certain third-party administrator licensees to maintain a surety bond of at least \$100,000 for subsequent annual report filings;
- (2) Clarifying that a producer who is authorized to sell annuity products on or before December 31, 2022, shall complete by July 1, 2023, a one-time training course on annuity products meeting certain requirements, including a new four-credit training course approved by the Insurance Commissioner after December 31, 2022;
- (3) Clarifying that a producer who obtains certain annuity products lines of authority after December 31, 2022, shall not engage in the sale of annuities until the producer has completed training meeting certain requirements;
- (4) Amending section 1 to clarify its intended purpose;
- (5) Inserting an effective date of July 1, 2022; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2111, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2111, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3517 Commerce and Consumer Protection on H.B. No. 2112

The purpose and intent of this measure is to amend the provisions in the insurance code relating to bilateral agreements on insurance and reinsurance for consistency with the agreements between the United States and European Union and the United States and United Kingdom.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Hawaii Medical Service Association, American Council of Life Insurers, Hawaii Independent Insurance Agents Association, Reinsurance Association of America, and American Property Casualty Insurance Association.

Your Committee finds that, in 2019, the National Association of Insurance Commissioners adopted amendments to its Credit for Reinsurance Model Law to make its provisions consistent with the requirements of federally negotiated bilateral agreements, or “covered agreements”, between the United States and the European Union and the United States and the United Kingdom. Failure by the states to establish a reinsurance modernization framework and collateral reforms, and to implement reinsurance collateral provisions of the covered agreements, will subject states to federal preemption in this area. This measure is necessary to align the State’s accounting for reinsurance with the other forty-nine states and maintain the State’s accreditation with the National Association of Insurance Commissioners. This measure will further ensure that the State’s Insurance Commissioner has the information necessary to regulate the ability and willingness of reinsurers to pay claims as they become due.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2112, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2112, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3518 Health on S.C.R. No. 213

The purpose and intent of this measure is to request the Department of Health to restore funding for certain substance use disorder treatment agencies for the fiscal years 2022-2023 and 2023-2024 for residential, outpatient, and adolescent school-based services.

Your Committee received testimony in support of this measure from the Department of Health; The Salvation Army; Hina Mauka; Po’ailani, Inc.; and three individuals.

Your Committee finds that studies indicate that residential treatment programs have proven to be the most effective treatment for patients suffering from chronic and severe substance use disorders and that there are very limited alternative interventions that could meet this special population’s needs. Your Committee further finds that substance abuse treatment programs in schools can provide important interventions for youths, thereby strengthening families, and empowering communities. There are several adult treatment and school-based adolescent services for persons suffering from substance use disorders in the State that formerly received funding from the Department of Health but whose funding was lost due to the Department’s budget cuts. These adult treatment and school-based adolescent services include Hina Mauka (The Alcoholic Rehabilitation Services of Hawaii); The Salvation Army Addiction Treatment Services; The Salvation Army Family Treatment Services; Po’ailani, Inc.; and Aloha House, Malama Family Recovery Center, and Maui Youth & Family Services. Your Committee finds that these services achieved excellent outcomes and are critical to

improving access to care for youth and adults with substance use disorders. This measure requests the Department of Health to restore funding to these organizations and programs for fiscal years 2022-2023 and 2023-2024.

Your Committee has amended this measure by:

- (1) Amending its title; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 213, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 213, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3519 Health on S.R. No. 206

The purpose and intent of this measure is to request the Department of Health to restore funding for certain substance use disorder treatment agencies for the fiscal years 2022-2023 and 2023-2024 for residential, outpatient, and adolescent school-based services.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that studies indicate that residential treatment programs have proven to be the most effective treatment for patients suffering from chronic and severe substance use disorders and that there are very limited alternative interventions that could meet this special population's needs. Your Committee further finds that substance abuse treatment programs in schools can provide important interventions for youths, thereby strengthening families, and empowering communities. There are several adult treatment and school-based adolescent services for persons suffering from substance use disorders in the State that formerly received funding from the Department of Health but whose funding was lost due to the Department's budget cuts. These adult treatment and school-based adolescent services include Hina Mauka (The Alcoholic Rehabilitation Services of Hawaii); The Salvation Army Addiction Treatment Services; The Salvation Army Family Treatment Services; Po'ailani, Inc.; and Aloha House, Malama Family Recovery Center, and Maui Youth & Family Services. Your Committee finds that these services achieved excellent outcomes and are critical to improving access to care for youth and adults with substance use disorders. This measure requests the Department of Health to restore funding to these organizations and programs for fiscal years 2022-2023 and 2023-2024.

Your Committee has amended this measure by:

- (1) Amending its title; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 206, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.R. No. 206, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3520 Human Services on S.C.R. No. 222

The purpose and intent of this measure is to request the Department of Public Safety, Office of Youth Services, and Department of Budget and Finance to convene a task force to recommend how to create an efficient funding mechanism to allow the Office of Youth Services to generate income to support its vocational programs.

Your Committee received testimony in support of this measure from the Office of Youth Services. Your Committee received comments on this measure from the Department of Public Safety and Opportunity Youth Action Hui.

Your Committee finds that the Office of Youth Services offers various programs and services for at-risk youth, including vocational programs designed to prevent delinquency and reduce recidivism, that have resulted in successfully diverting many youths from delinquency to rehabilitation programs. Your Committee further finds that the Office of Youth Services currently does not generate sufficient funds to maintain a sustainable funding mechanism, such as a revolving fund, for its vocational programs. The task force requested to be established pursuant to this measure will develop recommendations to enable the Office of Youth Services to create a sustainable funding mechanism to support and expand its vocational programs, which will lead to further reduce recidivism and prevent delinquency for youths in the State.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 222 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Misalucha, Fevella).

SCRep. 3521 Human Services on S.R. No. 215

The purpose and intent of this measure is to request the Department of Public Safety, Office of Youth Services, and Department of Budget and Finance to convene a task force to recommend how to create an efficient funding mechanism to allow the Office of Youth Services to generate income to support its vocational programs.

Your Committee received testimony in support of this measure from the Office of Youth Services. Your Committee received comments on this measure from the Department of Public Safety and Opportunity Youth Action Hui.

Your Committee finds that the Office of Youth Services offers various programs and services for at-risk youth, including vocational programs designed to prevent delinquency and reduce recidivism, that have resulted in successfully diverting many youths from delinquency to rehabilitation programs. Your Committee further finds that the Office of Youth Services currently does not generate sufficient funds to maintain a sustainable funding mechanism, such as a revolving fund, for its vocational programs. The task force requested to be established pursuant to this measure will develop recommendations to enable the Office of Youth Services to create a sustainable funding mechanism to support and expand its vocational programs, which will lead to further reduce recidivism and prevent delinquency for youths in the State.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 215 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Misalucha, Fevella).

SCRep. 3522 Education on S.C.R. No. 13

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on the feasibility of the State establishing a universal, no-cost pre-kindergarten program.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Early Learning Board, Legislative Reference Bureau, Executive Office on Early Learning, and Early Childhood Action Strategy.

Your Committee finds that early learning programs provide a wide spectrum of benefits to children and society at-large. Your Committee further finds, however, that for many, program tuition is cost-prohibitive. Your Committee additionally finds that a handful of states have expanded access to early learning benefits to all children through a universal, no-cost pre-kindergarten program. Accordingly, this measure requests the Legislative Reference Bureau to study the feasibility of a universal, no-cost pre-kindergarten program.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 13 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3523 Education on S.R. No. 7

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on the feasibility of the State establishing a universal, no-cost pre-kindergarten program.

Your Committee received comments on this measure from Early Childhood Action Strategy.

Your Committee finds that early learning programs provide a wide spectrum of benefits to children and society at-large. Your Committee further finds, however, that for many, program tuition is cost-prohibitive. Your Committee additionally finds that a handful of states have expanded access to early learning benefits to all children through a universal, no-cost pre-kindergarten program. Accordingly, this measure requests the Legislative Reference Bureau to study the feasibility of a universal, no-cost pre-kindergarten program.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 7 and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3524 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 88

The purpose and intent of this measure is to urge:

- (1) The allocation of additional resources to increase police presence on the Waianae Coast; and
- (2) The creation of a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and one individual.

Your Committee finds that the entire west side of Oahu, including Ewa, Kapolei, Nanakuli, and Waianae, is growing in population. Additionally, a new police station opened in Waianae in May 2016. Your Committee believes that increased staffing and resources for the Waianae Coast Community Policing team are warranted and needed to serve the growing Waianae area and adequately manage the new police station. Your Committee further finds that of the crimes reported, District 8, which includes Ewa, Kapolei, and the Waianae Coast, had the highest number of murders and aggravated assaults on Oahu in 2020. Your Committee believes that increasing the visible presence of uniformed police officers would improve public safety by deterring criminal activity and providing more immediate assistance to victims once a crime has been committed. This measure will improve public safety by urging the Honolulu Police Department to allocate additional resources to increase police presence on the Waianae Coast and to create a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee has amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 88, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 88, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3525 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 78

The purpose and intent of this measure is to urge:

- (1) The allocation of additional resources to increase police presence on the Waianae Coast; and
- (2) The creation of a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and one individual.

Your Committee finds that the entire west side of Oahu, including Ewa, Kapolei, Nanakuli, and Waianae, is growing in population. Additionally, a new police station opened in Waianae in May 2016. Your Committee believes that increased staffing and resources for the Waianae Coast Community Policing team are warranted and needed to serve the growing Waianae area and adequately manage the new police station. Your Committee further finds that of the crimes reported, District 8, which includes Ewa, Kapolei, and the Waianae Coast, had the highest number of murders and aggravated assaults on Oahu in 2020. Your Committee believes that increasing the visible presence of uniformed police officers would improve public safety by deterring criminal activity and providing more immediate assistance to victims once a crime has been committed. This measure will improve public safety by urging the Honolulu Police Department to allocate additional resources to increase police presence on the Waianae Coast and to create a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee has amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 78, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.R. No. 78, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3526 Health on S.C.R. No. 82

The purpose and intent of this measure is to request the Auditor to conduct a performance audit of the Hawaii Information Portal which includes an assessment of the procedures used by the Department of Health and Hawaii State Hospital relating to the Hawaii Information Portal.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and seventeen individuals. Your Committee received comments on this measure from the Department of Health and Office of the Auditor.

Your Committee finds that in October 2016, the State initiated a state payroll system modernization project known as the Hawaii Information Portal which was completed in January 2019. However, the Legislature has received numerous reports of complications related to the State's transition to this new system, including incorrectly calculated work hours, overtime hours, and leave time. Your Committee finds that the Office of the Ombudsman has investigated and substantiated at least one formal complaint against the Hawaii State Hospital and Department of Health relating to the Hawaii Information Portal. Therefore, this measure requires the Auditor to conduct a performance audit of the Hawaii Information Portal, particularly as it relates to the Department of Health and Hawaii State Hospital, to ensure that state workers receive their earned pay and benefits.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 82 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3527 Health on S.C.R. No. 100

The purpose and intent of this measure is to request the Department of Health to convene a therapeutic psilocybin working group to examine the medicinal and therapeutic effects of psilocybin and develop a long-term strategic plan to ensure the availability of medicinal psilocybin or psilocybin-based products that are safe, accessible, and affordable for eligible adult patients.

Your Committee received testimony in support of this measure from the Clarity Project; Heroic Hearts Project; Drug Policy Forum of Hawai'i, Inc.; Hawai'i Health & Harm Reduction Center; Malama Mushrooms; and twenty-two individuals. Your Committee

received testimony in opposition to this measure from the Department of Health, Hawaii Psychiatric Medical Association, and American Psychiatric Association.

Your Committee finds that psilocybin is a naturally-occurring chemical compound found in certain species of mushrooms that can activate serotonin receptors in the brain. Your Committee further finds that studies conducted by nationally and internationally recognized medical institutions indicate that psilocybin has shown efficacy, tolerability, and safety in the treatment of a variety of mental health conditions, including addiction, depression, anxiety disorders, and end-of-life psychological distress. Given the State's shortage of mental health professionals, novel, innovative, and safe solutions to treat its residents should be considered. This measure requests the Department of Health to establish a therapeutic psilocybin working group to examine existing laws regarding the therapeutic use of psilocybin and develop a long-term plan to ensure the availability of medicinal psilocybin for eligible patients.

Your Committee acknowledges the testimony of the Department of Health and medical professional organizations, which raised concerns that the studies demonstrating psilocybin's safety are small and controlled, and that the Food and Drug Administration has not yet approved psilocybin, a schedule I drug, for any medical condition.

Therefore, your Committee has amended this measure by:

- (1) Requesting the working group to develop a long-term plan to enable the availability of medicinal psilocybin, should Food and Drug Administration approval be obtained for its use; and
- (2) Amending its title accordingly.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 100, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 100, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Moriwaki, Fevella). Noes, none. Excused, none.

SCRep. 3528 Health on S.R. No. 88

The purpose and intent of this measure is to request the Department of Health to convene a therapeutic psilocybin working group to examine the medicinal and therapeutic effects of psilocybin and develop a long-term strategic plan to ensure the availability of medicinal psilocybin or psilocybin-based products that are safe, accessible, and affordable for eligible adult patients.

Your Committee received testimony in opposition to this measure from the Department of Health and Hawaii Psychiatric Medical Association.

Your Committee finds that psilocybin is a naturally-occurring chemical compound found in certain species of mushrooms that can activate serotonin receptors in the brain. Your Committee further finds that studies conducted by nationally and internationally recognized medical institutions indicate that psilocybin has shown efficacy, tolerability, and safety in the treatment of a variety of mental health conditions, including addiction, depression, anxiety disorders, and end-of-life psychological distress. Given the State's shortage of mental health professionals, novel, innovative, and safe solutions to treat its residents should be considered. This measure requests the Department of Health to establish a therapeutic psilocybin working group to examine existing laws regarding the therapeutic use of psilocybin and develop a long-term plan to ensure the availability of medicinal psilocybin for eligible patients.

Your Committee acknowledges the testimony of the Department of Health and medical professional organizations, which raised concerns that the studies demonstrating psilocybin's safety are small and controlled, and that the Food and Drug Administration has not yet approved psilocybin, a schedule I drug, for any medical condition.

Therefore, your Committee has amended this measure by:

- (1) Requesting the working group to develop a long-term plan to enable the availability of medicinal psilocybin, should Food and Drug Administration approval be obtained for its use; and
- (2) Amending its title accordingly.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 88, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 88, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Moriwaki, Fevella). Noes, none. Excused, none.

SCRep. 3529 (Joint) Health and Human Services on S.C.R. No. 42

The purpose and intent of this measure is to urge the Hawaii Health Systems Corporation to expand the Kau Rural Health Clinic to improve access to urgent care and outpatient behavioral health services.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council.

Your Committees find that individuals with pre-existing mental health conditions may be particularly vulnerable in an emergency. Your Committees further find that rural health clinics help to address the inadequate number of physicians available to serve Medicare beneficiaries in rural areas and increase the availability of primary and preventative health services furnished by rural health clinic practitioners. This measure urges the Hawaii Health Systems Corporation to expand the Kau Rural Health Clinic to improve access to urgent care and outpatient behavioral health services.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 42 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
 Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).
 Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3530 (Joint) Health and Human Services on S.R. No. 37

The purpose and intent of this measure is to urge the Hawaii Health Systems Corporation to expand the Kau Rural Health Clinic to improve access to urgent care and outpatient behavioral health services.

Your Committees did not receive any testimony on this measure.

Your Committees find that individuals with pre-existing mental health conditions may be particularly vulnerable in an emergency. Your Committees further find that rural health clinics help to address the inadequate number of physicians available to serve Medicare beneficiaries in rural areas and increase the availability of primary and preventative health services furnished by rural health clinic practitioners. This measure urges the Hawaii Health Systems Corporation to expand the Kau Rural Health Clinic to improve access to urgent care and outpatient behavioral health services.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 37 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
 Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).
 Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3531 Health on S.C.R. No. 183

The purpose and intent of this measure is to request the Department of Health to conduct a study to assess the health care needs of the residents of Ocean View on the island of Hawaii, including:

- (1) Identifying the health care needs of the residents of Ocean View;
- (2) Identifying existing health care resources and services currently available to the residents of Ocean View;
- (3) Identifying unmet and inadequately-served health care needs of the residents of Ocean View, and further identifying the potential sources or causes of these gaps and deficiencies, to the extent the same can be determined;
- (4) Identifying and quantifying patterns of disease, if any, in the Ocean View population;
- (5) Identifying the number of residents of Ocean View who are beneficiaries or recipients of the Compact of Free Association, as ratified and amended, between the Federated States of Micronesia and United States; and
- (6) Providing policy, operational, and any other pertinent recommendations to address the unmet or inadequately-served health care needs of the residents of Ocean View, and prioritize these recommendations according to relative severity and urgency of the health care need at issue.

Your Committee received testimony in support of this measure from the Aloha Lokahi Association and Ka'u Rural Health Community Association, Inc. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the Ocean View region on the island of Hawaii, is one of the fastest-growing areas in the United States, with the 2010 United States Census reporting a population of 4,437, up from 2,178 as reported by the 2000 United States Census. Despite the growing community, the lack of health care infrastructure has not been addressed, as there are no health care facilities in Ocean View and the nearest hospitals are in Kona and Kau, both a lengthy drive away. Your Committee further finds that before any action is taken to address the health care needs of the Ocean View community, it is prudent to first gather information about the health care needs of the community residing there. This measure requests the Department of Health to gather pertinent information about the health care needs of the Ocean View community.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 183 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
 Ayes, 5. Noes, none. Excused, none.

SCRep. 3532 Health on S.R. No. 176

The purpose and intent of this measure is to request the Department of Health to conduct a study to assess the health care needs of the residents of Ocean View on the island of Hawaii, including:

- (1) Identifying the health care needs of the residents of Ocean View;
- (2) Identifying existing health care resources and services currently available to the residents of Ocean View;
- (3) Identifying unmet and inadequately-served health care needs of the residents of Ocean View, and further identifying the potential sources or causes of these gaps and deficiencies, to the extent the same can be determined;
- (4) Identifying and quantifying patterns of disease, if any, in the Ocean View population;
- (5) Identifying the number of residents of Ocean View who are beneficiaries or recipients of the Compact of Free Association, as ratified and amended, between the Federated States of Micronesia and United States; and

- (6) Providing policy, operational, and any other pertinent recommendations to address the unmet or inadequately-served health care needs of the residents of Ocean View, and prioritize these recommendations according to relative severity and urgency of the health care need at issue.

Your Committee received testimony in support of this measure from the Aloha Lokahi Association; Ka'u Rural Health Community Association, Inc.; and one individual.

Your Committee finds that the Ocean View region on the island of Hawaii, is one of the fastest—growing areas in the United States, with the 2010 United States Census reporting a population of 4,437, up from 2,178 as reported by the 2000 United States Census. Despite the growing community, the lack of health care infrastructure has not been addressed, as there are no health care facilities in Ocean View and the nearest hospitals are in Kona and Kau, both a lengthy drive away. Your Committee further finds that before any action is taken to address the health care needs of the Ocean View community, it is prudent to first gather information about the health care needs of the community residing there. This measure requests the Department of Health to gather pertinent information about the health care needs of the Ocean View community.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 176 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3533 (Joint) Health and Agriculture and Environment on S.C.R. No. 75

The purpose and intent of this measure is to request the Department of Health to prioritize enforcement with penalties of water pollution control regulations in rural areas where there are existing reports of runoff.

Your Committees did not receive any testimony on this measure.

Your Committees find that groundwater resulting from extreme rainfall can become polluted with silt, debris, and other pollutants, which often washes into coastal areas and damages marine reefs. Your Committees further find that Molokai's southern reef, which is the longest continuous fringing reef in the United States, has suffered extensive damage from runoff pollution in recent years, and such damage has been especially common in areas where owners of large tracts of land conduct activities that destabilize the soil. This measure seeks to address these problems by way of greater enforcement efforts by the Department of Health.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 75 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3534 (Joint) Health and Agriculture and Environment on S.R. No. 68

The purpose and intent of this measure is to request the Department of Health to prioritize enforcement with penalties of water pollution control regulations in rural areas where there are existing reports of runoff.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that groundwater resulting from extreme rainfall can become polluted with silt, debris, and other pollutants, which often washes into coastal areas and damages marine reefs. Your Committees further find that Molokai's southern reef, which is the longest continuous fringing reef in the United States, has suffered extensive damage from runoff pollution in recent years, and such damage has been especially common in areas where owners of large tracts of land conduct activities that destabilize the soil. This measure seeks to address these problems by way of greater enforcement efforts by the Department of Health.

As affirmed by the records of votes of the members of your Committees on Health and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 68 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Moriwaki, San Buenaventura).

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

SCRep. 3535 (Joint) Health and Human Services on S.C.R. No. 130

The purpose and intent of this measure is to request the Department of Health and Department of Human Services to jointly develop and adopt all rules, policies, and plan amendments necessary to ensure that the State Medicaid program covers medically-needed services, including applied behavior analysis services, for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder.

Your Committees received testimony in support of this measure from the Hawai'i Association of Behavior Analysis, Autism Speaks Inc., and eight individuals. Your Committees received comments on this measure from the Department of Health and Department of Human Services.

Your Committees find that neurodevelopmental disorders are disabilities associated primarily with the functioning of the neurological system and brain. Your Committees further find that treatments for individuals with developmental disabilities, such as applied behavior analysis, can improve their physical and mental development. Medicaid covers treatments for individuals with neurodevelopmental disorders for persons under the age of twenty-one; however, there are reports of individuals with autism spectrum disorder and other neurodevelopmental disorders who are aged twenty-one and older being denied Med-QUEST coverage for medically-needed autism services, including applied behavior analysis services. Therefore, this measure requests the Department of

Health and Department of Human Services to develop all rules, policies, and amendments necessary to ensure that Medicaid covers treatment for neurodevelopmental disorders for persons aged twenty-one and older.

Your Committees acknowledge the testimony of the Department of Health, which noted that research regarding applied behavior analysis for persons with developmental disabilities aged twenty-one and older be reviewed before rules, policies, and amendments are promulgated.

Therefore, your Committees have amended this measure by:

- (1) Requesting the Department of Health and Department of Human Services to review any research regarding applied behavior analysis for persons with developmental disabilities aged twenty-one and older; and
- (2) Amending its title accordingly.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 130, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 130, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3536 (Joint) Health and Human Services on S.R. No. 114

The purpose and intent of this measure is to request the Department of Health and Department of Human Services to jointly develop and adopt all rules, policies, and plan amendments necessary to ensure that the State Medicaid program covers medically-needed services, including applied behavior analysis services, for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder.

Your Committees received testimony in support of this measure from Autism Speaks Inc. Your Committees received comments on this measure from the Department of Health and Department of Human Services.

Your Committees find that neurodevelopmental disorders are disabilities associated primarily with the functioning of the neurological system and brain. Your Committees further find that treatments for individuals with developmental disabilities, such as applied behavior analysis, can improve their physical and mental development. Medicaid covers treatments for individuals with neurodevelopmental disorders for persons under the age of twenty-one; however, there are reports of individuals with autism spectrum disorder and other neurodevelopmental disorders who are aged twenty-one and older being denied Med-QUEST coverage for medically-needed autism services, including applied behavior analysis services. Therefore, this measure requests the Department of Health and Department of Human Services to develop all rules, policies, and amendments necessary to ensure that Medicaid covers treatment for neurodevelopmental disorders for persons aged twenty-one and older.

Your Committees acknowledge the testimony of the Department of Health, which noted that research regarding applied behavior analysis for persons with developmental disabilities aged twenty-one and older be reviewed before rules, policies, and amendments are promulgated.

Therefore, your Committees have amended this measure by:

- (1) Requesting the Department of Health and Department of Human Services to review any research regarding applied behavior analysis for persons with developmental disabilities aged twenty-one and older; and
- (2) Amending its title accordingly.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 114, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 114, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3537 (Joint) Health and Human Services on S.C.R. No. 124

The purpose and intent of this measure is to urge the Department of Health and Department of Human Services to work with the YMCA of Honolulu to support the mental wellness of the State's youth.

Your Committees received testimony in support of this measure from the YMCA of Honolulu and two individuals. Your Committees received comments on this measure from the Department of Health and Department of Human Services.

Your Committees find that the coronavirus disease 2019 pandemic has negatively impacted the State's youth, preventing them from meeting important social and developmental milestones and stripping them of healthy coping mechanisms, such as socializing with friends. Recent national surveys of young people have shown alarming increases in the prevalence of certain mental health challenges, such as depression and anxiety. Your Committees also find that the YMCA of Honolulu has a proven track record of success in working with youth and can provide a community-based approach to support youth at various points in their mental wellness pathway. Therefore, this measure urges the Department of Health and Department of Human Services to work with the YMCA of Honolulu to support the mental wellness of the State's youth.

Your Committees have amended this measure by:

- (1) Requesting the Department of Health and Department of Human Services to work with community partners, including the YMCA, to support the mental wellness of the State's youth; and
- (2) Amending its title accordingly.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 124, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 124, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).
Human Services: Ayes, 5. Noes, none. Excused, none.

SCRep. 3538 Education on S.C.R. No. 216

The purpose and intent of this measure is to request the Department of Education to assess whether and to what extent the Department's existing child sexual abuse curriculum and training programs align with the requirements of Erin's Law.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Youth Services Network, Parents And Children Together, and the Sex Abuse Treatment Center of Hawaii.

Your Committee finds that Erin's Law is an Illinois state law that has been adopted in a majority of states. Your Committee further finds that Erin's Law requires public schools to implement a prevention-oriented child sexual abuse program that teaches age appropriate techniques for children to recognize sexual abuse and to tell a trusted adult. Your Committee additionally finds that while the Department of Education presently provides curricula and training programs related to preventing, recognizing, and responding to instances of child sexual abuse, it is unclear whether and to what extent the existing curriculum and programs align with the requirements of Erin's Law. Accordingly, this measure will promote awareness and prevention of child sexual abuse by requesting the Department to review and assess its current offerings in light of the prevention-oriented approach under Erin's Law.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 216 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3539 Education on S.R. No. 209

The purpose and intent of this measure is to request the Department of Education to assess whether and to what extent the Department's existing child sexual abuse curriculum and training programs align with the requirements of Erin's Law.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Erin's Law is an Illinois state law that has been adopted in a majority of states. Your Committee further finds that Erin's Law requires public schools to implement a prevention-oriented child sexual abuse program that teaches age appropriate techniques for children to recognize sexual abuse and to tell a trusted adult. Your Committee additionally finds that while the Department of Education presently provides curricula and training programs related to preventing, recognizing, and responding to instances of child sexual abuse, it is unclear whether and to what extent the existing curriculum and programs align with the requirements of Erin's Law. Accordingly, this measure will promote awareness and prevention of child sexual abuse by requesting the Department to review and assess its current offerings in light of the prevention-oriented approach under Erin's Law.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 209 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3540 Education on S.C.R. No. 28

The purpose and intent of this measure is to request the Department of Education to establish programs and educational opportunities to increase media literacy and promote digital citizenship.

Your Committee received testimony in support of this measure from the Department of Education and one individual.

Your Committee finds that media literacy is a necessary skill that allows all citizens to access, analyze, and evaluate information; create messages; and act using a variety of forms of communication. Your Committee further finds that media literacy and digital citizenship are critical topics for education as students across the country increasingly rely on digital devices due in large part to the coronavirus disease 2019 pandemic and the resulting forced transition to digital learning. Your Committee additionally finds that students use technology to play, learn, and communicate at school and home, and need to learn how to use technology responsibly and to make sound judgments when navigating the digital world. Accordingly, this measure will help prepare students to live and work in a digital world by requesting the Department of Education to establish media literacy and digital citizenship programs and curricula.

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

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3541 Education on S.R. No. 22

The purpose and intent of this measure is to request the Department of Education to establish programs and educational opportunities to increase media literacy and promote digital citizenship.

Your Committee did not receive any testimony on this measure.

Your Committee finds that media literacy is a necessary skill that allows all citizens to access, analyze, and evaluate information; create messages; and act using a variety of forms of communication. Your Committee further finds that media literacy and digital citizenship are critical topics for education as students across the country increasingly rely on digital devices due in large part to the coronavirus disease 2019 pandemic and the resulting forced transition to digital learning. Your Committee additionally finds that students use technology to play, learn, and communicate at school and home, and need to learn how to use technology responsibly and to make sound judgments when navigating the digital world. Accordingly, this measure will help prepare students to live and work in a digital world by requesting the Department of Education to establish media literacy and digital citizenship programs and curricula.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 22 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3542 Education on S.C.R. No. 171

The purpose and intent of this measure is to urge the Department of Education and State Public Charter School Commission to prioritize the hiring of dedicated staff for each school campus to manage federal school meal programs, including the National School Lunch Program, and to seek any related federal funding.

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

Your Committee finds that access to school meals are an important part of a child's health and well-being. Your Committee further finds that federal meal assistance programs are not being fully utilized, particularly in rural areas, due in part to a lack of necessary staffing to administer and operate the programs. Accordingly, this measure promotes access to school meals by requesting the Department of Education and State Public Charter School Commission to prioritize staffing to administer and operate school meal programs and to seek federal funding for such staffing to the fullest extent possible.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 171 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3543 Education on S.R. No. 163

The purpose and intent of this measure is to urge the Department of Education and State Public Charter School Commission to prioritize the hiring of dedicated staff for each school campus to manage federal school meal programs, including the National School Lunch Program, and to seek any related federal funding.

Your Committee did not receive any testimony on this measure.

Your Committee finds that access to school meals are an important part of a child's health and well-being. Your Committee further finds that federal meal assistance programs are not being fully utilized, particularly in rural areas, due in part to a lack of necessary staffing to administer and operate the programs. Accordingly, this measure promotes access to school meals by requesting the Department of Education and State Public Charter School Commission to prioritize staffing to administer and operate school meal programs and to seek federal funding for such staffing to the fullest extent possible.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 163 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3544 Education on S.C.R. No. 217

The purpose and intent of this measure is to request the Early Learning Board to prepare a report containing a road map, including proposed legislation, for the implementation of Act 46, Session Laws of Hawaii 2020 (Act 46).

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Childhood Action Strategy, and Hawaii Community Foundation. Your Committee received comments on this measure from Children's Action Network Speaks! and the Early Learning Board.

Your Committee finds that providing every child with access to early learning opportunities supports positive outcomes in academics, promotes emotional well-being, and establishes for each child a strong foundation for a lifetime of success. Your Committee further finds that approximately 34,500 children aged three or four years reside in the State. Only fifty percent of those children, however, have access to early learning options.

Your Committee additionally finds that one of the purposes of Act 46 is to build the infrastructure and develop resources necessary to serve one hundred percent of all otherwise unserved 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, with access to early learning by the year 2032. Accordingly, this measure promotes

access to early learning by requesting the Early Learning Board to assess the progress of implementing Act 46 and develop a plan for continued implementation.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 217, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 217, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3545 Education on S.R. No. 210

The purpose and intent of this measure is to request the Early Learning Board to prepare a report containing a road map, including proposed legislation, for the implementation of Act 46, Session Laws of Hawaii 2020 (Act 46).

Your Committee received testimony in support of this measure from the Executive Office on Early Learning and Early Childhood Action Strategy. Your Committee received comments on this measure from Children's Action Network Speaks!.

Your Committee finds that providing every child with access to early learning opportunities supports positive outcomes in academics, promotes emotional well-being, and establishes for each child a strong foundation for a lifetime of success. Your Committee further finds that approximately 34,500 children aged three or four years reside in the State. Only fifty percent of those children, however, have access to early learning options.

Your Committee additionally finds that one of the purposes of Act 46 is to build the infrastructure and develop resources necessary to serve one hundred percent of all otherwise unserved 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, with access to early learning by the year 2032. Accordingly, this measure promotes access to early learning by requesting the Early Learning Board to assess the progress of implementing Act 46 and develop a plan for continued implementation.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 210, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 210, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3546 Education on S.C.R. No. 131

The purpose and intent of this measure is to request the Department of Education to develop a social studies course for high school students to learn about Filipino history, culture, and identity, and take certain related actions.

Your Committee received testimony in support of this measure from Hawai'i Friends of Civil Rights, Tinalak Filipino Education Council, and twenty-eight individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that Filipinos are the largest Asian ethnic and non-white group in Hawaii, at more than twenty-five per cent of the population, and have had a long presence and cultural footprint in the State. Your Committee further finds that despite being the largest ethnic group in the Hawaii education system, there is inadequate Filipino representation in staffing and course offerings.

Your Committee additionally finds that when students are represented, they feel a stronger ethnic pride and identity, and are more empowered to positively contribute to their communities. Accordingly, this measure promotes Filipino cultural awareness and empowerment by requesting the Department of Education to develop curricula and take other actions.

Your Committee notes the incredible amount of community support for this measure, and strongly urges the Department of Education to expand the request of this measure to include all ethnic groups and cultures, so that all students can feel represented in the education system.

Your Committee has amended this measure by:

- (1) Requesting the Department of Education to develop, instead of implement, the subject curricula;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 131, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 131, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3547 Education on S.R. No. 115

The purpose and intent of this measure is to request the Department of Education to develop a social studies course for high school students to learn about Filipino history, culture, and identity, and take certain related actions.

Your Committee received testimony in support of this measure from the Tinalak Filipino Education Council, Hawai'i Friends of Civil Rights, and twenty-nine individuals.

Your Committee finds that Filipinos are the largest Asian ethnic and non-white group in Hawaii, at more than twenty-five per cent of the population, and have had a long presence and cultural footprint in the State. Your Committee further finds that despite being the largest ethnic group in the Hawaii education system, there is inadequate Filipino representation in staffing and course offerings.

Your Committee additionally finds that when students are represented, they feel a stronger ethnic pride and identity, and are more empowered to positively contribute to their communities. Accordingly, this measure promotes Filipino cultural awareness and empowerment by requesting the Department of Education to develop curricula and take other actions.

Your Committee notes the incredible amount of community support for this measure, and strongly urges the Department of Education to expand the request of this measure to include all ethnic groups and cultures, so that all students can feel represented in the education system.

Your Committee has amended this measure by:

- (1) Requesting the Department of Education to develop, instead of implement, the subject curricula;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3548 Education on S.C.R. No. 34

The purpose and intent of this measure is to request the Early Learning Board to evaluate and report to the Legislature on the Board's composition and charter, and to develop a strategic plan.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Childhood Action Strategy, and Early Learning Board.

Your Committee has amended this measure by clarifying the measure's recipients.

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

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3549 Education on S.R. No. 30

The purpose and intent of this measure is to request the Early Learning Board to evaluate and report to the Legislature on the Board's composition and charter, and to develop a strategic plan.

Your Committee received testimony in support of this measure from Early Childhood Action Strategy.

Your Committee has amended this measure by clarifying the measure's recipients.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 30, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 30, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3550 Education on S.C.R. No. 63

The purpose and intent of this measure is to request the Department of Education to name the new Kihei High School in honor of the late United States Congresswoman Patsy T. Mink.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and three individuals.

Your Committee finds that Congresswoman Patsy T. Mink was a barrier-breaker and dedicated champion of equality. During her tenure in the U.S. House of Representatives, Congresswoman Patsy T. Mink worked tirelessly for the fundamental rights of and equity for women, children, immigrants, and other disenfranchised people, especially in education.

Your Committee further finds that the Department of Education is in the process of building a new high school in Kihei to serve South Maui families, located a short distance from where Congresswoman Patsy T. Mink herself attended high school. Your Committee believes that, given her extraordinary dedication to advocating for educational equity and the overall well-being of children, there would be no better way to honor the legacy of Congresswoman Patsy T. Mink than to have an educational institution in her birthplace bear her name. Accordingly, this measure requests the Department of Education to name the new Kihei High School in her honor.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 63, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 63, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3551 Education on S.R. No. 58

The purpose and intent of this measure is to request the Department of Education to name the new Kihei High School in honor of the late United States Congresswoman Patsy T. Mink.

Your Committee finds that Congresswoman Patsy T. Mink was a barrier-breaker and dedicated champion of equality. During her tenure in the U.S. House of Representatives, Congresswoman Patsy T. Mink worked tirelessly for the fundamental rights of and equity for women, children, immigrants, and other disenfranchised people, especially in education.

Your Committee further finds that the Department of Education is in the process of building a new high school in Kihei to serve South Maui families, located a short distance from where Congresswoman Patsy T. Mink herself attended high school. Your Committee believes that, given her extraordinary dedication to advocating for educational equity and the overall well-being of children, there would be no better way to honor the legacy of Congresswoman Patsy T. Mink than to have an educational institution in her birthplace bear her name. Accordingly, this measure requests the Department of Education to name the new Kihei High School in her honor.

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

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 58, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 58, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 3552 Education on S.C.R. No. 226

The purpose and intent of this measure is to request the Department of Education to develop and implement a civil rights curriculum through which students in all public elementary, middle, intermediate, and high schools will be able to take courses offering fact-based information on civil rights and the Civil Rights Movement.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the Civil Rights Movement was pivotal in addressing pervasive social and institutional inequities in the United States. Your Committee further finds that it is essential for students in the State to learn about and understand the importance of the Civil Rights Movement. Accordingly, this measure promotes productive civic engagement by requesting the Department of Education to develop and implement civil rights curricula.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 226 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3553 Education on S.R. No. 219

The purpose and intent of this measure is to request the Department of Education to develop and implement a civil rights curriculum through which students in all public elementary, middle, intermediate, and high schools will be able to take courses offering fact-based information on civil rights and the Civil Rights Movement.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that the Civil Rights Movement was pivotal in addressing pervasive social and institutional inequities in the United States. Your Committee further finds that it is essential for students in the State to learn about and understand the importance of the Civil Rights Movement. Accordingly, this measure promotes productive civic engagement by requesting the Department of Education to develop and implement civil rights curricula.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 219 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kanuha).

SCRep. 3554 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 622, 727, 728, and 729

Recommending that the Senate advise and consent to the nominations of the following:

COMMUNITY-BASED ECONOMIC DEVELOPMENT ADVISORY COUNCIL

- G.M. No. 622 JANE HORIKE, for a term to expire 06-30-2025;
G.M. No. 727 COLLEEN MCALUNEY, for a term to expire 06-30-2025;
G.M. No. 728 ROBERTA MELTON, for a term to expire 06-30-2022; and
G.M. No. 729 ROBERTA MELTON, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Jane Horike, Colleen McAluney, and Roberta Melton for service on the Community-based Economic Development Advisory Council.

JANE HORIKE

Your Committee received testimony in support of the nomination for the reappointment of Jane Horike from the Department of Business, Economic Development, and Tourism.

Upon review of the testimony, your Committee finds that Ms. Horike's experience, knowledge, and dedication in serving on the Community-based Economic Development Advisory Council qualify her for reappointment to the Community-based Economic Development Advisory Council as representative of the County of Hawaii, pursuant to 201D-5, Hawaii Revised Statutes. Your Committee finds that Ms. Horike retired last year from the Hawaii County Department of Research and Development as an Economic Development Specialist III. Ms. Horike has spent over four decades serving the communities of the County of Hawaii and has extensive experience in domestic and foreign market analysis, business promotion and expansion, and funding and technical assistance. Your Committee notes that Ms. Horike remains involved with the Hawaii Island community, including her recent work with Hui Ho'olako for Hawaiian Initiatives, a nonprofit that is working to produce cattle feed made from seaweed grown at the Natural Energy Laboratory of Hawaii Authority and developing an animal feed mill using agricultural waste and noxious weeds. Your Committee further finds that she has served on the Community-based Economic Development Advisory Council since 2018. Her experience and knowledge will continue to be assets to the Community-based Economic Development Advisory Council. Your Committee therefore recommends that Jane Horike be reappointed to the Community-based Economic Development Advisory Council based on her experience, knowledge, and commitment to public service.

COLLEEN MCALUNEY

Your Committee received testimony in support of the nomination for the appointment of Colleen McAluney from the Department of Business, Economic Development, and Tourism.

Upon review of the testimony, your Committee finds that Ms. McAluney's experience and willingness to serve on the Community-based Economic Development Advisory Council qualify her for reappointment to the Community-based Economic Development Advisory Council as representative of the City and County of Honolulu, pursuant to section 210D-5, Hawaii Revised Statutes. Your Committee finds that Ms. McAluney is currently the Director of the Patsy T. Mink Center for Business and Leadership (MCBL) at the YWCA O'ahu. Your Committee notes that she graduated with a Bachelor's degree in Business Administration from Pepperdine University. According to testimony received by your Committee, in her seven years at MCBL, Ms. McAluney has spearheaded and revamped its signature programs to meet the needs of today's rapidly evolving entrepreneurial landscape. Your Committee further finds that she has an understanding of the role and responsibilities of board members and that her experience in and insights about local small business issues, especially in retail management, will be assets to the Community-based Economic Development Advisory Council. Your Committee therefore recommends that Colleen McAluney be appointed to the Community-based Economic Development Advisory Council based on her experience and desire to serve the public.

ROBERTA MELTON

Your Committee received testimony in support of the nominations for the appointment and reappointment of Roberta Melton from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to the nominations for the appointment and reappointment of Roberta Melton from one individual.

Upon review of the testimony, your Committee finds that Ms. Melton's experience, knowledge, and willingness to serve on the Community-based Economic Development Advisory Council qualify her for appointment and reappointment to the Community-based Economic Development Advisory Council as a representative of County of Kauai, pursuant to section 210D-5, Hawaii Revised Statutes. Your Committee finds that Ms. Melton is the Director of the Hawaii Small Business Development Center – Kauai. According to testimony during the hearing, Ms. Melton has spent the last three years working with a variety of small businesses on Kauai, including those in agriculture, manufacturing, retail, and high technology. Your Committee notes that her prior positions include Director for the Kauai County Office of Economic Development and Executive Director and Chief Executive Officer of the Hawaii Technology Development Corporation. Her experience and knowledge as a financial reviewer and economic development expert will be assets to the Community-based Economic Development Advisory Council. Your Committee therefore recommends that Roberta Melton be appointed and reappointed to the Community-based Economic Development Advisory Council based on her experience, knowledge, and desire to serve the public.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has

found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

For Gov. Msg. No. 622: Ayes, 4. Noes, none. Excused, 1 (Riviere).

For Gov. Msg. Nos. 727, 728, and 729: Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3555 Health on Gov. Msg. Nos. 538, 541, 542, 543, and 544

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON MENTAL HEALTH

G.M. No. 538 TARA REED, for a term to expire 06-30-2025;

G.M. No. 541 KATHLEEN MERRIAM, for a term to expire 06-30-2024;

G.M. No. 542 LEA DIAS, for a term to expire 06-30-2023;

G.M. No. 543 SAMUEL RICE, for a term to expire 06-30-2023; and

G.M. No. 544 CHRISTOPHER KNIGHTSBRIDGE, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Tara Reed, Kathleen Merriam, Lea Dias, Samuel Rice, and Christopher Knightsbridge for service on the State Council on Mental Health.

TARA REED

Your Committee received testimony in support of the nomination for the appointment of Tara Reed from the Department of Health and two individuals.

Upon review of the testimony, your Committee finds that Ms. Reed's experience as a mental health counselor, commitment to public service, and passion for helping persons experiencing mental health and substance abuse challenges, qualify her for appointment to the State Council on Mental Health. Ms. Reed has worked as a primary counselor and group therapy facilitator for Po'ailani, Inc. and as a case manager for the Salvation Army Adult Treatment Services. Your Committee notes that Ms. Reed currently serves on the Maui Service Area Board on Mental Health. Ms. Reed earned a Bachelor's degree in Social Work from the University of Hawai'i at Manoa School of Social Work and has complete Master's level course work in Forensic Psychology from Argosy University. Her appointment to the State Council on Mental Health would fulfill the requirement for a community member who is a non-state employee, in accordance with section 334-11, Hawaii Revised Statutes. Your Committee therefore recommends that Tara Reed be appointed to the State Council on Mental Health based on her experience in counseling and commitment to helping persons with mental health and substance abuse challenges.

KATHLEEN MERRIAM

Your Committee received testimony in support of the nomination for the appointment of Kathleen Merriam from the Department of Health, Community Empowerment Resources, Hina Mauka, and four individuals.

Upon review of the testimony, your Committee finds that Ms. Merriam's experience in the field of mental health, commitment to public service, and passion for helping persons experiencing mental health and substance abuse challenges, qualify her for appointment to the State Council on Mental Health. Ms. Merriam is currently a Mental Health Supervisor for the Windward Oahu Treatment Service Section for the Adult Mental Health Division of the Department of Health. Prior to that, Ms. Merriam served as a Case Manager and Psychosocial Rehabilitation Coordinator, both for the Adult Mental Health Division. Your Committee notes that Ms. Merriam is also an advisor for the National Alliance for Mental Illness, and a member of both the National Association of Social Workers and Statewide Suicide Prevention Task Force. Ms. Merriam earned a Bachelor's degree in Psychology, with a concentration in Mental Health Services, from Western Washington University, and a Master's of Social Work from the University of Hawaii. Your Committee further finds that Ms. Merriam's service on the State Council on Mental Health fulfills the requirement of section 334-10, Hawaii Revised Statutes, that a member be a representative of a principal state agency with respect to mental health. Your Committee therefore recommends that Kathleen Merriam be appointed to the State Council on Mental Health based on her experience working with the Adult Mental Health Services Division and commitment to helping persons with mental health and substance abuse challenges.

LEA DIAS

Your Committee received testimony in support of the nomination for the appointment of Lea Dias from the Department of Health and Department of Human Services.

Upon review of the testimony, your Committee finds that Ms. Dias's experience in the field of vocational rehabilitation, commitment to public service, and passion for helping persons experiencing mental health and substance abuse challenges, qualify her for appointment to the State Council on Mental Health. Ms. Dias is currently the Branch Administrator for Ho'opono Services for the Blind Branch of the Department of Human Services' Vocational Rehabilitation and Services for the Blind Division. Ms. Dias has served in the Vocational Rehabilitation and Services for the Blind Division for over thirty years, starting as a Vocational Rehabilitation Specialist and moving up through positions such as Counseling Section Supervisor and Adjustment Section Supervisor, to her current position as Branch Administrator. Your Committee notes that Ms. Dias has also served as the President for the National Council of State Agencies for the Blind and is National Board Member for the National Blindness Professional Certification Board. Ms. Dias earned a Master's of Education in Rehabilitation Counseling from the University of Hawaii at Manoa. Your Committee further finds that Ms. Dias' service on the State Council on Mental Health fulfills the requirement of section 334-10, Hawaii Revised Statutes, that a member be a representative of a principal state agency with respect vocational rehabilitation. Your Committee therefore recommends

that Lea Dias be appointed to the State Council on Mental Health based on her experience in the field of vocational rehabilitation and commitment to helping persons with mental health and substance abuse challenges.

SAMUEL RICE

Your Committee received testimony in support of the nomination for the appointment of Samuel Rice from Department of Health and Department of Human Services.

Upon review of the testimony, your Committee finds that Mr. Rice's experience in the field of social work, commitment to public service, and passion for helping persons experiencing mental health and substance abuse challenges, qualify him for appointment to the State Council on Mental Health. Mr. Rice is currently the Assistant Program Development Administrator for the Department of Human Services' Adult Protective and Community Services, Branch Social Services Division. Prior to that, Mr. Rice served as a Supervisor for the Adult/Juvenile Community Service and Restitution Unit for the Court of the First Circuit of the Judiciary, and has over twenty years of experience working in the social services field. Your Committee notes that Mr. Rice has participated in numerous training programs in the field of social work, including topics such as workplace discrimination and accommodations, care for persons with dementia, civil rights awareness, and preventing sexual assault. Your Committee further finds that Mr. Rice's service on the State Council on Mental Health fulfills the requirement of section 334-10, Hawaii Revised Statutes, that a member be a representative of a principal state agency with respect social services. Your Committee therefore recommends that Samuel Rice be appointed to the State Council on Mental Health based on his experience in the field of social services and commitment to helping persons with mental health and substance abuse challenges.

CHRISTOPHER KNIGHTSBRIDGE

Your Committee received testimony in support of the nomination for the reappointment of Christopher Knightsbridge from the Department of Health and two individuals.

Upon review of the testimony, your Committee finds that Mr. Knightsbridge's experience with mental health counseling and treatment, commitment to public service, and passion for helping persons experiencing mental health and substance abuse challenges, qualify him for reappointment to the State Council on Mental Health. Mr. Knightsbridge is currently a doctoral student in Clinical Psychology at California Southern University. He has been a diagnostic practicum student for the I Ola Lahui Rural Hawaii Behavioral Health Program and was a guest lecturer for the Hawaii School of Professional Psychology. Your Committee notes that Mr. Knightsbridge also currently serves on the Colombia Southern University Psychology Advisory Board, Hawaii Psychological Convention Committee, and Hawaii Psychological Association Political Action Committee. Mr. Knightsbridge earned a Master of Arts from the Hawaii School of Professional Psychology at Argosy University Hawaii. Your Committee further finds that Mr. Knightsbridge's reappointment could fulfill the requirement of section 334-10, Hawaii Revised Statutes, that a member be an adult who has a lived experience of serious mental illness and is receiving, or who has received, mental health services. Your Committee notes that Mr. Knightsbridge currently serves as the First Vice President of the State Council on Mental Health and therefore is already familiar with the its work. Your Committee therefore recommends that Christopher Knightsbridge be reappointed to the State Council on Mental Health based on his experience in mental health counseling and commitment to helping persons with mental health and substance abuse challenges.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3556 Judiciary on H.B. No. 1692

The purpose and intent of this measure is to change the fines imposed for mobile electronic device violations.

Your Committee received testimony in support of this measure from the Department of Transportation, AAA Hawaii, and one individual.

Your Committee finds that Fatality Analysis Reporting System statistics indicate that almost twenty-five percent of Hawai'i's one hundred eight traffic fatalities involved distracted drivers in 2019. Distracted driving is a significant threat, responsible for over three thousand fatalities each year nationwide. This measure will deter drivers from using their cell phones while driving, which will reduce motor vehicle fatalities and injuries on Hawai'i's roadways.

Your Committee has amended this measure by:

- (1) Inserting a fine of \$300 for mobile electronic device violations; and
- (2) Increasing the fine to \$400 for mobile electronic violations in a school zone or construction area.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1692, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1692, S.D. 2.

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

SCRep. 3557 Commerce and Consumer Protection on H.B. No. 2115

The purpose and intent of this measure is to authorize the Commissioner of Financial Institutions to modify or waive requirements relating to mortgage servicers in chapter 454M, Hawaii Revised Statutes, to implement changes and improvements made to NMLS.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that NMLS is a multi-state mortgage licensing platform developed and maintained by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators. NMLS has undergone recent technological improvements, allowing companies and state regulators to navigate the licensing and examination process more efficiently. Hawaii remains one of the few states that has not adopted the modern processes made available by NMLS, including for example, the ability to file surety bonds electronically to eliminate administrative burdens and reduce delays that can typically result from physical transfer and mailing requirements. Accordingly, this measure will allow the Commissioner of Financial Institutions to implement modernized processes through NMLS as technology improves to streamline the licensing process for mortgage servicers and benefit consumers who engage with mortgage servicers.

Your Committee has amended this measure by inserting an effective date of July 1, 2022.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2115, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2115, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3558 Commerce and Consumer Protection on H.B. No. 2272

The purpose and intent of this measure is to:

- (1) Specify that a condominium declaration may be amended by vote or written consent of unit owners representing at least sixty-seven percent of the common interest, unless the unit owners amend the declaration to require a higher percentage;
- (2) Require a developer's public report to include annual reserve contributions based on a reserve study; and
- (3) Clarify time and date requirements for:
 - (A) Petitions to amend bylaws and calls for special meetings;
 - (B) Electronic, machine, and mail voting during periods of emergency;
 - (C) The time frame for approval of minutes; and
 - (D) Board meeting participation.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians Legislative Committee; Community Associations Institute; Associa; Porter McGuire Kiakona, LLP; Hawai'i Council of Community Associations; Palehua Townhouse Association; Honolulu Tower AOA; CCV2 Board; Hawai'i Insurers Council; and three individuals. Your Committee received testimony in opposition to this measure from ARDA Hawaii. Your Committee received comments on this measure from Hui 'Oia'i'o and three individuals.

Your Committee finds that remote meeting technology and internet-based electronic election programs have benefited the community association industry, resulting in increased owner participation, accessibility, efficiency, and decreased likelihood of human error. Utilizing these technologies post-pandemic will provide continued opportunities for more owner participation and will ultimately continue to improve the community association industry. Your Committee further finds that, due to a number of concerns raised in testimony, amendments to this measure are necessary to, among other things, address the potential of fraud and abuse with electronic voting technologies and to incorporate stakeholder language to add safeguards and minimize risks when utilizing these technologies.

Your Committee has amended this measure by:

- (1) Deleting language that would have allowed unit owners to require a vote of greater than sixty-seven percent to amend the condominium declaration;
- (2) Inserting language amending section 514B-121(b), Hawaii Revised Statutes, to clarify that:
 - (A) Electronic voting devices shall be isolated from any connection to an external network, including the Internet, or shall use a form of encryption comparable to that used for secured Internet web browsers; and
 - (B) The board of directors shall establish reasonable procedures to provide for the integrity of the unit owners' votes, including the availability of a printed audit trail containing a reference number or Internet address of the electronic voting devices;
- (3) Clarifying that electronic meetings and electronic, machine, or mail voting may be authorized by the board of directors in its sole discretion:
 - (A) For any electronic, machine, or mail voting for which notice of voting has been sent; provided that the electronic, machine, or mail voting deadline is within sixty days of the date the notice was first sent; and
 - (B) Whenever approved in advance by written consent of a majority of unit owners or majority vote at an association meeting;
- (4) Specifying that the association shall implement reasonable measures to verify that each person permitted to vote is a member of the association or proxy of a member;

- (5) Clarifying that a board of directors shall notify owners of any rules established concerning owner participation in any deliberation or discussion at board meetings, and that a board may make the rules available to owners on an association website;
- (6) Re-inserting language from the original version of this measure to require that the reserve study shall be performed by an independent, certified reserve study preparer who shall not be affiliated with the managing agent of the association and requiring that the reserve study be prepared or updated at least every three years;
- (7) Inserting an effective date of January 1, 2023; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2272, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2272, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3559 Judiciary on H.B. No. 2213

The purpose and intent of this measure is to establish the misdemeanor offense of theft of mail.

Your Committee received testimony in support of this measure from the Department of the Attorney General and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the ongoing coronavirus disease 2019 pandemic has changed the way many families rely on delivery services. There has been a major increase in the amount of online orders being placed, and subsequently fulfilled by shipping items through the mail. Most packages sent through the mail are left outside the door at their intended destination if there is no mail receptacle large enough for the package on site. Your Committee further finds that reports of mail theft are on the rise. When mail carriers leave packages by doors or in otherwise unsecured mail receptacles, the packages are susceptible to theft, leading to frustration from senders and intended recipients. This measure will provide necessary protection to the property of the State's residents.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2213, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2213, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3560 Judiciary on H.B. No. 1486

The purpose and intent of this measure is to amend the offense of theft in the first degree to specifically include theft of a motor vehicle or motorcycle.

Your Committee received testimony in support of this measure from the County of Hawai'i Office of the Prosecuting Attorney, Mayor of the County of Hawai'i, three members of the Hawai'i County Council, Honolulu Police Department, and fourteen individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that most motor vehicle thefts are currently prosecuted under the Hawaii Penal Code offenses of unauthorized control of a propelled vehicle or theft in the second degree, for property the value of which exceeds \$750. Both of these offenses are class C felonies, with a maximum penalty of up to \$10,000 and five years of imprisonment. Your Committee further finds that growing concerns over motor vehicle theft have led to the public's desire for stiffer penalties. This measure will elevate the offense of theft of a motor vehicle to a class B felony, with a maximum penalty of up to \$25,000 and ten years of imprisonment.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1486, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1486, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3561 Judiciary on H.B. No. 1455

The purpose and intent of this measure is to amend the offense of robbery in the first degree to include a person committing theft or non-consensual taking of a motor vehicle while being armed with an electric gun.

Your Committee received testimony in support of this measure from the Honolulu Police Department and two individuals.

Your Committee finds that the Hawaii Penal Code does not adequately address potential situations in which offenders will utilize electric guns to facilitate crimes. Electric guns can cause severe pain and completely incapacitate a person. Criminals will begin to use these devices against others to facilitate crimes as electric guns become more prevalent in the community. This measure aims to deter the use of an electric gun during the course of committing theft or non-consensual taking of a motor vehicle.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1455, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1455, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3562 Agriculture and Environment on S.C.R. No. 57

The purpose and intent of this measure is to request the Governor to endorse the New Plastics Economy Global Commitment and the Office of Planning and Sustainable Development to set targets to fulfill the New Plastics Economy Global Commitment.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i, 350Hawaii.org, Environmental Caucus of the Democratic Party of Hawai'i, Restore the Commons, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that the wasteful use of plastics threatens the health of Hawaii's residents and environment. Many plastics are designed for single-use and sixty percent of all plastic products produced since 1950 have eventually ended up in landfills. Hawaii is particularly vulnerable to the effects of plastic pollution, making it imperative for the State to take action to reduce the production of plastic waste. Accordingly, this measure requests the Governor to endorse the New Plastics Economy Global Commitment and the Office of Planning and Sustainable Development to set targets to fulfill the New Plastics Economy Global Commitment.

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

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 57, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 57, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 3563 Agriculture and Environment on S.R. No. 52

The purpose and intent of this measure is to request the Governor to endorse the New Plastics Economy Global Commitment and the Office of Planning and Sustainable Development to set targets to fulfill the New Plastics Economy Global Commitment.

Your Committee received testimony in support of this measure from the Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, and one individual. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that the wasteful use of plastics threatens the health of Hawaii's residents and environment. Many plastics are designed for single-use and sixty percent of all plastic products produced since 1950 have eventually ended up in landfills. Hawaii is particularly vulnerable to the effects of plastic pollution, making it imperative for the State to take action to reduce the production of plastic waste. Accordingly, this measure requests the Governor to endorse the New Plastics Economy Global Commitment and the Office of Planning and Sustainable Development to set targets to fulfill the New Plastics Economy Global Commitment.

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

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 52, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 52, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 3564 Agriculture and Environment on S.C.R. No. 67

The purpose and intent of this measure is to request the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and to strengthen statewide enforcement of restricted use pesticide violations.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition, Free Access Coalition, Green Party Hawai'i, Hawai'i Alliance for Progressive Action, and sixteen individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that failure to abide by pesticide use instructions poses significant risks to public health and the environment. Despite the threats posed by pesticide misuse, it remains a significant problem in the State. This measure requests the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and strengthen statewide enforcement of restricted use pesticide violations to mitigate the risk of pesticide misuse in Hawaii.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 67 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 3565 Agriculture and Environment on S.R. No. 61

The purpose and intent of this measure is to request the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and to strengthen statewide enforcement of restricted use pesticide violations.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition, Hawai'i Alliance for Progressive Action, Green Party Hawai'i, and nine individuals. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that failure to abide by pesticide use instructions poses significant risks to public health and the environment. Despite the threats posed by pesticide misuse, it remains a significant problem in the State. This measure requests the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and strengthen statewide enforcement of restricted use pesticide violations to mitigate the risk of pesticide misuse in Hawaii.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 61 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Nishihara).

SCRep. 3566 Agriculture and Environment on S.C.R. No. 76

The purpose and intent of this measure is to request the Board of Agriculture to prohibit unapproved residential use of farm dwellings in agricultural parks.

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 agricultural parks are crucial to the State's agricultural industry and are intended for agricultural use. Residential use of farm dwellings in agricultural parks can produce unwanted noise, dust, and other nuisances that disrupt nearby communities. This measure requests the Board of Agriculture to prohibit unapproved residential use of farm dwellings in agricultural parks to reduce the amount of unwanted noise, dust, and other nuisances.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 76 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 3567 Agriculture and Environment on S.R. No. 69

The purpose and intent of this measure is to request the Board of Agriculture to prohibit unapproved residential use of farm dwellings in agricultural parks.

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

Your Committee finds that agricultural parks are crucial to the State's agricultural industry and are intended for agricultural use. Residential use of farm dwellings in agricultural parks can produce unwanted noise, dust, and other nuisances that disrupt nearby communities. This measure requests the Board of Agriculture to prohibit unapproved residential use of farm dwellings in agricultural parks to reduce the amount of unwanted noise, dust, and other nuisances.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 69 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 3568 Agriculture and Environment on S.C.R. No. 169

The purpose and intent of this measure is to request the Department of Agriculture to develop and implement a process to certify privately-owned and operated plant quarantine facilities.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawaii Coffee Association.

Your Committee finds that coffee leaf rust is a devastating fungal pathogen that poses a significant danger to Hawaii's coffee industry. While replacing existing coffee plants with rust-resistant varieties imported from overseas is a promising long-term solution to the threat posed by coffee leaf rust, the lack of adequate plant quarantine capacity limits its viability. This measure requests the Department of Agriculture to develop and implement a process to certify privately-owned and operated plant quarantine facilities, which will significantly expand the State's capacity to import rust-resistant coffee plants.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 169 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Acasio, Rhoads). Noes, none. Excused, none.

SCRep. 3569 Agriculture and Environment on S.R. No. 161

The purpose and intent of this measure is to request the Department of Agriculture to develop and implement a process to certify privately-owned and operated plant quarantine facilities.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawaii Coffee Association.

Your Committee finds that coffee leaf rust is a devastating fungal pathogen that poses a significant danger to Hawaii's coffee industry. While replacing existing coffee plants with rust-resistant varieties imported from overseas is a promising long-term solution to the threat posed by coffee leaf rust, the lack of adequate plant quarantine capacity limits its viability. This measure requests the Department of Agriculture to develop and implement a process to certify privately-owned and operated plant quarantine facilities, which will significantly expand the State's capacity to import rust-resistant coffee plants.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 161 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio, Rhoads). Noes, none. Excused, none.

SCRep. 3570 Agriculture and Environment on S.C.R. No. 172

The purpose and intent of this measure is to request the Department of Agriculture to expand quarantine facilities administered by the Plant Quarantine Branch.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Coffee Association, and one individual.

Your Committee finds that rapid detection and elimination of invasive species will save the State and its taxpayers money over the long-term. Responsibility for detecting and eliminating invasive species falls on the Plant Quarantine Branch of the Department of Agriculture. Currently, the Plant Quarantine Branch lacks sufficient capacity to respond to the State's needs. This measure requests the Department of Agriculture to expand quarantine facilities administered by the Plant Quarantine Branch.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 172 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3571 Agriculture and Environment on S.R. No. 165

The purpose and intent of this measure is to request the Department of Agriculture to expand quarantine facilities administered by the Plant Quarantine Branch.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Coffee Association, and one individual.

Your Committee finds that rapid detection and elimination of invasive species will save the State and its taxpayers money over the long-term. Responsibility for detecting and eliminating invasive species falls on the Plant Quarantine Branch of the Department of Agriculture. Currently, the Plant Quarantine Branch lacks sufficient capacity to respond to the State's needs. This measure requests the Department of Agriculture to expand quarantine facilities administered by the Plant Quarantine Branch.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 165 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3572 Agriculture and Environment on S.C.R. No. 233

The purpose and intent of this measure is to encourage the City and County of Honolulu to expand and improve services as the Waianae Convenience Center.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i.

Your Committee finds that the Waianae Convenience Center, which is operated by the Department of Environmental Services Refuse Division of the City and County of Honolulu, is the only refuse center located on the west side of Oahu. Notably, the Convenience Center is the only site in the area for residents to legally dispose of bulky items and other waste. Because of the Center's limited capacity, residents report extreme wait times to dispose of bulky items and other waste. Long wait times at the Center create traffic congestion in the area and provide incentives for residents to dispose of bulky items and other waste illegally. Accordingly, this measure encourages the City and County of Honolulu to expand and improve services at the Waianae Convenience Center.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 233 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3573 Agriculture and Environment on S.R. No. 134

The purpose and intent of this measure is to encourage the City and County of Honolulu to expand and improve services as the Waianae Convenience Center.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i.

Your Committee finds that the Waianae Convenience Center, which is operated by the Department of Environmental Services Refuse Division of the City and County of Honolulu, is the only refuse center located on the west side of Oahu. Notably, the Convenience Center is the only site in the area for residents to legally dispose of bulky items and other waste. Because of the Center's limited capacity, residents report extreme wait times to dispose of bulky items and other waste. Long wait times at the Center create traffic congestion in the area and provide incentives for residents to dispose of bulky items and other waste illegally. Accordingly, this measure encourages the City and County of Honolulu to expand and improve services at the Waianae Convenience Center.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 134 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3574 Agriculture and Environment on S.C.R. No. 243

The purpose and intent of this measure is to engage, endorse, accept, and adopt the New York Declaration on Forests to achieve the United Nations Paris Agreement and the 2030 Agenda for Sustainable Development.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Climate Protectors Hawai'i, 350Hawaii.org, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that Hawaii is often recognized as a global leader in sustainability and climate change adaptation. Hawaii's forests are particularly important to the State's sustainability goals and leadership in climate change adaptation. In addition to their importance to the State's sustainability goals and climate change adaptation, Hawaii's forests significantly improve the quality of life for residents and visitors. This measure engages, endorses, accepts, and adopts the New York Declaration on Forests to support the State's efforts regarding the United Nations Paris Agreement and the 2030 Agenda for Sustainable Development, specifically Sustainable Development Goal 15, Life on Land.

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

Signed by the Chair on behalf of the Committee.
Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3575 Health on S.C.R. No. 33

The purpose and intent of this measure is to request the Blood Bank of Hawaii to immediately adopt the Food and Drug Administration's updated guidance, which shortens or eliminates the deferral period for certain blood donors.

Your Committee received testimony in support of this measure from Blood Bank of Hawaii and one individual.

Your Committee finds that due to fears of the coronavirus disease 2019 (COVID-19) pandemic, blood bank donations decreased substantially in 2021, resulting in an historic blood inventory shortage in the State. Your Committee further finds that the federal Food and Drug Administration (FDA) is the government agency that determines blood donor eligibility requirements. Due to the national shortage of blood donations during the COVID-19 pandemic, the FDA revised its blood donor eligibility guidance for several categories of blood donors, which shortened or eliminated completely the deferral period, or the amount of time these donors must wait before donating blood. However, the Blood Bank of Hawaii has yet to adopt any of the FDA's updated guidance. Therefore, this measure requests the Blood Bank of Hawaii to immediately adopt the FDA's updated guidance.

Your Committee has amended this measure by:

- (1) Amending its title; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 33, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 33, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3576 Health on S.R. No. 28

The purpose and intent of this measure is to request the Blood Bank of Hawaii to immediately adopt the Food and Drug Administration's updated guidance, which shortens or eliminates the deferral period for certain blood donors.

Your Committee received testimony in support of this measure from Blood Bank of Hawaii and one individual.

Your Committee finds that due to fears of the coronavirus disease 2019 (COVID-19) pandemic, blood bank donations decreased substantially in 2021, resulting in an historic blood inventory shortage in the State. Your Committee further finds that the federal Food and Drug Administration (FDA) is the government agency that determines blood donor eligibility requirements. Due to the national shortage of blood donations during the COVID-19 pandemic, the FDA revised its blood donor eligibility guidance for several categories of blood donors, which shortened or eliminated completely the deferral period, or the amount of time these donors must wait before donating blood. However, the Blood Bank of Hawaii has yet to adopt any of the FDA's updated guidance. Therefore, this measure requests the Blood Bank of Hawaii to immediately adopt the FDA's updated guidance.

Your Committee has amended this measure by:

- (1) Amending its title; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 28, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 28, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3577 Health on S.C.R. No. 197

The purpose and intent of this measure is to request the Department of Health to develop protocols for hospitals in the State to improve the treatment of patients contemplating suicide.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from Kahi Mohala.

Your Committee finds that suicide is the second leading cause of death among fifteen to thirty-four year olds and the tenth leading cause of death overall in the United States. Your Committee further finds that health care organizations have a unique opportunity to help prevent suicide, since people at risk of suicide are often seen in health care settings and the majority of those who die by suicide were seen by a professional in the year prior to their death, yet were not diagnosed with a mental health disorder. Care for people with suicide risk is highly variable, and gaps in care for individuals at risk of suicide exist. A study to develop recommendations is needed to close those gaps. This measure requests the Department of Health to develop protocols for hospitals in the State to improve the treatment of patients contemplating suicide.

Your Committee has amended this measure by:

- (1) Requesting the Department of Health to develop protocols to improve the treatment of patients contemplating suicide in consultation with hospitals in the State, including Kahi Mohala; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 197, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 197, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3578 Health on S.R. No. 190

The purpose and intent of this measure is to request the Department of Health to develop protocols for hospitals in the State to improve the treatment of patients contemplating suicide.

Your Committee received comments on this measure from Kahi Mohala.

Your Committee finds that suicide is the second leading cause of death among fifteen to thirty-four year olds and the tenth leading cause of death overall in the United States. Your Committee further finds that health care organizations have a unique opportunity to help prevent suicide, since people at risk of suicide are often seen in health care settings and the majority of those who die by suicide were seen by a professional in the year prior to their death, yet were not diagnosed with a mental health disorder. Care for people with suicide risk is highly variable, and gaps in care for individuals at risk of suicide exist. A study to develop recommendations is needed to close those gaps. This measure requests the Department of Health to develop protocols for hospitals in the State to improve the treatment of patients contemplating suicide.

Your Committee has amended this measure by:

- (1) Requesting the Department of Health to develop protocols to improve the treatment of patients contemplating suicide in consultation with hospitals in the State, including Kahi Mohala; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 190, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 190, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3579 (Majority) Health on S.C.R. No. 206

The purpose and intent of this measure is to urge Hawaii's congressional delegation to strongly support the Women's Health Protection Act of 2021.

Your Committee received testimony in support of this measure from Planned Parenthood Alliance Advocates. Your Committee received testimony in opposition to this measure from Hawaii Family Forum and three individuals.

Your Committee finds that the United States is experiencing a rise in the number of legal attacks on constitutionally protected reproductive rights, which include two United States Supreme Court cases that challenge the constitutionality of abortion legislation in

Texas and Mississippi. Your Committee further finds that the Women's Health Protection Act of 2021, H.R. No. 3755, 117th Congress, protects a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services. This measure urges Hawaii's congressional delegation to strongly support the Women's Health Protection Act of 2021.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 206 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3580 (Majority) Health on S.R. No. 199

The purpose and intent of this measure is to urge Hawaii's congressional delegation to strongly support the Women's Health Protection Act of 2021.

Your Committee received testimony in opposition to this measure from Hawaii Family Forum and two individuals.

Your Committee finds that the United States is experiencing a rise in the number of legal attacks on constitutionally protected reproductive rights, which include two United States Supreme Court cases that challenge the constitutionality of abortion legislation in Texas and Mississippi. Your Committee further finds that the Women's Health Protection Act of 2021, H.R. No. 3755, 117th Congress, protects a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services. This measure urges Hawaii's congressional delegation to strongly support the Women's Health Protection Act of 2021.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 199 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Fevella). Excused, none.

SCRep. 3581 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 725, 726, and 730

Recommending that the Senate advise and consent to the nominations of the following:

SMALL BUSINESS REGULATORY REVIEW BOARD

G.M. No. 725 JAMES LEE, for a term to expire 06-30-2024;

G.M. No. 726 SANFORD MORIOKA, for a term to expire 06-30-2023; and

G.M. No. 730 WILLIAM LYDGATE, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by James Lee, Sanford Morioka, and William Lydgate for service on the Small Business Regulatory Review Board.

JAMES LEE

Your Committee received testimony in support of the nomination for the reappointment of James Lee from the Small Business Regulatory Review Board and Department of Business, Economic Development, and Tourism.

Upon review of the testimony, your Committee finds that Mr. Lee's experience and dedication in serving on the Small Business Regulatory Review Board qualify him for reappointment to the Board as a member nominated by the Speaker of the House of Representatives, pursuant to section 201M-5, Hawaii Revised Statutes. Mr. Lee is a resident of Hilo, Hawaii and has been the Director of Development for W.H. Shipman, Ltd., a real property corporation, since 2005. Your Committee notes that Mr. Lee has a Bachelor of Arts degree in Business Administration from Chaminade University and over thirty years of real estate management and development experience. Your Committee further notes that Mr. Lee remains involved with various organizations, including the Hawaii County Fire Commission, Hawai'i Island Chamber of Commerce, Hawaii Leeward Planning Conference, and Land Asset and Management Committee of the Roman Catholic Church in the State of Hawaii. Your Committee further finds that he has been a member of the Small Business Regulatory Review Board since 2019 and his experience and knowledge will continue to be assets to the Small Business Regulatory Review Board. Your Committee therefore recommends that James Lee be reappointed to the Small Business Regulatory Review Board based on his experience and commitment to public service.

SANFORD MORIOKA

Your Committee received testimony in support of the nomination for the appointment of Sanford Morioka from the Department of Business, Economic Development, and Tourism and one individual.

Upon review of the testimony, your Committee finds that Mr. Morioka's experience and willingness to serve on the Small Business Regulatory Review Board qualify him for appointment to the Board as a member nominated by the Speaker of the House of Representatives, pursuant to section 201M-5, Hawaii Revised Statutes. Mr. Morioka is a resident of Honolulu, Hawaii and is currently the President of Edwards Enterprises, Inc., the largest locally-owned commercial printing company in the State. Your Committee notes that he has a Bachelor of Arts in Business Administration from the University of Portland and over thirty years in the printing industry. Your Committee further notes that Mr. Morioka has an extensive history of community service and currently serves on the Board of Directors for nonprofits such as Palama Settlement and Honolulu Japanese Chamber of Commerce. Your Committee further finds that he has a thorough understanding of the role and responsibilities of board members. His experience will be assets to the Small Business Regulatory Review Board. Your Committee therefore recommends that Sanford Morioka be appointed to the Small Business Regulatory Review Board based on his experience and commitment to public service.

WILLIAM LYDGATE

Your Committee received testimony in support of the nomination for the reappointment of William Lydgate from the Small Business Regulatory Review Board and Department of Business, Economic Development, and Tourism.

Upon review of the testimony, your Committee finds that Mr. Lydgate's experience, knowledge, and dedication in serving on the Small Business Regulatory Review Board qualify him for reappointment to the Board as a member representing the county of Kauai, pursuant to section 201M-5, Hawaii Revised Statutes. Mr. Lydgate is a resident of Kapaa, Hawaii and is the owner and President of Lydgate Farms, a small-scale farming company known for its production of specialty chocolates and educational farm tours, since 2016. Your Committee notes that he is a fifth-generation descendant of Lydgates on Kauai, and has a Master's degree in Music from the Berklee College of Music – Valencia campus. Your Committee further finds that he has been a member of the Small Business Regulatory Review Board since 2018 and his experience and unique insights into the agricultural industry, farming sustainability, the community of Kauai, and small businesses will continue to be assets to the Small Business Regulatory Review Board. Your Committee therefore recommends that William Lydgate be reappointed to the Small Business Regulatory Review Board based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3582 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 7

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for the areas within lava zones 1, 2, 3, 4, and 6.

Your Committee received testimony in support of this measure from four members of the Hawai'i County Council. Your Committee received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that on April 19, 2021, the United States Geological Survey, Hawaiian Volcano Observatory, and County of Hawaii Civil Defense provided a brief to the Hawaii Island Legislative Delegation regarding the probability of an eruption at Mauna Loa, where it was identified that there is no current evacuation plan in place specifically for lava zones 1, 2, 3, 4, and 6. Your Committee believes that the imminent threat of Mauna Loa and Kilauea volcanic eruptions to Hawaii Island warrants the Hawaii Emergency Management Agency to expeditiously collaborate with the County of Hawaii to prepare for a potential volcanic eruption. This measure will protect the residents of Hawaii Island by requesting the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for lava zones 1, 2, 3, 4, and 6.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 7 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3583 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 2

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for the areas within lava zones 1, 2, 3, 4, and 6.

Your Committee received testimony in support of this measure from four members of the Hawai'i County Council. Your Committee received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that on April 19, 2021, the United States Geological Survey, Hawaiian Volcano Observatory, and County of Hawaii Civil Defense provided a brief to the Hawaii Island Legislative Delegation regarding the probability of an eruption at Mauna Loa, where it was identified that there is no current evacuation plan in place specifically for lava zones 1, 2, 3, 4, and 6. Your Committee believes that the imminent threat of Mauna Loa and Kilauea volcanic eruptions to Hawaii Island warrants the Hawaii Emergency Management Agency to expeditiously collaborate with the County of Hawaii to prepare for a potential volcanic eruption. This measure will protect the residents of Hawaii Island by requesting the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for lava zones 1, 2, 3, 4, and 6.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 2 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3584 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 18

The purpose and intent of this measure is to request that the Governor create a Citizen Advisory Council on Federal Affairs.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board and one individual.

Your Committee finds that federal agencies are major employers in Hawaii, employing postal workers, airport security agents, airport customs agents, correctional officers, law enforcement officers, and others. Additionally, the United States Military has a large presence in Hawaii, employing almost twenty thousand civilians and owning or controlling approximately one hundred fifty thousand acres of state land. However, citizens of the State rarely have an opportunity to provide federal agencies and the military with their

perspectives on environmental matters, emergency planning, hiring practices, housing, and other issues that directly affect the residents' health and well-being. This measure will allow for more coordination and inclusive discussions between the federal government, state and county governments, and local communities by requesting the Governor to create a Citizen Advisory Council on Federal Affairs.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 18 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3585 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 12

The purpose and intent of this measure is to request that the Governor create a Citizen Advisory Council on Federal Affairs.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board.

Your Committee finds that federal agencies are major employers in Hawaii, employing postal workers, airport security agents, airport customs agents, correctional officers, law enforcement officers, and others. Additionally, the United States Military has a large presence in Hawaii, employing almost twenty thousand civilians and owning or controlling approximately one hundred fifty thousand acres of state land. However, citizens of the State rarely have an opportunity to provide federal agencies and the military with their perspectives on environmental matters, emergency planning, hiring practices, housing, and other issues that directly affect the residents' health and well-being. This measure will allow for more coordination and inclusive discussions between the federal government, state and county governments, and local communities by requesting the Governor to create a Citizen Advisory Council on Federal Affairs.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 12 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3586 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 37

The purpose and intent of this measure is to express support for the naming of a United States Navy surface combatant ship after fireman second class and Congressional Medal of Honor recipient Telesforo Trinidad.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that multiple members of Congress, including Representative Ed Case of Hawaii and Representative Sara Jacobs of California, signed a letter to the Acting Secretary of the Navy in strong support of naming a Navy surface combatant ship after United States Navy Fireman Second Class Telesforo Trinidad, who received the Congressional Medal of Honor in 1915. Trinidad earned the Medal of Honor for showing extraordinary heroism in the line of duty in response to boiler explosions aboard the USS San Diego that occurred when the ship was in the Gulf of California on January 21, 1915; more specifically, Trinidad brought two crewmembers to safety despite being physically injured by the explosions. Additionally, one hundred seven years later, Trinidad continues to hold the distinction of being the only Asian American and only Filipino American in the United States Navy to have received a Medal of Honor. Your Committee believes that the naming of a Navy ship in honor of Trinidad would demonstrate the Navy's leadership and commitment to diversity, equality, and inclusion amid current racial tensions and unwarranted violence against Asian Americans and Pacific Islanders nationwide.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 37, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 37, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3587 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 32

The purpose and intent of this measure is to express support for the naming of a United States Navy surface combatant ship after fireman second class and Congressional Medal of Honor recipient Telesforo Trinidad.

Your Committee received testimony in support of this measure from one member of Hawaii's congressional delegation and two individuals.

Your Committee finds that multiple members of Congress, including Representative Ed Case of Hawaii and Representative Sara Jacobs of California, signed a letter to the Acting Secretary of the Navy in strong support of naming a Navy surface combatant ship after United States Navy Fireman Second Class Telesforo Trinidad, who received the Congressional Medal of Honor in 1915. Trinidad earned the Medal of Honor for showing extraordinary heroism in the line of duty in response to boiler explosions aboard the USS San Diego that occurred when the ship was in the Gulf of California on January 21, 1915; more specifically, Trinidad brought two crewmembers to safety despite being physically injured by the explosions. Additionally, one hundred seven years later, Trinidad continues to hold the distinction of being the only Asian American and only Filipino American in the United States Navy to have received a Medal of Honor. Your Committee believes that the naming of a Navy ship in honor of Trinidad would demonstrate the Navy's leadership and commitment to diversity, equality, and inclusion amid current racial tensions and unwarranted violence against Asian Americans and Pacific Islanders nationwide.

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

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 32, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 32, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3588 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 85

The purpose and intent of this measure is to request the Honolulu Police Department to utilize geographic information system mapping to establish a comprehensive and detailed map of complaints and incidents on Oahu related to illegal fireworks use.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board.

Your Committee finds that illegal fireworks use, particularly illegal aerial or display fireworks, bombs, or other explosive devices that sound like fireworks, continue to be an ongoing problem in the State. Your Committee believes that greater enforcement and detection of illegal fireworks are essential in combating the illegal fireworks problem, which is oftentimes hampered by inadequate resources. This measure will aid the Honolulu Police Department in its enforcement of the State's Fireworks Control Law and serve as a deterrent to illegal fireworks use by requesting the Honolulu Police Department to utilize geographic information system mapping to establish a comprehensive and detailed map of complaints and incidents on Oahu related to illegal fireworks use.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 85 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3589 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 49

The purpose and intent of this measure is to urge the City and County of Honolulu to establish a police station in Leeward Oahu.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers, Ka Makana at Hoakalei Community Association, Associa Hawaii, and four individuals.

Your Committee finds that a significant percentage of Oahu's population resides in Leeward Oahu, which includes the communities of Waipahu, Ewa, and Nanakuli, to the coast of Maili, Waianae, and Makaha. Additionally, according to statistics from the 2020 State of Hawaii Data Book, populations in the Leeward Oahu communities rose between 2015 and 2019. Your Committee further finds that law enforcement in District 8, which includes the communities of Ewa, Ewa Beach, West Loch, Barbers Point, Kapolei, Makakilo, Campbell Industrial park, Honokai Hale, Ko Olina, Nanakuli, Maili, Waianae, Makaha, Makua, and Kaena, responds to an array of calls that include assaults, burglaries, drug and alcohol violations, homicides, motor vehicle theft, sex crimes, vandalism, and disturbing the peace. Furthermore, business owners in Kapolei, Honolulu, and other areas have become victims of a rash of thefts and burglaries, and police officers are also responding to a greater number of incidents involving persons who are homeless. This measure will promote public safety by urging the City and County of Honolulu to establish a police station in Leeward Oahu to provide enhanced police services and improved law enforcement response for Leeward Oahu communities.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 49 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3590 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 44

The purpose and intent of this measure is to urge the City and County of Honolulu to establish a police station in Leeward Oahu.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and two individuals.

Your Committee finds that a significant percentage of Oahu's population resides in Leeward Oahu, which includes the communities of Waipahu, Ewa, and Nanakuli, to the coast of Maili, Waianae, and Makaha. Additionally, according to statistics from the 2020 State of Hawaii Data Book, populations in the Leeward Oahu communities rose between 2015 and 2019. Your Committee further finds that law enforcement in District 8, which includes the communities of Ewa, Ewa Beach, West Loch, Barbers Point, Kapolei, Makakilo, Campbell Industrial park, Honokai Hale, Ko Olina, Nanakuli, Maili, Waianae, Makaha, Makua, and Kaena, responds to an array of calls that include assaults, burglaries, drug and alcohol violations, homicides, motor vehicle theft, sex crimes, vandalism, and disturbing the peace. Furthermore, business owners in Kapolei, Honolulu, and other areas have become victims of a rash of thefts and burglaries, and police officers are also responding to a greater number of incidents involving persons who are homeless. This measure will promote public safety by urging the City and County of Honolulu to establish a police station in Leeward Oahu to provide enhanced police services and improved law enforcement response for Leeward Oahu communities.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 44 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3591 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 157

The purpose and intent of this measure is to request the Hawaii Police Department to:

- (1) Prioritize an increased police presence in Ocean View; and
- (2) Collaborate with the Department of Accounting and General Services to conduct a feasibility study on locating a police substation in Hawaiian Ocean View Estates.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, State of Hawaii Organization of Police Officers, Ocean View Community Association, Aloha Animal Advocates, and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that Hawaiian Ocean View Estates in Hawaii County is one of the fastest-growing subdivisions in the United States. However, this population growth has resulted in a corresponding rise in crime, with many residents reporting concerns as diverse as illegal dumping, abandoned vehicles, property crime, and feral dog attacks. Your Committee further finds that the distance between police department facilities on Hawaii Island has resulted in lengthy response times for police service in Hawaiian Ocean View Estates. This measure will promote the safety of the residents of Hawaiian Ocean View Estates by requesting the Hawaii Police Department to prioritize an increased police presence in Ocean View and collaborate with the Department of Accounting and General Services to conduct a feasibility study on locating a police substation in Hawaiian Ocean View Estates.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 157 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3592 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 150

The purpose and intent of this measure is to request the Hawaii Police Department to:

- (1) Prioritize an increased police presence in Ocean View; and
- (2) Collaborate with the Department of Accounting and General Services to conduct a feasibility study on locating a police substation in Hawaiian Ocean View Estates.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, State of Hawaii Organization of Police Officers, Ocean View Community Association, Aloha Animal Advocates, and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that Hawaiian Ocean View Estates in Hawaii County is one of the fastest-growing subdivisions in the United States. However, this population growth has resulted in a corresponding rise in crime, with many residents reporting concerns as diverse as illegal dumping, abandoned vehicles, property crime, and feral dog attacks. Your Committee further finds that the distance between police department facilities on Hawaii Island has resulted in lengthy response times for police service in Hawaiian Ocean View Estates. This measure will promote the safety of the residents of Hawaiian Ocean View Estates by requesting the Hawaii Police Department to prioritize an increased police presence in Ocean View and collaborate with the Department of Accounting and General Services to conduct a feasibility study on locating a police substation in Hawaiian Ocean View Estates.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 150 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3593 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 163

The purpose and intent of this measure is to request the Department of Accounting and General Services to fund the establishment of one full-time equivalent program director position, one full-time staff member position, and costs necessary to establish a full-time State Building Code Council Office.

Your Committee received testimony in support of this measure from Stanford Carr Development, LLC. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that the State Building Code Council was established by Act 82, Session Laws of Hawaii 2007, to create and implement a uniform set of statewide building codes applicable to all construction in the State, which is now known as the Hawaii State Building Codes. However, since its creation, the State Building Code Council has struggled with limited funding and insufficient staffing. This measure will enable the State Building Code Council to update and adopt commercial and residential codes to meet the intent of Act 82, Session Laws of Hawaii 2007, by requesting the Department of Accounting and General Services to provide funding and permanent staff to the State Building Code Council.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 163 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3594 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 155

The purpose and intent of this measure is to request the Department of Accounting and General Services to fund the establishment of one full-time equivalent program director position, one full-time staff member position, and costs necessary to establish a full-time State Building Code Council Office.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Accounting and General Services.

Your Committee finds that the State Building Code Council was established by Act 82, Session Laws of Hawaii 2007, to create and implement a uniform set of statewide building codes applicable to all construction in the State, which is now known as the Hawaii State Building Codes. However, since its creation, the State Building Code Council has struggled with limited funding and insufficient staffing. This measure will enable the State Building Code Council to update and adopt commercial and residential codes to meet the intent of Act 82, Session Laws of Hawaii 2007, by requesting the Department of Accounting and General Services to provide funding and permanent staff to the State Building Code Council.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 155 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3595 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 174

The purpose and intent of this measure is to support the County of Hawaii's efforts to pursue United States Army Corps of Engineers Continuing Authorities program funding for the restoration of Kahaluu Bay on Hawaii Island.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council and Kohala Center.

Your Committee finds that the Kahaluu Beach and Bay Park is the most popular visitor destination in west Hawaii Island, hosting 400,000 users a year due to ease of access and marine life diversity. However, the Kahaluu Beach Park and Bay facilities are eroding from storm surges and sea-level rise while the marine life is threatened by both human interactions through trampling, sunscreen exposure, and waste disposal and by ocean acidification, ocean heating, and other climate change effects. Your Committee believes that the pursuit of United States Army Corps of Engineers' Continuing Authorities Program funding is critical to the restoration of Kahaluu Beach and Bay Park on Hawaii Island. This measure will protect the Kahaluu Beach and Bay Park by supporting the County of Hawaii's efforts to pursue United States Army Corps of Engineers Continuing Authorities program funding for the restoration of Kahaluu Bay on Hawaii Island.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 174 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3596 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 167

The purpose and intent of this measure is to support the County of Hawaii's efforts to pursue United States Army Corps of Engineers Continuing Authorities program funding for the restoration of Kahaluu Bay on Hawaii Island.

Your Committee received testimony in support of this measure from two members of the Hawai'i County Council and Kohala Center.

Your Committee finds that the Kahaluu Beach and Bay Park is the most popular visitor destination in west Hawaii Island, hosting 400,000 users a year due to ease of access and marine life diversity. However, the Kahaluu Beach Park and Bay facilities are eroding from storm surges and sea-level rise while the marine life is threatened by both human interactions through trampling, sunscreen exposure, and waste disposal and by ocean acidification, ocean heating, and other climate change effects. Your Committee believes that the pursuit of United States Army Corps of Engineers' Continuing Authorities Program funding is critical to the restoration of Kahaluu Beach and Bay Park on Hawaii Island. This measure will protect the Kahaluu Beach and Bay Park by supporting the County of Hawaii's efforts to pursue United States Army Corps of Engineers Continuing Authorities program funding for the restoration of Kahaluu Bay on Hawaii Island.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 167 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3597 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 196

The purpose and intent of this measure is to urge the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with humane societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and to other animals in public areas.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals.

Your Committee finds that dog bites are among the top reasons for emergency room visits, ranking higher than injuries occurring on motorcycles, to pedestrians, and from gunshots. Furthermore, dog bites potentially pose a serious danger not only to humans but also

to other pet animals. An attack by an unleashed dog on a leashed dog can easily result in serious injury or death to the leashed animal, as well as potentially serious injury and emotional distress to any person attempting to prevent or disengage the attacking animal from causing harm. This measure will increase public confidence in enforcement of existing animal control laws and make public areas safer by urging the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with humane societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and other animals in public areas.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 196 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3598 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 189

The purpose and intent of this measure is to urge the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with humane societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and to other animals in public areas.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that dog bites are among the top reasons for emergency room visits, ranking higher than injuries occurring on motorcycles, to pedestrians, and from gunshots. Furthermore, dog bites potentially pose a serious danger not only to humans but also to other pet animals. An attack by an unleashed dog on a leashed dog can easily result in serious injury or death to the leashed animal, as well as potentially serious injury and emotional distress to any person attempting to prevent or disengage the attacking animal from causing harm. This measure will increase public confidence in enforcement of existing animal control laws and make public areas safer by urging the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with humane societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and other animals in public areas.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 189 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3599 Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 200

The purpose and intent of this measure is to request the Secretary of the Army to convey Dillingham Airfield to the State of Hawaii.

Your Committee received testimony in support of this measure from the Ko'olau Foundation, Save Dillingham Airfield, and fifteen individuals.

Your Committee finds that Dillingham Airfield is recognized around the world as a premier location for skydiving and gliding and is the most heavily used drop zone in the United States. Your Committee further finds that the National Defense Authorization Act for Fiscal Year 1991, Section 2831, Public Law 101-510, required the Secretary of the Army to convey eighty-seven acres of land to the State of Hawaii, which includes a portion of the western end of Dillingham Airfield and adjacent shoreline, locally known as Army Beach. However, the land transfer has not yet been completed, but remains authorized and is pending disposition. Your Committee believes that the eighty-seven acres of airfield and beach property are valuable assets that rightfully belong to the State of Hawaii. This measure will benefit the State and local communities by requesting the Chairperson of the Board of Land and Natural Resources to work with the Secretary of the Army to convey Dillingham Airfield to the State of Hawaii.

Your Committee has amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 200, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 200, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3600 Public Safety, Intergovernmental, and Military Affairs on S.R. No. 193

The purpose and intent of this measure is to request the Secretary of the Army to convey Dillingham Airfield to the State of Hawaii.

Your Committee received testimony in support of this measure from the Ko'olau Foundation, Save Dillingham Airfield, Hawaiian Astronomical Society, and fourteen individuals.

Your Committee finds that Dillingham Airfield is recognized around the world as a premier location for skydiving and gliding and is the most heavily used drop zone in the United States. Your Committee further finds that the National Defense Authorization Act for Fiscal Year 1991, Section 2831, Public Law 101-510, required the Secretary of the Army to convey eighty-seven acres of land to the State of Hawaii, which includes a portion of the western end of Dillingham Airfield and adjacent shoreline, locally known as Army Beach. However, the land transfer has not yet been completed, but remains authorized and is pending disposition. Your Committee believes that the eighty-seven acres of airfield and beach property are valuable assets that rightfully belong to the State of Hawaii. This

measure will benefit the State and local communities by requesting the Chairperson of the Board of Land and Natural Resources to work with the Secretary of the Army to convey Dillingham Airfield to the State of Hawaii.

Your Committee has amended this measure by:

- (1) Amending its title accordingly; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 193, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 193, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (DeCoite).

SCRep. 3601 (Joint) Health and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 208

The purpose and intent of this measure is to urge the United States Congress and Hawaii's congressional delegation to support legislation establishing Medicare for All.

Your Committees received testimony in support of this measure from the American Cancer Society Cancer Action Network, Democratic Party of Hawai'i Health Committee, and one individual.

Your Committees find that the coronavirus disease 2019 pandemic led to record levels of unemployment and the loss of employer-sponsored health insurance for hundreds of thousands of Hawaii's workers. Your Committees further find that people often delay needed medical treatments due to an inability to pay for health care costs, which further jeopardizes the health of those individuals. Under a single-payer health care system, non-medical expenses nationwide could be reduced to approximately six to eight percent of total health care costs, saving more than one trillion dollars. Therefore, this measure urges the United States Congress, including Hawaii's congressional delegation, to support legislation establishing Medicare for All.

Your Committees have amended this measure by:

- (1) Amending its title; 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 Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 208, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 208, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 5. Noes, none. Excused, none.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3602 (Joint) Health and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 201

The purpose and intent of this measure is to urge the United States Congress and Hawaii's congressional delegation to support legislation establishing Medicare for All.

Your Committees received testimony in support of this measure from the American Cancer Society Cancer Action Network, Democratic Party of Hawai'i Health Committee, and one individual. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the coronavirus disease 2019 pandemic led to record levels of unemployment and the loss of employer-sponsored health insurance for hundreds of thousands of Hawaii's workers. Your Committees further find that people often delay needed medical treatments due to an inability to pay for health care costs, which further jeopardizes the health of those individuals. Under a single-payer health care system, non-medical expenses nationwide could be reduced to approximately six to eight percent of total health care costs, saving more than one trillion dollars. Therefore, this measure urges the United States Congress, including Hawaii's congressional delegation, to support legislation establishing Medicare for All.

Your Committees have amended this measure by:

- (1) Amending its title; 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 Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 201, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 201, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 5. Noes, none. Excused, none.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3603 (Joint) Health and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 221

The purpose and intent of this measure is to request the Auditor to conduct a study on the relationship between current prices of and access to medical cannabis and the volume of illicit cannabis sales in the State.

Your Committees received testimony in support of this measure from Akamai Cannabis Consulting. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Office of the Auditor.

Your Committees find that since the passage of Act 241, Session Laws of 2015, which established a regulated statewide medical cannabis dispensary system, licensed medical cannabis dispensaries have averaged only a thirty-one percent market share of the State's registered medical cannabis patients. The remaining sixty-nine percent of registered medical cannabis patients, equating to more than twenty thousand patients, other purchase medical cannabis from the illicit market or obtain cannabis by growing it themselves. Your Committees find that this disparity could be partially attributed to the lack of access to licensed dispensaries, as existing law authorizes a maximum of sixteen licensed retail dispensing locations across the State. Another contributing factor could be the price of medical cannabis from a licensed dispensary as compared to cannabis from the illicit market. This measure requests the Auditor to conduct a study on the relationship between current prices of and access to medical cannabis and the volume of illicit cannabis sales in the State.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 221 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3604 (Joint) Health and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 214

The purpose and intent of this measure is to request the Auditor to conduct a study on the relationship between current prices of and access to medical cannabis and the volume of illicit cannabis sales in the State.

Your Committees received testimony in support of this measure from Akamai Cannabis Consulting. Your Committees received comments on this measure from the Office of the Auditor.

Your Committees find that since the passage of Act 241, Session Laws of 2015, which established a regulated statewide medical cannabis dispensary system, licensed medical cannabis dispensaries have averaged only a thirty-one percent market share of the State's registered medical cannabis patients. The remaining sixty-nine percent of registered medical cannabis patients, equating to more than twenty thousand patients, other purchase medical cannabis from the illicit market or obtain cannabis by growing it themselves. Your Committees find that this disparity could be partially attributed to the lack of access to licensed dispensaries, as existing law authorizes a maximum of sixteen licensed retail dispensing locations across the State. Another contributing factor could be the price of medical cannabis from a licensed dispensary as compared to cannabis from the illicit market. This measure requests the Auditor to conduct a study on the relationship between current prices of and access to medical cannabis and the volume of illicit cannabis sales in the State.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 214 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 5. Noes, none. Excused, none.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3605 Transportation on S.C.R. No. 167

The purpose and intent of this measure is to urge the Department of Transportation to convene an Intergovernmental Task Force to assist the County of Hawaii in the establishment and certification of a metropolitan planning organization.

Your Committee received comments on this measure from the Department of Transportation and County of Hawai'i Mass Transit Agency.

Your Committee finds that metropolitan planning organizations are agreements between the Governor and local governments that represent at least seventy-five percent of the affected population. The Department of Transportation has the responsibility to support statewide transportation goals with the help of respective counties, but there are only two established metropolitan planning organizations in Hawaii. Therefore, this measure urges the Department of Transportation to convene an Intergovernmental Task Force to assist the County of Hawaii to establish and certify a metropolitan planning organization.

Your Committee has amended this measure by:

- (1) Clarifying findings to better reflect the process for establishment of a metropolitan planning organization;
- (2) Clarifying that the Department of Transportation is urged to convene an Intergovernmental Task Force to recommend policy and provide guidance to assist the County of Hawaii in establishing and forming a metropolitan planning organization or a regional transportation planning organization if the County of Hawaii does not meet the population threshold, according to the 2020 census, for a metropolitan planning organization;
- (3) Including the Directors of the Mass Transit Agency and Planning and Public Works of the County of Hawaii as recipients of this measure; and
- (4) Amending its title accordingly.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 167, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 167, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 3606 Transportation on S.R. No. 159

The purpose and intent of this measure is to urge the Department of Transportation to convene an Intergovernmental Task Force to assist the County of Hawaii in the establishment and certification of a metropolitan planning organization.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the County of Hawai'i Mass Transit Agency.

Your Committee finds that metropolitan planning organizations are agreements between the Governor and local governments that represent at least seventy-five percent of the affected population. The Department of Transportation has the responsibility to support statewide transportation goals with the help of respective counties, but there are only two established metropolitan planning organizations in Hawaii. Therefore, this measure urges the Department of Transportation to convene an Intergovernmental Task Force to assist the County of Hawaii to establish and certify a metropolitan planning organization.

Your Committee has amended this measure by:

- (1) Clarifying findings to better reflect the process for establishment of a metropolitan planning organization;
- (2) Clarifying that the Department of Transportation is urged to convene an Intergovernmental Task Force to recommend policy and provide guidance to assist the County of Hawaii in establishing and forming a metropolitan planning organization or a regional transportation planning organization if the County of Hawaii does not meet the population threshold, according to the 2020 census, for a metropolitan planning organization;
- (3) Including the Directors of the Mass Transit Agency and Planning and Public Works of the County of Hawaii as recipients of this measure; and
- (4) Amending its title accordingly.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 159, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 159, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 3607 Transportation on S.C.R. No. 193

The purpose and intent of this measure is to request the Department of Transportation to develop a plan for the cost-effective disposition of the safe travels thermal screening and tracing camera equipment and other related operations.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that in response to the Safe Travels Screening Program, \$27,000,000 in thermal screening and tracing camera equipment was installed at the State's five major airports. The Safe Travels Program terminated on March 25, 2022, and the equipment maintenance contract will terminate on June 30, 2022. To continue to have access to these useful and costly systems, the Department of Transportation Airports Division is requested to develop a preliminary draft thermal screening and tracing camera repurpose plan for its five major airports.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 193 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 3608 Transportation on S.R. No. 186

The purpose and intent of this measure is to request the Department of Transportation to develop a plan for the cost-effective disposition of the safe travels thermal screening and tracing camera equipment and other related operations.

Your Committee did not receive any testimony on this measure.

Your Committee finds that in response to the Safe Travels Screening Program, \$27,000,000 in thermal screening and tracing camera equipment was installed at the State's five major airports. The Safe Travels Program terminated on March 25, 2022, and the equipment maintenance contract will terminate on June 30, 2022. To continue to have access to these useful and costly systems, the Department of Transportation Airports Division is requested to develop a preliminary draft thermal screening and tracing camera repurpose plan for its five major airports.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 186 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 3609 Housing on S.C.R. No. 162

The purpose and intent of this measure is to request the Governor to order executive agencies to review and revise their policies and rules to prohibit discrimination in rental transactions and advertisements for rental transactions based on source of income or participation in housing assistance programs.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Hawaii Public Housing Authority, Hawai'i Civil Rights Commission, Governor's Coordinator on Homelessness, and two individuals.

Your Committee finds that Honolulu is one of the largest cities in the United States that does not prohibit source of income discrimination in rental transactions. Source of income discrimination often exacerbates the challenges low-income families face when searching for affordable housing by preventing low-income individuals with housing vouchers from being considered as tenants. Studies show that policies designed to prevent housing discrimination by income source make applicants with housing vouchers twelve percent more likely to find housing. Additionally, sixteen states and the District of Columbia already prohibit income source discrimination. This measure requests the Governor to order executive agencies to adopt policies to prohibit income source discrimination.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 162 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3610 Housing on S.R. No. 154

The purpose and intent of this measure is to request the Governor to order executive agencies to review and revise their policies and rules to prohibit discrimination in rental transactions and advertisements for rental transactions based on source of income or participation in housing assistance programs.

Your Committee received comments on this measure from the Hawaii Public Housing Authority, Hawai'i Civil Rights Commission, and Governor's Coordinator on Homelessness.

Your Committee finds that Honolulu is one of the largest cities in the United States that does not prohibit source of income discrimination in rental transactions. Source of income discrimination often exacerbates the challenges low-income families face when searching for affordable housing by preventing low-income individuals with housing vouchers from being considered as tenants. Studies show that policies designed to prevent housing discrimination by income source make applicants with housing vouchers twelve percent more likely to find housing. Additionally, sixteen states and the District of Columbia already prohibit income source discrimination. This measure requests the Governor to order executive agencies to adopt policies to prohibit income source discrimination.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 154 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3611 Housing on S.C.R. No. 161

The purpose and intent of this measure is to request the Hawaii Housing Finance and Development Corporation to convene a task force on affordable housing permitting and to conduct a study of county ordinance on housing finance and development.

Your Committee received comments on this measure from the Hawaii Public Housing Authority and Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii is facing an unprecedented housing shortage that has resulted in insufficient affordable housing for the State's residents. Many county ordinances and rules impose significant barriers to affordable housing development in the State. To address those barriers, it is necessary to obtain greater information on county-level ordinances and rules that may hinder the development of affordable housing. This measure requests the Hawaii Housing Finance and Development Corporation to convene a task force and conduct a study on affordable housing permitting and county ordinances on housing finance and development. However, your Committee also notes that, according to testimony submitted by the Hawaii Housing Finance and Development Corporation, the requested task force and study will cost an estimated \$250,000.

Your Committee has amended this measure by extending the deadline for the Hawaii Housing Finance and Development Corporation to complete the requested report by one year to 2024.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 161, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 161, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3612 Housing on S.R. No. 153

The purpose and intent of this measure is to request the Hawaii Housing Finance and Development Corporation to convene a task force on affordable housing permitting and to conduct a study of county ordinance on housing finance and development.

Your Committee received comments on this measure from the Hawaii Public Housing Authority and Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii is facing an unprecedented housing shortage that has resulted in insufficient affordable housing for the State's residents. Many county ordinances and rules impose significant barriers to affordable housing development in the State. To address those barriers, it is necessary to obtain greater information on county-level ordinances and rules that may hinder the development of affordable housing. This measure requests the Hawaii Housing Finance and Development Corporation to convene a task force and conduct a study on affordable housing permitting and county ordinances on housing finance and development. However, your Committee also notes that, according to testimony submitted by the Hawaii Housing Finance and Development Corporation, the requested task force and study will cost an estimated \$250,000.

Your Committee has amended this measure by extending the deadline for the Hawaii Housing Finance and Development Corporation to complete the requested report by one year to 2024.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 153, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 153, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3613 (Joint) Health and Transportation on S.C.R. No. 194

The purpose and intent of this measure is to request the Department of Health to examine issues and barriers to enforcement of restrictions to reduce noise pollution, including the possibility of funding commercial rebates or similar incentive funding to support the transition to quieter operations by zero-emission mopeds and small off-road equipment.

Your Committees received testimony in support of this measure from Climate Protectors Hawai'i and six individuals.

Your Committees find that small engines, such as those in mopeds and lawn and garden equipment, are significant contributors to noise pollution that affect the peace, tranquility, and quality of life in both suburban and rural areas across the State. Efforts to control noise pollution emitting from small engines have been codified in chapter 342F, Hawaii Revised Statutes, and in chapter 11-46, Hawaii Administrative Rules, while section 46-17, Hawaii Revised Statutes, authorizes any county to adopt ordinances regulating noise. However, the mobile and dispersed nature of small engines make them difficult to regulate. This measure requests the Department of Health to examine the issues and barriers to enforcing noise pollution regulations.

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

As affirmed by the records of votes of the members of your Committees on Health and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 194, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 194, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).
Transportation: Ayes, 5. Noes, none. Excused, none.

SCRep. 3614 (Joint) Health and Transportation on S.R. No. 187

The purpose and intent of this measure is to request the Department of Health to examine issues and barriers to enforcement of restrictions to reduce noise pollution, including the possibility of funding commercial rebates or similar incentive funding to support the transition to quieter operations by zero-emission mopeds and small off-road equipment.

Your Committees received testimony in support of this measure from Climate Protectors Hawai'i and four individuals.

Your Committees find that small engines, such as those in mopeds and lawn and garden equipment, are significant contributors to noise pollution that affect the peace, tranquility, and quality of life in both suburban and rural areas across the State. Efforts to control noise pollution emitting from small engines have been codified in chapter 342F, Hawaii Revised Statutes, and in chapter 11-46, Hawaii Administrative Rules, while section 46-17, Hawaii Revised Statutes, authorizes any county to adopt ordinances regulating noise. However, the mobile and dispersed nature of small engines make them difficult to regulate. This measure requests the Department of Health to examine the issues and barriers to enforcing noise pollution regulations.

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

As affirmed by the records of votes of the members of your Committees on Health and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 187, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 187, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).
Transportation: Ayes, 5. Noes, none. Excused, none.

SCRep. 3615 Human Services on S.C.R. No. 181

The purpose and intent of this measure is to request the County of Hawai'i to conduct a feasibility study on the creation of a Marshallese Community Center in Hawaiian Ocean View Estates.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council.

Your Committee finds the effects of the United States' nuclear testing in the central Pacific from 1946 to 1958, including in and above the Marshall Islands, now known as the Republic of the Marshall Islands, resulted in numerous inhabitants being forced to relocate to other countries. This Marshallese diaspora includes the approximately fourteen hundred migrants who currently reside in Hawaiian Ocean View Estates in the County of Hawai'i. Your Committee further finds that the coronavirus disease 2019 (COVID-19) pandemic has exacerbated the public health crisis for Pacific Islanders, including lack of access to health care and disparities in other social determinants of health, resulting in non-Hawaiian Pacific Islanders making up more than a quarter of COVID-19 cases, despite comprising just four percent of the State's population. This measure will allow policy makers to obtain necessary information pertaining to the feasibility of creating a Marshallese Community Center in Hawaiian Ocean View Estates to assist the Marshallese community by providing various services, including group activities, public information and assistance, social support, and perpetuation of culture.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 181, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 181, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3616 Human Services on S.R. No. 174

The purpose and intent of this measure is to request the County of Hawai'i to conduct a feasibility study on the creation of a Marshallese Community Center in Hawaiian Ocean View Estates.

Your Committee did not receive any testimony on this measure.

Your Committee finds the effects of the United States' nuclear testing in the central Pacific from 1946 to 1958, including in and above the Marshall Islands, now known as the Republic of the Marshall Islands, resulted in numerous inhabitants being forced to relocate to other countries. This Marshallese diaspora includes the approximately fourteen hundred migrants who currently reside in Hawaiian Ocean View Estates in the County of Hawai'i. Your Committee further finds that the coronavirus disease 2019 (COVID-19) pandemic has exacerbated the public health crisis for Pacific Islanders, including lack of access to health care and disparities in other social determinants of health, resulting in non-Hawaiian Pacific Islanders making up more than a quarter of COVID-19 cases, despite comprising just four percent of the State's population. This measure will allow policy makers to obtain necessary information pertaining to the feasibility of creating a Marshallese Community Center in Hawaiian Ocean View Estates to assist the Marshallese community by providing various services, including group activities, public information and assistance, social support, and perpetuation of culture.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 174, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 174, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3617 (Joint) Public Safety, Intergovernmental, and Military Affairs and Transportation on S.C.R. No. 84

The purpose and intent of this measure is to request the Auditor to conduct an audit of harbor inspection procedures of state departments and federal agencies for shipping containers to prevent the importation of illegal fireworks into the State.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Office of the Auditor.

Your Committees find that the lack of sufficient cargo inspections increases the opportunity for illegal fireworks to enter the State. Furthermore, the Illegal Fireworks Task Force, established by Act 170, Session Laws of Hawaii 2010, recommended in its January 2011 report an increase in random inspections for illegal fireworks by expanding the inspection authority for state departments and focusing cargo inspections to make the inspections more manageable. This measure will allow the State to determine any necessary changes to inspection procedures at state harbors that would reduce the volume of illegal fireworks being imported into the State by requesting the Auditor to conduct an audit of harbor inspection procedures of state departments and federal agencies for shipping containers to prevent the importation of illegal fireworks into the State.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 84 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).
Transportation: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3618 Health on Gov. Msg. No. 536

Recommending that the Senate advise and consent to the nomination of the following:

MENTAL HEALTH AND SUBSTANCE ABUSE, KAUAI SERVICE AREA BOARD

G.M. No. 536 MAILE MURRAY, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Maile Murray for service on the Mental Health and Substance Abuse, Kauai Service Area Board.

Your Committee received testimony in support of the nomination for the appointment of Maile Murray from the Department of Health and one individual.

Upon review of the testimony, your Committee finds that Ms. Murray's experience in the field of substance abuse, commitment to public service, and dedication to improving the lives of those living with substance abuse issues, qualify her for appointment to the Mental Health and Substance Abuse, Kauai Service Area Board. Ms. Murray was born and raised on Kauai and has worked as a health care professional in the field of substance abuse for over twenty years. In her current role as a full-time Substance Abuse Counselor with the Kauai Drug Court of the State of Hawaii Judiciary, she conducts assessments, facilitates groups, and coordinates treatment for individuals participating in the Drug Court program. Ms. Murray has also previously worked as a Social Services Assistant for the Garden Isle Rehabilitation and Healthcare Center, and as a Clinical Supervisor for the Hina Mauka Teen CARE Program. She is also certified as a Substance Abuse Professional by the National Association for Addiction Professionals and holds certificates in Substance Abuse Counseling and as a Prevention Specialist. Ms. Murray earned a Bachelor's degree in Public Administration with a focus in Criminal Justice from the University of Hawaii, West Oahu. Your Committee further finds that Ms. Murray's service on Mental Health and Substance Abuse, Kauai Service Area Board would fulfill the requirement of section 334-11, Hawaii Revised Statutes, that the Board includes a service area provider. Your Committee therefore recommends that Maile Murray be appointed to the Mental Health and Substance Abuse, Kauai Service Area Board based on her experience in the field of substance abuse and commitment to improving the lives of those living with substance abuse issues.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3619 Health on Gov. Msg. Nos. 534 and 535

Recommending that the Senate advise and consent to the nominations of the following:

MENTAL HEALTH AND SUBSTANCE ABUSE, HAWAI'I SERVICE AREA BOARD

G.M. No. 534 DIANA SANCHEZ, for a term to expire 06-30-2022; and

G.M. No. 535 DIANA SANCHEZ, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Diana Sanchez for service on the Mental Health and Substance Abuse, Hawai'i Service Area Board.

Your Committee received testimony in support of the nomination for the appointment and reappointment of Diana Sanchez from the Department of Health and one individual.

Upon review of the testimony, your Committee finds that Ms. Sanchez's experience as a mother of a child with a mental illness, commitment to public service, and dedication to improving the lives of those living with mental illness, qualify her for appointment and reappointment to the Mental Health and Substance Abuse, Hawai'i Service Area Board. Ms. Sanchez is a mother who has provided over twenty years of direct care and support to her adult son who was diagnosed with a serious mental illness. Although she has been retired for several years, Ms. Sanchez has remained active in her community pursuing projects that she is passionate about. As an active volunteer with the Hawaii National Alliance for Mental Illness (NAMI), she facilitates the monthly NAMI Family Support Group and presents at NAMI signature classes for Family-to-Family and Family and Friends. Ms. Sanchez has worked with other NAMI Hawaii members to develop a pilot project for Assisted Community Treatment. Your Committee further finds that section 334-11, Hawaii Revised Statutes, requires that one member be a service area resident who is a consumer or non-provider of mental health services. Ms. Sanchez's service on Mental Health and Substance Abuse, Hawai'i Service Area Board would fulfill this requirement. Your Committee therefore recommends that Diana Sanchez be appointed and reappointed to the Mental Health and Substance Abuse, Hawai'i Service Area Board based on her experience caring for a family member with a mental illness and commitment to improving the lives of those living with mental illness.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3620 Health on Gov. Msg. Nos. 528, 529, 530, and 531

Recommending that the Senate advise and consent to the nominations of the following:

HEALTH PLANNING COUNCIL, TRI-ISLE SUBAREA

G.M. No. 528 DONNA BUTTERFIELD, for a term to expire 06-30-2022;

G.M. No. 529 DONNA BUTTERFIELD, for a term to expire 06-30-2026;

G.M. No. 530 EDELUIA BAGUIO-LARENA, for a term to expire 06-30-2024; and

G.M. No. 531 KATHLEEN HAGAN, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Donna Butterfield, Edeluisa Baguio-Larena, and Kathleen Hagan for service on the Health Planning Council, Tri-Isle Subarea.

DONNA BUTTERFIELD

Your Committee received testimony in support of the nomination for the appointment and reappointment of Donna Butterfield from the State Health Planning and Development Agency and two individuals.

Upon review of the testimony, your Committee finds that Ms. Butterfield's experience in promoting healthy lifestyles, commitment to public service, and dedication to improving the health of the community, qualify her for appointment and reappointment to the Health Planning Council, Tri-Isle Subarea. Ms. Butterfield is a realtor on the island of Maui. She is currently a volunteer member on the Member Services Committee of the Realtors Association of Maui where she developed a program to promote healthy lifestyles. She worked for Marriott for several years, creating menus, managing school foodservice, counseling students and staff, and teaching nutrition workshops. Ms. Butterfield earned a Bachelor's degree in Nutrition and Food Management from Oregon State University and she has served on the Health Planning Council, Tri-Isle Subarea as an interim member since November 2021. Your Committee therefore recommends that Donna Butterfield be appointed and reappointed to the Health Planning Council, Tri-Isle Subarea based on her experience in teaching others about healthy lifestyles and commitment to improving the health of the community.

EDELUIA BAGUIO-LARENA

Your Committee received testimony in support of the nomination for the appointment of Edeluisa Baguio-Larena from the State Health Planning and Development Agency.

Upon review of the testimony, your Committee finds that Ms. Baguio-Larena's experience in the field of early childhood development and education, commitment to public service, and dedication to improving the health of the community, qualify her for appointment to the Health Planning Council, Tri-Isle Subarea. Ms. Baguio-Larena has over twenty years of experience in early childhood development and education. She is currently the Chief Executive Officer of the Maui Family Support Services, Inc., a community-based organization whose mission is to promote healthy family functioning by providing support services that build on family strengths. Ms. Baguio-Larena is affiliated with several public service entities, including the State of Hawaii Early Learning Board and the Early Childhood Comprehensive System Collaborative Improvement and Innovation Network Maui Impact Community Team. Ms. Baguio-Larena is also a core member of the Ho'oiikaika Partnership and a steering committee member of the Child Welfare Services Maui County Advisory Council Islands of Hope, and as such, is familiar with the roles and responsibilities of council members. Your Committee therefore recommends that Edeluisa Baguio-Larena be appointed to the Health Planning Council, Tri-Isle Subarea based on her experience in the field of early childhood development and commitment to improving the health of the community.

KATHLEEN HAGAN

Your Committee received testimony in support of the nomination for the reappointment of Kathleen Hagan from the State Health Planning and Development Agency, Hawai'i Public Health Institute, and one individual.

Upon review of the testimony, your Committee finds that Ms. Hagan's experience in the field of nursing, commitment to public service, and dedication to improving the health of the community, qualify her for reappointment to the Health Planning Council, Tri-Isle Subarea. Ms. Hagan is a Nursing Professor at the University of Hawaii, Maui College (UHMC), School of Nursing, serving in several leadership positions. Ms. Hagan is also the Program Coordinator for the UHMC Nursing program and a Nurse Practitioner at the UHMC Campus Health Center. Ms. Hagan has a background in health care programming and research, and her interests include health education, prevention, and environmental protection. She serves as the co-advisor and volunteer of the Health Occupations Students of America, is a member of the Campus Curriculum Committee, and continues to serve in multiple public interest groups, including the Coalition for a Tobacco-Free Hawaii and the Healthy Eating + Active Living Coalition. In 2017, she received the 'A'a Award for outstanding personal contribution of volunteer time from the Hawaii Public Health Institute and was a participant in the 2019-2020 Cohort of the President's Emerging Leader's Program. Ms. Hagan earned a Master of Science in Nursing and a Bachelor of Arts in Human Biology from the University of California, San Francisco. Your Committee notes that Ms. Hagan currently serves on the Health Planning Council, Tri-Isle Subarea and therefore is already familiar with its work. Your Committee therefore recommends that Kathleen Hagan be reappointed to the Health Planning Council, Tri-Isle Subarea based on her experience in nursing and commitment to improving the health of the community.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3621 Health on Gov. Msg. Nos. 526 and 527

Recommending that the Senate advise and consent to the nominations of the following:

HEALTH PLANNING COUNCIL, HONOLULU SUBAREA

G.M. No. 526 CHARLENE TAKENO, for a term to expire 06-30-2024; and

G.M. No. 527 WESLEY SUMIDA, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Charlene Takeno and Wesley Sumida for service on the Health Planning Council, Honolulu Subarea.

CHARLENE TAKENO

Your Committee received testimony in support of the nomination for the appointment of Charlene Takeno from the State Health Planning and Development Agency, Parents And Children Together, and four individuals.

Upon review of the testimony, your Committee finds that Ms. Takeno's experience in the field of community development, commitment to public service, and dedication to improving the health of the community, qualify her for appointment to the Health Planning Council, Honolulu Subarea. Ms. Takeno is currently the Community Developer at Parents And Children Together, a community-based social service agency that promotes meaningful and healthy relationships between parents and children, through an array of social services. As the Community Developer, Ms. Takeno leads and facilitates initiatives that promote community impact and self-determination to build strong and engaged community and local community leaders. Prior to this, Ms. Takeno served as the Program Director at the Hawaii State Judiciary Children's Justice Center of Oahu, the Program Analyst for the High Intensity Drug Trafficking Area, and the Coordinator at the Hawaii State Department of the Attorney General Missing Child Center-Hawaii. Ms. Takeno earned a Master of Education with emphasis on Instructional Design from the University of Hawaii at Manoa and a Bachelor's degree in Journalism from the University of Massachusetts at Amherst. Your Committee notes that Ms. Takeno has served as an interim member of the Health Planning Council, Honolulu Subarea, since July 2021, and is already familiar with its work. Your Committee therefore recommends that Charlene Takeno be appointed to the Health Planning Council, Honolulu Subarea based on her experience in community development and commitment to improving the health of the community.

WESLEY SUMIDA

Your Committee received testimony in support of the nomination for the reappointment of Wesley Sumida from the State Health Planning and Development Agency, and two individuals.

Upon review of the testimony, your Committee finds that Dr. Sumida's experience in the field of pharmacy, commitment to public service, and dedication to improving the health of the community, qualify him for reappointment to the Health Planning Council, Honolulu Subarea. Dr. Sumida is currently an Associate Professor at the University of Hawaii at Hilo, Daniel K. Inouye College of Pharmacy. He previously served as an Adjunct Assistance Professor at the John A. Burns Schools of Medicine and faculty at Lau Ola Native Hawaiian Health Clinic. Prior to his academic career, he worked at Kaiser Permanente for approximately twenty-two years in various pharmaceutical positions, culminating in the Director of Inpatient Pharmacy. He also was a pharmacist at Harborview Medical Center in Seattle, Washington. Dr. Sumida is active in the community, having volunteered for various coronavirus disease 2019 vaccination clinics, health screenings, and provided education throughout the State. He currently serves on the Board of Directors for the Hawaii Pharmacists Association and is a member of the American Society of Health System Pharmacists, American College of Clinical Pharmacy, and American Association of Colleges of Pharmacy. Dr. Sumida has earned numerous awards throughout his career, including the Faculty Service Award at the Daniel K. Inouye College of Pharmacy, the Pharmacy Leadership Award from the Hawaii Pharmacists Association, and the Kaiser Permanente Exceptional Contribution Award. Dr. Sumida has a Doctor of Pharmacy and a Bachelor of Science in Pharmacy from the University of Washington, School of Pharmacy. Your Committee notes that Mr. Sumida currently serves on the Health Planning Council, Honolulu Subarea, has been Council Chair since 2019, and therefore is already familiar with the its work. Your Committee therefore recommends that Wesley Sumida be reappointed to the Health Planning Council, Honolulu Subarea based on his experience in pharmacy and commitment to improving the health of the community.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3622 Health on Gov. Msg. Nos. 520, 521, 522, 523, 524, and 525

Recommending that the Senate advise and consent to the nominations of the following:

EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE

- G.M. No. 520 DARREN ROSARIO, for a term to expire 06-30-2025;
- G.M. No. 521 MAREN ANKA, for a term to expire 06-30-2022;
- G.M. No. 522 MAREN ANKA, for a term to expire 06-30-2026;
- G.M. No. 523 MAX MATIAS, for a term to expire 06-30-2025;
- G.M. No. 524 STACEY OHO, for a term to expire 06-30-2024; and
- G.M. No. 525 CODY BONILLA, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Darren Rosario, Maren Anka, Max Matias, Stacey Oho, and Cody Bonilla for service on the Emergency Medical Services Advisory Committee.

DARREN ROSARIO

Your Committee received testimony in support of the nomination for the appointment of Darren Rosario from the Department of Health; County of Hawai'i Fire Department; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; and American Medical Response.

Upon review of the testimony, your Committee finds that Mr. Rosario's experience as a fire fighter, commitment to public service, and dedication to ensuring the health and safety of the community, qualify him for appointment to the Emergency Medical Services Advisory Committee. Mr. Rosario is a retired Chief of the County of Hawai'i Fire Department. Prior to that, Mr. Rosario served as a fire fighter, and as a certified emergency medical technician and mobile intensive care technician. Your Committee notes that Mr. Rosario completed Emergency Medical Technician Training at and received an Associate's Degree as a Mobile Intensive Care Technician from Kapiolani Community College. He also earned an Associate's Degree in Fire Science from Honolulu Community College and completed the Executive Fire Officer Program from the National Fire Academy. Your Committee further finds that section 321-225, Hawaii Revised Statutes, requires that four members be consumers of health care who have no connection with or relationship to the health care system of the State. Mr. Rosario's service on the Emergency Medical Services Advisory Committee would fulfill this requirement. Your Committee therefore recommends that Darren Rosario be appointed to the Emergency Medical Services Advisory Committee based on his experience in emergency service response and commitment to public health and safety.

MAREN ANKA

Your Committee received testimony in support of the nomination for the appointment and reappointment of Maren Anka from the Department of Health, American Medical Response, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Anka's experience as an emergency responder, commitment to public service, and dedication to ensuring the health and safety of the community, qualify her for appointment and reappointment to the Emergency Medical Services Advisory Committee. Ms. Anka is a paramedic and a Health and Safety Officer with American Medical Response - Maui County. She is also one of a select group of paramedics that actively staffs the Maui medical evacuation helicopter stations. Your Committee notes that Ms. Anka serves as an adjunct Emergency Medical Services instructor at Kapiolani Community College and is a Senior Diving Guide with Extended Horizons in Lahaina. Your Committee further finds that Ms. Anka's service on the Emergency Medical Services Advisory Committee would fulfill the requirement of section 321-225, Hawaii Revised Statutes, that a member be a representative of allied health professions related to emergency medical services. Your Committee therefore recommends that Maren Anka be appointed and reappointed to the Emergency Medical Services Advisory Committee based on her experience in emergency service response and commitment to public health and safety.

MAX MATIAS

Your Committee received testimony in support of the nomination for the appointment of Max Matias from the Department of Health; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; American Medical Response; and two individuals.

Upon review of the testimony, your Committee finds that Mr. Matias' experience in the field of emergency response, commitment to public service, and dedication to ensuring the health and safety of the community, qualify him for appointment to the Emergency Medical Services Advisory Committee. Mr. Matias currently oversees the fire personnel and facility at the Ellison Onizuka Kona International Airport and the Aircraft Rescue and Firefighter Regional Training Center on the island of Hawaii. Mr. Matias also has over twenty-two years of service as both a firefighter and Emergency Medical Technician on the island of Kauai, and is a lecturer at Hawaii Community College in the field of Fire Science. Mr. Matias attend Kapiolani Community College where he studied Emergency Medical Services. Your Committee further finds that Mr. Matias' service on the Emergency Medical Services Advisory Committee would fulfill the requirement of section 321-225, Hawaii Revised Statutes, that a member be a representative of allied health professions related to emergency medical services. Your Committee therefore recommends that Max Matias be appointed to the Emergency Medical Services Advisory Committee based on his experience in emergency service response and commitment to public health and safety.

STACEY OHO

Your Committee received testimony in support of the nomination for the appointment of Stacey Oho from the Department of Health, Kauai Paramedics Association, American Medical Response, and ten individuals.

Upon review of the testimony, your Committee finds that Mr. Oho's experience in the field of emergency medical services, commitment to public service, and dedication to ensuring the health and safety of the community, qualify him for appointment to the Emergency Medical Services Advisory Committee. Mr. Oho is an Emergency Medical Services (EMS) healthcare instructor who holds current instructor certifications in Basic Life Support, Advanced Life Support, Pediatric Advanced Life Support, Prehospital Trauma Life Support, Advanced Medical Life Support, Emergency Pediatric Care, and Advanced Hazmat Life Support. Mr. Oho also serves as an Assistant Professor with the Kapiolani Community College EMS Department as their lead Mobile Intensive Care Technician instructor. Additionally, he is a practicing paramedic with American Medical Response-Kauai County. Your Committee further finds that Mr. Oho's service on the Emergency Medical Services Advisory Committee would fulfill the requirement of section 321-225, Hawaii Revised Statutes, that a member be a mobile intensive care technician or emergency medical technician engaged in the practice of pre-hospital emergency medical service representing the City and County of Honolulu. Your Committee therefore recommends that Stacey Oho be appointed to the Emergency Medical Services Advisory Committee based on his experience in emergency medical services and commitment to public health and safety.

CODY BONILLA

Your Committee received testimony in support of the nomination for the appointment of Cody Bonilla from the Department of Health, Kauai Paramedics Association, American Medical Response, and one individual.

Upon review of the testimony, your Committee finds that Mr. Bonilla's experience in the field of emergency medical services, commitment to public service, and dedication to ensuring the health and safety of the community, qualify him for appointment to the Emergency Medical Services Advisory Committee. Mr. Bonilla is currently a licensed Paramedic with American Medical Response - Kauai County, serving as their Operations Supervisor. Mr. Bonilla has also served on the Kauai Paramedic Association as both its President and Vice President and holds certifications as a State of Hawaii Mobile Intensive Care Technician and National Registry Paramedic. Your Committee further finds that Mr. Bonilla's service on the Emergency Medical Services Advisory Committee would fulfill the requirement of section 321-225, Hawaii Revised Statutes, that a member be a mobile intensive care technician or emergency

medical technician engaged in the practice of pre-hospital emergency medical service representing the County of Kauai. Your Committee notes that Mr. Bonilla currently serves as a holdover member on the Emergency Medical Services Advisory Committee and therefore is already familiar with the its work. Your Committee therefore recommends that Cody Bonilla be appointed to the Emergency Medical Services Advisory Committee based on his experience in emergency medical services and commitment to public health and safety.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Moriwaki, Fevella).

SCRep. 3623 Judiciary on H.B. No. 2180

The purpose and intent of this measure is to repeal sections 266-2.3, Hawaii Revised Statutes, relating to the Kewalo Basin use permit, and 266-22 Hawaii Revised Statutes, relating to maintenance of a fire boat, which have become obsolete or unnecessary.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that sections 266-2.3, Hawaii Revised Statutes, and 266-22, Hawaii Revised Statutes, are obsolete or unnecessary. The purpose of this measure is to repeal these sections.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2180, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Acasio, Kim, Fevella). Noes, none. Excused, 1 (Lee).

SCRep. 3624 Judiciary on H.B. No. 1411

The purpose and intent of this measure is to:

- (1) Require that the transferee's and transferor's address be provided on the certificate of ownership when the title to a motor vehicle is transferred;
- (2) Clarify that the signature of the transferee and signature of the transferor each serve as an attestation by that respective party as to the validity of the information on the certificate of ownership; and
- (3) Impose a fine on a party who provides false or fraudulent information.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors, two members of the Kaua'i County Council, County of Maui Department of Environmental Management, Hawai'i State Association of Counties, Maui Metropolitan Planning Organization Policy Board, Ainaloa Association, and seven individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that more than eight thousand vehicles are abandoned in Hawai'i every year. In 2019, four thousand seven hundred abandoned vehicles were reported on Oahu, one thousand eight hundred abandoned vehicles were reported on Maui, 1,620 abandoned vehicles were reported on Hawai'i island, and nine hundred abandoned vehicles were reported on Kauai. These abandoned vehicles are an eyesore in communities, harmful to the environment, and a financial burden to the counties. Your Committee further finds that, as a result of fraud occurring at the vehicle title transfer level, there is an ongoing issue with locating the proper owner of a vehicle that has been abandoned. This measure will more accurately track motor vehicle ownership.

Your Committee has amended this measure by:

- (1) Clarifying that any person who provides false or fraudulent information under section 286-52(a), Hawaii Revised Statutes, shall be fined no less than \$500 and no more than \$1,000;
- (2) Making it effective on July 1, 2023; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1411, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1411, H.D. 2, S.D. 1.

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

SCRep. 3625 Judiciary on H.B. No. 1761

The purpose and intent of this measure is to authorize the issuance of limited purpose identification cards for certain residents.

Your Committee received testimony in support of this measure from the Department of Public Safety; City and County of Honolulu, Department of Customer Services; County of Hawai'i Finance Department; Hawai'i Friends of Civil Rights; Community Alliance on Prisons; Hawai'i Coalition for Immigrant Rights; American Civil Liberties Union of Hawai'i; and five individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 2015, the Legislature authorized the issuance of limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits to individuals who otherwise satisfy the requirements for a

driver's license, provisional driver's license, or instruction permit except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under the federal REAL ID Act. Your Committee further finds that the State does not similarly provide residents who do not drive and are unable to meet the requirements for a REAL ID-compliant identification card with the ability to access state-issued identification. This issue impacts several demographic groups, including young adults, elderly persons, houseless persons, undocumented immigrants, and lawfully present non-immigrants. Authorizing the issuance of limited purpose identification cards will improve access to places, and other benefits for residents of the State, including marginalized or disadvantaged residents.

Your Committee has amended this measure by:

- (1) Specifying that the limited purpose identification card shall on its reverse bear the phrase, "This identification card is issued only for state identification purposes. It does not establish eligibility for employment, voter registration, or public benefits"; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1761, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1761, H.D. 1, S.D. 2.

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

SCRep. 3626 Judiciary on H.B. No. 2026

The purpose and intent of this measure is to:

- (1) Define "board business" and "informal gatherings";
- (2) Allow a board to prepare and circulate amongst members a statement on a position previously adopted for purposes of submission to the Legislature, under certain circumstances;
- (3) Outline when board packets must be available to interested persons; and
- (4) Apply sunshine law to all adjudicatory functions concerning land use.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Common Cause Hawaii, League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, Hawaii Chapter of the Society of Professional Journalists, Hawai'i State Association of Counties, and eight individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Information Practices, Hawai'i Tourism Authority, and one individual.

Your Committee finds that part I of chapter 92, Hawaii Revised Statutes, the State's sunshine law, provides critical assurances to the public that decision-making by formal decision-making bodies in Hawai'i is transparent and includes the opportunity for public input. Meaningful engagement with a board by the public assists with the formation and conduct of public policy and helps with decision-making that is in the best interest of the public. However, as with every law, there is an opportunity to improve the understanding and compliance of the law as it operates in practice. Your Committee further finds that, in order for the public to provide meaningful written and oral testimony at a board meeting, the public must be allowed to review and inspect the same material provided to the boards in a timely manner, and before testimony submittal deadlines. This measure will strengthen understanding of, and public participation in, the administrative proceedings and process of boards.

Your Committee has amended this measure by:

- (1) Removing language that applied the sunshine law to all adjudicatory functions concerning land use;
- (2) Clarifying that at the time the board packet is distributed to the board members, but no later than forty-eight hours before the meeting time, the board shall also make the board packet available for public inspection in the board's office;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2026, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2026, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3627 Judiciary on H.B. No. 2069

The purpose and intent of this measure is to establish procedures for the custody, inventory, and care of protocol gifts received by members of either house of the Legislature or state employees.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, State Comptroller, and Common Cause Hawaii.

Your Committee finds that, from time to time, state officials and employees accept protocol gifts on behalf of the State, or a political body of the State, from foreign officials, federal officers, or state officials from other states. These gifts may symbolize goodwill and strengthen national and international relationships. Your Committee further finds that existing law does not provide adequate guidance

or procedures regarding the custody, inventory, and care of protocol gifts. Accordingly, your Committee finds that the rules and guidance provided by this measure will promote government transparency and accountability, while preserving objects of historical significance.

Your Committee notes that the definition of “employee” is provided for in the State Ethics Code where the protocol gift requirement is being established by this measure. An employee for the purposes of the State Ethics Code includes any nominated, appointed, or elected officer or employee of the State, including members of boards, commissions, and committees, and employees under contract to the State or of the constitutional convention, but excludes legislators, delegates to the constitutional convention, justices and judges. Since legislators are specifically excluded, this measure refers to legislators and employees. Justices and judges are covered by their own code of conduct.

Your Committee has amended this measure by:

- (1) Clarifying that the procedures for the custody, inventory, and care of protocol gifts apply to employees as defined in section 84-3, Hawaii Revised Statutes;
- (2) Specifying that a legislator or employee shall report to the state archives any protocol gift received by the legislator or employee immediately upon receipt;
- (3) Specifying that the recipient of a protocol gift shall transfer to the State Archives any protocol gift within a reasonable time, as determined by the State Archives; provided that the transfer is not later than the end of the recipient’s time of office or employment;
- (4) Specifying that protocol gifts shall be excluded from the reporting requirement provided in section 84-11.5, Hawaii Revised Statutes; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2069, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2069, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3628 Human Services on S.C.R. No. 10

The purpose and intent of this measure is to request the Department of Human Services to:

- (1) Review the existing payment model for Medicaid reimbursement for patients who require nursing home-level of care in the community;
- (2) Study the feasibility of increasing the Medicaid reimbursement rate for Community Care Foster Family Home (CCFFH) and Expanded Adult Residential Care Home (E-ARCH) care providers; and
- (3) Determine the overall effect of increasing the Medicaid reimbursement rates for CCFFH and E-ARCH care providers.

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

Your Committee finds that it is in the State’s best interest to ensure the overall health, well-being, and quality of life of our kupuna. However, due to the lack of beds in CCFFHs and E-ARCHs available for Medicaid beneficiaries, many kupuna, including those whose sole source of income is from social security, are left with no accessible options for stable, long-term care. The study requested under this measure will provide policy makers with the necessary information to determine whether it is feasible to increase the Medicare reimbursements rates for CCFFH and E-ARCH care providers to enable them to increase the number of beds available to Medicaid beneficiaries.

Your Committee notes the testimony of the Department of Human Services stating that its Med-QUEST Division is currently considering a feasibility study of rate increases as part of a Home and Community Based Services (HCBS) financial plan in response to a section of the American Rescue Plan Act that seeks to strengthen, enhance, and expand HCBS. The Department also states that rate increases are likely needed for not only CCFFHs and E-ARCHs but may also, other types of HCBS providers and services.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Human Services to include other types of HCBS in its feasibility study and determination;
- (2) Amending its title; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 10, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 10, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3629 Human Services on S.R. No. 4

The purpose and intent of this measure is to request the Department of Human Services to:

- (1) Review the existing payment model for Medicaid reimbursement for patients who require nursing home-level of care in the community;
- (2) Study the feasibility of increasing the Medicaid reimbursement rate for Community Care Foster Family Home (CCFFH) and Expanded Adult Residential Care Home (E-ARCH) care providers; and
- (3) Determine the overall effect of increasing the Medicaid reimbursement rates for CCFFH and E-ARCH care providers.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that it is in the State's best interest to ensure the overall health, well-being, and quality of life of our kupuna. However, due to the lack of beds in CCFFHs and E-ARCHs available for Medicaid beneficiaries, many kupuna, including those whose sole source of income is from social security, are left with no accessible options for stable, long-term care. The study requested under this measure will provide policy makers with the necessary information to determine whether it is feasible to increase the Medicare reimbursements rates for CCFFH and E-ARCH care providers to enable them to increase the number of beds available to Medicaid beneficiaries.

Your Committee notes the testimony of the Department of Human Services stating that its Med-QUEST Division is currently considering a feasibility study of rate increases as part of a Home and Community Based Services (HCBS) financial plan in response to a section of the American Rescue Plan Act that seeks to strengthen, enhance, and expand HCBS. The Department also states that rate increases are likely needed for not only CCFFHs and E-ARCHs but may also, other types of HCBS providers and services.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Human Services to include other types of HCBS in its feasibility study and determination;
- (2) Amending its title; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 4, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 4, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3630 Human Services on S.C.R. No. 223

The purpose and intent of this measure is to urge the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for children who are survivors of sex trafficking.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the number of victims that were subject to commercial sexual exploitation have increased significantly over recent years. Your Committee also finds, however, that the State does not have the sufficient number of facilities to serve as emergency shelters for child survivors of sex trafficking. This measure aims to address this void by maintaining an emergency shelter that can address the imminent and specific needs of child survivors of sex trafficking and provide them with protection and a coordinated continuum of care at a centralized location.

Your Committee has amended this measure by:

- (1) Amending its title to conform to its purpose; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 223, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 223, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3631 Human Services on S.R. No. 216

The purpose and intent of this measure is to urge the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for children who are survivors of sex trafficking.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the number of victims that were subject to commercial sexual exploitation have increased significantly over recent years. Your Committee also finds, however, that the State does not have the sufficient number of facilities to serve as emergency shelters for child survivors of sex trafficking. This measure aims to address this void by maintaining an emergency shelter that can address the imminent and specific needs of child survivors of sex trafficking and provide them with protection and a coordinated continuum of care at a centralized location.

Your Committee has amended this measure by:

- (1) Amending its title to conform to its purpose; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 216, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 216, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3632 Human Services on S.C.R. No. 180

The purpose and intent of this measure is to urge the Department of Human Services to designate two full-time equivalent (2.0 FTE) employees to assist Compact of Free Association migrants to enroll in Medicaid, including establishing and implementing an outreach program to inform the Compact of Free Association community in Hawaii of the eligibility criteria and enrollment process.

Your Committee received testimony in support of this measure from the COFA Alliance National Network. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the United States has international treaty agreements, known as the Compacts of Free Association, with three island nations in the Pacific--the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau--collectively known as the Freely Associated States. Your Committee further finds that citizens of the Freely Associated States are given broad migration privileges to the United States and its jurisdictions as "Compact of Free Association migrants". Compact of Free Association migrants, upon entry into the United States, are given a "non-immigrant" immigration status without an expiration date, and therefore, can freely enter, exit, reside, and work indefinitely in the United States and its jurisdictions.

Your Committee also finds that the Consolidated Appropriations Act, 2021, P.L. 116-260, restored Medicaid eligibility to Compact of Free Association migrants, which had been previously eliminated for the most part by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193. This measure will ensure that Compact of Free Association migrants in Hawaii are informed of the restoration of their Medicaid eligibility and provided with assistance in the enrollment process to receive available Medicaid coverage and services.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 180 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3633 (Joint) Human Services and Energy, Economic Development, and Tourism on S.C.R. No. 153

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism; Executive Office on Aging; and County of Hawaii Office of Aging to conduct a study on the necessity and feasibility of establishing a Senior Living Center in the Ka'ū district in the County of Hawai'i.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council, Ocean View Community Association, and one individual. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism and Executive Office on Aging.

Your Committees find that ensuring access to necessary support services is essential in maintaining the well-being and quality of life of our kupuna. Your Committees also find that many residents in Ka'ū face cultural, financial, and geographical barriers that prevent them from accessing various services. The report requested in this measure will allow policy makers to determine the needs of the elderly residents in the Ka'ū district and whether establishment of a senior living center is necessary and feasible to address them.

Your Committees note the testimony of the Executive Office on Aging, stating that it does not have the expertise or funding to conduct a feasibility study requested in this measure.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the Department of Business, Economic Development, and Tourism, is requested to conduct the study, in coordination and cooperation with the Executive Office on Aging and County of Hawai'i Office of Aging;
- (2) Amending its title to reflect this clarification; and
- (3) 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 Human Services and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 153, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 153, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 3634 (Joint) Human Services and Energy, Economic Development, and Tourism on S.R. No. 146

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism; Executive Office on Aging; and County of Hawaii Office of Aging to conduct a study on the necessity and feasibility of establishing a Senior Living Center in the Ka'ū district in the County of Hawai'i.

Your Committees received testimony in support of this measure from the Ocean View Community Association. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism and the Executive Office on Aging.

Your Committees find that ensuring access to necessary support services is essential in maintaining the well-being and quality of life of our kupuna. Your Committees also find that many residents in Ka'ū face cultural, financial, and geographical barriers that prevent them from accessing various services. The report requested in this measure will allow policy makers to determine the needs of the elderly residents in the Ka'ū district and whether establishment of a senior living center is necessary and feasible to address them.

Your Committees note the testimony of the Executive Office on Aging, stating that it does not have the expertise or funding to conduct a feasibility study requested in this measure.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that the Department of Business, Economic Development, and Tourism, is requested to conduct the study, in coordination and cooperation with the Executive Office on Aging and County of Hawai'i Office of Aging;
- (2) Amending its title to reflect this clarification; and
- (3) 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 Human Services and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 146, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 146, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 3635 Transportation on S.C.R. No. 136

The purpose and intent of this measure is to request that the Department of Transportation create safe routes for senior citizens living in housing units, rentals, hotels, condominiums, and residential places statewide.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that independent living capabilities for Hawaii's senior population is an integral component for health, longevity, and quality of life. Many senior citizens have reduced physical abilities and thus require various assistive mobility devices and are more susceptible to trips and falls due to elevation changes in walkways and other hazardous conditions. Therefore, the purpose of this resolution is to request that the Department of Transportation create pedestrian-safe routes and pathways that lead to and from places of residence in such a manner that adheres to the unique needs of the senior citizen population.

Your Committee has amended this measure by:

- (1) Adding that the Department of Transportation is requested to work with elected legislators from each community to create a proposed list of pedestrian projects and prioritize their construction while incorporating statewide transportation plans, regional transportation plans, and funding opportunities as may be necessary for their construction;
- (2) Amending its title accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 136, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 136, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3636 Transportation on S.R. No. 120

The purpose and intent of this measure is to request that the Department of Transportation create safe routes for senior citizens living in housing units, rentals, hotels, condominiums, and residential places statewide.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that independent living capabilities for Hawaii's senior population is an integral component for health, longevity, and quality of life. Many senior citizens have reduced physical abilities and thus require various assistive mobility devices and are more susceptible to trips and falls due to elevation changes in walkways and other hazardous conditions. Therefore, the purpose of this resolution is to request that the Department of Transportation create pedestrian-safe routes and pathways that lead to and from places of residence in such a manner that adheres to the unique needs of the senior citizen population.

Your Committee has amended this measure by:

- (1) Adding that the Department of Transportation is requested to work with elected legislators from each community to create a proposed list of pedestrian projects and prioritize their construction while incorporating statewide transportation plans, regional transportation plans, and funding opportunities as may be necessary for their construction;
- (2) Amending its title accordingly; and

(3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 120, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 120, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3637 Transportation on S.C.R. No. 145

The purpose and intent of this measure is to request that the State of Hawaii support the development and deployment of zero emissions interisland transportation.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, REGENT, Hawaii Think Tank, Hawaii Center for Advanced Transportation Technologies, and ZeroAvia. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that Hawaii has adopted laws and set goals to achieve a carbon negative economy by 2045. Hawaii is ideally suited to adopt new zero emissions sea and air transportation for interisland travel due to the relatively short distance between destinations. The adoption of such technology can mean significant long-term savings on the cost of travel, fuel, and commodities for Hawaii residents and visitors. Therefore, the purpose of this resolution is to encourage the State of Hawaii to support the development and deployment of zero emissions interisland travel technologies.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 145 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3638 Transportation on S.R. No. 129

The purpose and intent of this measure is to request that the State of Hawaii support the development and deployment of zero emissions interisland transportation.

Your Committee received testimony in support of this measure from ZeroAvia.

Your Committee finds that Hawaii has adopted laws and set goals to achieve a carbon negative economy by 2045. Hawaii is ideally suited to adopt new zero emissions sea and air transportation for interisland travel due to the relatively short distance between destinations. The adoption of such technology can mean significant long-term savings on the cost of travel, fuel, and commodities for Hawaii residents and visitors. Therefore, the purpose of this resolution is to encourage the State of Hawaii to support the development and deployment of zero emissions interisland travel technologies.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 129 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3639 Higher Education on S.C.R. No. 132

The purpose and intent of this measure is to request the University of Hawaii to report on the Pamantasan Council's systemwide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from University of Hawaii Pamantasan Council, Tinalak Filipino Education Council, Hawaii Friends of Civil Rights, Sariling Gawa Youth Council, and thirteen individuals.

Your Committee finds that Filipinos represent one-quarter of Hawaii's population, the second largest ethnic group in the State, the largest ethnicity in public schools, the third largest in community colleges, and the fourth largest at four-year campuses. However, Filipino students continue to be underrepresented at the undergraduate level and significantly underrepresented in graduate and professional degree programs. Additionally, Filipino faculty, who have also provided leadership and service to the State and Filipino community, are also underrepresented at all University of Hawaii campuses as many faculty members serve in temporary positions while critical, permanent faculty positions remain unfilled.

Your Committee further finds that throughout the University of Hawaii campuses, there are few Filipino-related courses such as Philippine languages, Philippine studies, and Filipinos in Hawaii that are offered. While the University of Hawaii received funding for two full-time equivalent (2.0 FTE) positions to support the Pamantasan Council and its activities at the University of Hawaii through Act 266, Session Laws of Hawaii 2019, the onset of the coronavirus disease 2019 pandemic prevented the disbursement of funds. Addressing the lack of representation of Filipino students, faculty, and staff may provide the University of Hawaii System with information to increase representation; courses on Philippine languages, culture, and history; and the status of Filipinos at the University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 132 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3640 Higher Education on S.R. No. 116

The purpose and intent of this measure is to request the University of Hawaii to report on the Pamantasan Council's systemwide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from University of Hawaii Pamantasan Council, Tinalak Filipino Education Council, Hawaii Friends of Civil Rights, Sariling Gawa Youth Council, and twelve individuals.

Your Committee finds that Filipinos represent one-quarter of Hawaii's population, the second largest ethnic group in the State, the largest ethnicity in public schools, the third largest in community colleges, and the fourth largest at four-year campuses. However, Filipino students continue to be underrepresented at the undergraduate level and significantly underrepresented in graduate and professional degree programs. Additionally, Filipino faculty, who have also provided leadership and service to the State and Filipino community, are also underrepresented at all University of Hawaii campuses as many faculty members serve in temporary positions while critical, permanent faculty positions remain unfilled.

Your Committee further finds that throughout the University of Hawaii campuses, there are few Filipino-related courses such as Philippine languages, Philippine studies, and Filipinos in Hawaii that are offered. While the University of Hawaii received funding for two full-time equivalent (2.0 FTE) positions to support the Pamantasan Council and its activities at the University of Hawaii through Act 266, Session Laws of Hawaii 2019, the onset of the coronavirus disease 2019 pandemic prevented the disbursement of funds. Addressing the lack of representation of Filipino students, faculty, and staff may provide the University of Hawaii System with information to increase representation; courses on Philippine languages, culture, and history; and the status of Filipinos at the University of Hawaii.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 116 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3641 Higher Education on S.C.R. No. 182

The purpose and intent of this measure is to request the University of Hawaii to:

- (1) Establish culturally appropriate curriculum to train community health workers; and
- (2) Incorporate distance learning for neighbor island students.

Your Committee received testimony in support of this measure from Hawai'i Public Health Institute. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from University of Hawai'i System.

Your Committee finds that for more than twenty years, community health workers have improved the quality of life for residents in the State by providing a critical service to connect disadvantaged populations with culturally appropriate health care resources. While over two thousand community health workers actively engage with local communities through community-based organizations, local health care facilities, clinics, and hospitals, there is an imminent need to recognize the work and contributions of community health workers in the State.

Your Committee further finds that the University of Hawaii System offers a community health worker curriculum. Currently, the University of Hawaii System offers community health worker courses or certificates at Kapiolani Community College, University of Hawaii – Maui College, and Windward Community College. Since 2019, University of Hawaii Community Colleges have awarded one hundred nineteen certificates of competence for community health workers, in addition to other students who have taken courses in the community health worker pathway. With the onset of the coronavirus disease 2019 (COVID-19) pandemic, Kapiolani Community College contracted with the Department of Health to train more than one hundred community health workers to address community needs, of which twenty-five percent of community health workers trained were from the neighbor islands.

Your Committee also notes that the expansion of community health worker pathways has expanded opportunities for Hawaii's people. Previously, community health worker pathways were limited to in-person instruction, limiting the educational opportunities of residents on the neighbor islands interested in that career pathway. To provide greater access for students across the State, Kapiolani Community College and University of Hawaii – Maui College offer fully online pathways that allow students to complete community health worker programs. With expanded access to community health worker programs, the State can address critical shortages in health care professions, which were further exacerbated by the COVID-19 pandemic.

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

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 182, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 182, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3642 Higher Education on S.R. No. 175

The purpose and intent of this measure is to request the University of Hawaii to:

- (1) Establish culturally appropriate curriculum to train community health workers; and
- (2) Incorporate distance learning for neighbor island students.

Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that for more than twenty years, community health workers have improved the quality of life for residents in the State by providing a critical service to connect disadvantaged populations with culturally appropriate health care resources. While over two thousand community health workers actively engage with local communities through community-based organizations, local health care facilities, clinics, and hospitals, there is an imminent need to recognize the work and contributions of community health workers in the State.

Your Committee further finds that the University of Hawaii System offers a community health worker curriculum. Currently, the University of Hawaii System offers community health worker courses or certificates at Kapiolani Community College, University of Hawaii – Maui College, and Windward Community College. Since 2019, University of Hawaii Community Colleges have awarded one hundred nineteen certificates of competence for community health workers, in addition to other students who have taken courses in the community health worker pathway. With the onset of the coronavirus disease 2019 (COVID-19) pandemic, Kapiolani Community College contracted with the Department of Health to train more than one hundred community health workers to address community needs, of which twenty-five percent of community health workers trained were from the neighbor islands.

Your Committee also notes that the expansion of community health worker pathways has expanded opportunities for Hawai'i's people. Previously, community health worker pathways were limited to in-person instruction, limiting the educational opportunities of residents on the neighbor islands interested in that career pathway. To provide greater access for students across the State, Kapiolani Community College and University of Hawaii – Maui College offer fully online pathways that allow students to complete community health worker programs. With expanded access to community health worker programs, the State can address critical shortages in health care professions, which were further exacerbated by the COVID-19 pandemic.

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

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 175, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 175, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3643 Higher Education on S.C.R. No. 35

The purpose and intent of this measure is to request the University of Hawaii – West Oahu to reopen their partnership with the University of Hawaii at Hilo to provide a pre-nursing pathway for students.

Your Committee received comments on this measure from the University of Hawai'i System and Hawai'i State Center for Nursing.

Your Committee finds that in the fall of 2015, the University of Hawaii – West Oahu partnered with the University of Hawaii at Hilo to launch the Ike Maui Ola program, an innovative new pathway for students interested in pursuing a career in nursing. However, the program was canceled in 2017, which limited nursing pathways for students residing in central and west Oahu. While students located in central and west Oahu may attend Leeward Community College for the associate's in nursing degree program, students who wish to continue their education at the bachelor's degree level must attend institutions located in urban Honolulu such as the University of Hawaii at Manoa. The long commute from central and west Oahu to Manoa may inhibit some students from pursuing their educational and professional goals. Additionally, the onset of the coronavirus disease 2019 (COVID-19) pandemic highlighted the State's significant nurse shortage, and more nurses would have likely been trained and available during the COVID-19 pandemic to assist communities in central and west Oahu. As Hawaii continues to recover from the nursing shortage and the COVID-19 pandemic, providing greater access to nursing education may motivate more students residing outside of urban Honolulu to pursue careers in nursing.

Your Committee has amended this measure by:

- (1) Inserting language that requests the University of Hawaii – West Oahu to establish a nursing program or seek other partners to develop a nursing program at the West Oahu campus;
- (2) Amending its title; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 35, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 35, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3644 Higher Education on S.R. No. 29

The purpose and intent of this measure is to request the University of Hawaii – West Oahu to reopen their partnership with the University of Hawaii at Hilo to provide a pre-nursing pathway for students.

Your Committee received comments on this measure from the University of Hawai'i System and Hawai'i State Center for Nursing.

Your Committee finds that in the fall of 2015, the University of Hawaii – West Oahu partnered with the University of Hawaii at Hilo to launch the Ike Maui Ola program, an innovative new pathway for students interested in pursuing a career in nursing. However, the program was canceled in 2017, which limited nursing pathways for students residing in central and west Oahu. While students located

in central and west Oahu may attend Leeward Community College for the associate's in nursing degree program, students who wish to continue their education at the bachelor's degree level must attend institutions located in urban Honolulu such as the University of Hawaii at Manoa. The long commute from central and west Oahu to Manoa may inhibit some students from pursuing their educational and professional goals. Additionally, the onset of the coronavirus disease 2019 (COVID-19) pandemic highlighted the State's significant nurse shortage, and more nurses would have likely been trained and available during the COVID-19 pandemic to assist communities in central and west Oahu. As Hawaii continues to recover from the nursing shortage and the COVID-19 pandemic, providing greater access to nursing education may motivate more students residing outside of urban Honolulu to pursue careers in nursing.

Your Committee has amended this measure by:

- (1) Inserting language that requests the University of Hawaii – West Oahu to establish a nursing program or seek other partners to develop a nursing program at the West Oahu campus;
- (2) Amending its title; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 29, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 29, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3645 Higher Education on S.C.R. No. 215

The purpose and intent of this measure is to request the University of Hawaii to:

- (1) Investigate and address the feasibility and accessibility of a nursing program at Honolulu Community College; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by:

- (1) Inserting findings regarding current workforce needs, including shortages of workers in agriculture and health care-related fields; faculty shortages, decreased funding, and limited educational opportunities; and the State's responsibility to offer interdisciplinary and supplemental educational and learning opportunities to support regional economic needs and local industries;
- (2) Inserting findings on college and career readiness workforce development training programs supported by Hawaii P-20, including history of the P-20 Partnership, programs supported by P-20 Partnership, and potential partners to further educational and workforce career readiness programs; and
- (3) Inserting findings on recent leadership issues at the University of Hawaii College of Tropical Agriculture and Human Resources, including decreased funding and opportunities for the Molecular Biosciences and Biotechnology program, de-emphasis of hands-on learning, failure to review probationary faculty positions in a holistic manner for College faculty, and allegations against the Dean of the College relating to a lack of leadership; and
- (4) Requesting the Auditor to:
 - (A) Conduct a performance audit of the University of Hawaii College of Tropical Agriculture and Human Resources, including an assessment of the College's leadership and administration;
 - (B) Conduct a performance audit of all state college and career readiness workforce development training programs, including a discussion of each program's offered services, performance metrics, and recent outcomes, efforts to coordinate with other state workforce development programs, and overall alignment with statewide plans; and
 - (C) Submit a report of each performance audit, including the Auditor's findings and recommendations, and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (5) Adding the Auditor, Comptroller, Chairperson of the Board of Education, Director of Labor and Industrial Relations, Chairperson of the Workforce Development Council, Chairperson of the Board of Regents of the University of Hawaii, Dean of the University of Hawaii College of Tropical Agriculture and Human Resources, Executive Director of the Hawaii Government Employees Association, and State Director of United Public Workers to the list of recipients of certified copies;
- (6) Amending its title in accordance with its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee received comments on the proposed S.D. 1 from the University of Hawai'i System.

Your Committee finds that if Hawaii is to meet regional workforce demands and the needs of regional industries, developing an educated, well-trained workforce is paramount to Hawaii's economic success. Currently, the State is experiencing a shortage of workers across all sectors, including agriculture and health care-related fields, as faculty shortages, decreased funding, and limited educational opportunities inhibit the education and training of the next generation of Hawaii's workforce. Additionally, the lack of training programs in fields such as health care, including nursing and allied health, career readiness and workforce development

training, and practicum and internship opportunities within agricultural fields such as molecular biosciences and biotechnology, limit the State's potential to diversify, develop, and expand its current workforce. This measure seeks to examine the State's career readiness workforce development to ensure Hawaii's people have access to needed programs for professional development and success.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Requesting various state government entities to take certain actions to effectively leverage educational resources in the State to ensure career readiness workforce development;
- (2) Requesting the University of Hawaii to:
 - (A) Examine the feasibility of offering a nursing program, allied health program, or both at Honolulu Community College, or in coordination with the other University of Hawaii Community Colleges, to meet regional workforce needs;
 - (B) Identify University of Hawaii workforce development training programs, including P-20, that prepare residents for employment in Hawaii; actions to improve alignment of programs with state and county workforce development and University of Hawaii strategic plans; and key performance metrics for University of Hawaii's workforce development training programs, including but not limited to alignment to statewide energy and food security goals pursuant to section 269-92, Hawaii Revised Statutes, and Act 151, Session Laws of Hawaii 2019, regional economic opportunities as described in the Hawaii Statewide Comprehensive Economic Development Strategy; facilities; and coordination to existing workforce development training programs both within the University of Hawaii System and across the State; and
 - (C) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (3) Requesting the Legislative Reference Bureau, instead of the Auditor, to:
 - (A) Identify cooperative extension agencies similar to the University of Hawaii College of Tropical Agriculture and Human Resources across the nation; and
 - (B) Submit a report evaluating the University of Hawaii College of Tropical Agriculture and Human Resources and its leadership, including the Legislative Reference Bureau's comparative analysis of the University of Hawaii College of Tropical Agriculture and Human Resources to similar cooperative extension agencies across the nation, and recommendations to better align the mission of the University of Hawaii College of Tropical Agriculture and Human Resources with statewide food security goals pursuant to Act 151, Session Laws of Hawaii 2019, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (4) Removing the Auditor from the list of recipients of certified copies;
- (5) Adding the Director of the Legislative Reference Bureau to the list of recipients of certified copies; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 215, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 215, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3646 Higher Education on S.R. No. 208

The purpose and intent of this measure is to request the University of Hawaii to:

- (1) Investigate and address the feasibility and accessibility of a nursing program at Honolulu Community College; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by:

- (1) Inserting findings regarding current workforce needs, including shortages of workers in agriculture and health care-related fields; faculty shortages, decreased funding, and limited educational opportunities; and the State's responsibility to offer interdisciplinary and supplemental educational and learning opportunities to support regional economic needs and local industries;
- (2) Inserting findings on college and career readiness workforce development training programs supported by Hawaii P-20, including history of the P-20 Partnership, programs supported by P-20 Partnership, and potential partners to further educational and workforce career readiness programs; and
- (3) Inserting findings on recent leadership issues at the University of Hawaii College of Tropical Agriculture and Human Resources, including decreased funding and opportunities for the Molecular Biosciences and Biotechnology program, de-emphasis of hands-on learning, failure to review probationary faculty positions in a holistic manner for College faculty, and allegations against the Dean of the College relating to a lack of leadership; and
- (4) Requesting the Auditor to:

- (A) Conduct a performance audit of the University of Hawaii College of Tropical Agriculture and Human Resources, including an assessment of the College's leadership and administration;
 - (B) Conduct a performance audit of all state college and career readiness workforce development training programs, including a discussion of each program's offered services, performance metrics, and recent outcomes, efforts to coordinate with other state workforce development programs, and overall alignment with statewide plans; and
 - (C) Submit a report of each performance audit, including the Auditor's findings and recommendations, and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (5) Adding the Auditor, Comptroller, Chairperson of the Board of Education, Director of Labor and Industrial Relations, Chairperson of the Workforce Development Council, Chairperson of the Board of Regents of the University of Hawaii, Dean of the University of Hawaii College of Tropical Agriculture and Human Resources, Executive Director of the Hawaii Government Employees Association, and State Director of United Public Workers to the list of recipients of certified copies;
 - (6) Amending its title in accordance with its amended purpose; and
 - (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee received comments on the proposed S.D. 1 from the University of Hawai'i System.

Your Committee finds that if Hawaii is to meet regional workforce demands and the needs of regional industries, developing an educated, well-trained workforce is paramount to Hawaii's economic success. Currently, the State is experiencing a shortage of workers across all sectors, including agriculture and health care-related fields, as faculty shortages, decreased funding, and limited educational opportunities inhibit the education and training of the next generation of Hawaii's workforce. Additionally, the lack of training programs in fields such as health care, including nursing and allied health, career readiness and workforce development training, and practicum and internship opportunities within agricultural fields such as molecular biosciences and biotechnology, limit the State's potential to diversify, develop, and expand its current workforce. This measure seeks to examine the State's career readiness workforce development to ensure Hawaii's people have access to needed programs for professional development and success.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Requesting various state government entities to take certain actions to effectively leverage educational resources in the State to ensure career readiness workforce development;
- (2) Requesting the University of Hawaii to:
 - (A) Examine the feasibility of offering a nursing program, allied health program, or both at Honolulu Community College, or in coordination with the other University of Hawaii Community Colleges, to meet regional workforce needs;
 - (B) Identify University of Hawaii workforce development training programs, including P-20, that prepare residents for employment in Hawaii; actions to improve alignment of programs with state and county workforce development and University of Hawaii strategic plans; and key performance metrics for University of Hawaii's workforce development training programs, including but not limited to alignment to statewide energy and food security goals pursuant to section 269-92, Hawaii Revised Statutes, and Act 151, Session Laws of Hawaii 2019, regional economic opportunities as described in the Hawaii Statewide Comprehensive Economic Development Strategy; facilities; and coordination to existing workforce development training programs both within the University of Hawaii System and across the State; and
 - (C) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (3) Requesting the Legislative Reference Bureau, instead of the Auditor, to:
 - (A) Identify cooperative extension agencies similar to the University of Hawaii College of Tropical Agriculture and Human Resources across the nation; and
 - (B) Submit a report evaluating the University of Hawaii College of Tropical Agriculture and Human Resources and its leadership, including the Legislative Reference Bureau's comparative analysis of the University of Hawaii College of Tropical Agriculture and Human Resources to similar cooperative extension agencies across the nation, and recommendations to better align the mission of the University of Hawaii College of Tropical Agriculture and Human Resources with statewide food security goals pursuant to Act 151, Session Laws of Hawaii 2019, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (4) Removing the Auditor from the list of recipients of certified copies;
- (5) Adding the Director of the Legislative Reference Bureau to the list of recipients of certified copies; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 208, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 208, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Wakai).

SCRep. 3647 (Joint) Hawaiian Affairs and Health on S.C.R. No. 240

The purpose and intent of this measure is to request the adoption of a state policy assuring that savings realized by the State through the extension of federal medical assistance percentage payments of one hundred percent for Native Hawaiian health care systems is used to address health disparities experienced by Hawaiian communities.

Your Committees received testimony in support of this measure from Hawai'i Primary Care Association, Hāmākua-Kohala Health, Waimānalo Health Center, and two individuals. Your Committees received comments on this measure from the Department of Human Services, Waianae Coast Comprehensive Health Center, and Papa Ola Lōkahi.

Your Committees find that Papa Ola Lōkahi is a Hawaii nonprofit corporation concerned with improving Native Hawaiian cultural, physical, mental, and spiritual health. They work with AHARO Hawaii which is a Hawaii nonprofit corporation and a consortium of other Hawaii nonprofit corporations which are federally qualified community health centers that contribute to the health and well-being of Native Hawaiians. There are currently disparities in health care experienced by Native Hawaiians, and AHARO has been designated to receive funds from the American Rescue Plan Act which will pay one hundred percent of the cost of Medicaid services provided at Native Hawaiian Health Centers. This measure requests executive departments to review their policies and ensure that AHARO can provide proper care and the funds are used to address Hawaiian health disparities.

Your Committees have amended this measure by:

- (1) Clarifying that the federal government will pay one hundred percent of Medicaid services at Native Hawaiian Health Centers for eight fiscal quarters, under the American Rescue Plan Act; 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 Hawaiian Affairs and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 240, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 240, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 3648 (Joint) Hawaiian Affairs and Health on S.R. No. 141

The purpose and intent of this measure is to request the adoption of a state policy assuring that savings realized by the State through the extension of federal medical assistance percentage payments of one hundred percent for Native Hawaiian health care systems is used to address health disparities experienced by Hawaiian communities.

Your Committees received testimony in support of this measure from Hawai'i Primary Care Association, Hāmākua-Kohala Health, Waimānalo Health Center, and one individual. Your Committees received comments on this measure from the Department of Human Services, Waianae Coast Comprehensive Health Center, and Papa Ola Lōkahi.

Your Committees find that Papa Ola Lōkahi is a Hawaii nonprofit corporation concerned with improving Native Hawaiian cultural, physical, mental, and spiritual health. They work with AHARO Hawaii which is a Hawaii nonprofit corporation and a consortium of other Hawaii nonprofit corporations which are federally qualified community health centers that contribute to the health and well-being of Native Hawaiians. There are currently disparities in health care experienced by Native Hawaiians, and AHARO has been designated to receive funds from the American Rescue Plan Act which will pay one hundred percent of the cost of Medicaid services provided at Native Hawaiian Health Centers. This measure requests executive departments to review their policies and ensure that AHARO can provide proper care and the funds are used to address Hawaiian health disparities.

Your Committees have amended this measure by:

- (1) Clarifying that the federal government will pay one hundred percent of Medicaid services at Native Hawaiian Health Centers for eight fiscal quarters, under the American Rescue Plan Act; 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 Hawaiian Affairs and Health that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 141, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 141, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Health: Ayes, 4. Noes, none. Excused, 1 (Moriwaki).

SCRep. 3649 (Joint) Hawaiian Affairs and Water and Land on S.C.R. No. 159

The purpose and intent of this measure is to request that the Office of Planning and Sustainable Development develop a plan to include a specific role for the Native Hawaiian community in the coastal zone management plan.

Your Committees received testimony in support of this measure from the Hawaii State Aha Moku. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that past failure to integrate Native Hawaiian cultural practices has resulted in the loss and destruction of many important cultural resources and has interfered with the exercise of Native Hawaiian culture. Some rules and regulations regarding land and natural resources are created without consultation or compensation to Native Hawaiian beneficiaries. Therefore, the purpose of this measure is to request the Office of Planning and Sustainable Development to develop a consultation implementation plan to ensure the voices of the Hawaiian people are heard.

Your Committees note the testimony of the Office of Planning and Sustainable Development that 'ike kupuna are already included in planning practices for the Coastal Zone Management program. Therefore, the office feels that the goals of this resolution will be met without formal legislation for the development of a separate planning process which the Coastal Zone Management program does not have the current capacity to address.

Your Committees have amended this measure by:

- (1) Adding the Hawaii State Aha Moku as a partner; 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 Hawaiian Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 159, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 159, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Riviere).

SCRep. 3650 (Joint) Hawaiian Affairs and Water and Land on S.R. No. 164

The purpose and intent of this measure is to request that the Office of Planning and Sustainable Development develop a plan to include a specific role for the Native Hawaiian community in the coastal zone management plan.

Your Committees received testimony in support of this measure from the Hawaii State Aha Moku and three individuals. Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that past failure to integrate Native Hawaiian cultural practices has resulted in the loss and destruction of many important cultural resources and has interfered with the exercise of Native Hawaiian culture. Some rules and regulations regarding land and natural resources are created without consultation or compensation to Native Hawaiian beneficiaries. Therefore, the purpose of this measure is to request the Office of Planning and Sustainable Development to develop a consultation implementation plan to ensure the voices of the Hawaiian people are heard.

Your Committees note the testimony of the Office of Planning and Sustainable Development that 'ike kupuna are already included in planning practices for the Coastal Zone Management program. Therefore, the office feels that the goals of this resolution will be met without formal legislation for the development of a separate planning process which the Coastal Zone Management program does not have the current capacity to address.

Your Committees have amended this measure by:

- (1) Adding the Hawaii State Aha Moku as a partner; 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 Hawaiian Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 164, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 164, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 4. Noes, none. Excused, 1 (Ihara).

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Riviere).

SCRep. 3651 Hawaiian Affairs on S.C.R. No. 125

The purpose and intent of this measure is to request the Department of Hawaiian Home Lands to establish a working group to return Crown Lands to Native Hawaiians.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, and five individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies and one individual.

Your Committee finds that in 1993, the United States Congress passed Public Law 103-150 (Apology Resolution) confirming the illegal actions of United States agents resulting in the overthrow of the monarchy of Hawaii in violation of treaties between the United States and the sovereign Kingdom of Hawaii. The Apology Resolution confirms that 1,800,000 acres of Crown and Government Lands were thereafter ceded to the United States without consent of or compensation to the Native Hawaiian people. The purpose of this measure is to request the Department of Hawaiian Home Lands to establish a working group to return Crown Lands to Native Hawaiians.

Your Committee has amended this measure by:

- (1) Replacing the Department of Hawaiian Home Lands with Ka Huli Ao Center for Excellence in Native Hawaiian Law as the entity requested to establish the working group;
- (2) Amending its title accordingly; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 125, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 125, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3652 Hawaiian Affairs on S.R. No. 110

The purpose and intent of this measure is to request the Department of Hawaiian Home Lands to establish a working group to return Crown Lands to Native Hawaiians.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, and four individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies and one individual.

Your Committee finds that in 1993, the United States Congress passed Public Law 103-150 (Apology Resolution) confirming the illegal actions of United States agents resulting in the overthrow of the monarchy of Hawaii in violation of treaties between the United States and the sovereign Kingdom of Hawaii. The Apology Resolution confirms that 1,800,000 acres of Crown and Government Lands were thereafter ceded to the United States without consent of or compensation to the Native Hawaiian people. The purpose of this measure is to request the Department of Hawaiian Home Lands to establish a working group to return Crown Lands to Native Hawaiians.

Your Committee has amended this measure by:

- (1) Replacing the Department of Hawaiian Home Lands with Ka Huli Ao Center for Excellence in Native Hawaiian Law as the entity requested to establish the working group;
- (2) Amending its title accordingly; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 110, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 110, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3653 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 91

The purpose and intent of this measure is to urge the United States to satisfy its obligations to the Department of Hawaiian Home Lands and the Hawaiian Home Lands Trust under the Hawaiian Home Lands Recovery Act.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committees find that in 1921, Congress enacted the Hawaiian Homes Commission Act which set aside 203,000 acres of former crown and government lands for a homestead program with the specific purpose of revitalizing and rehabilitating the Native Hawaiian community. In 1995, Congress enacted the Hawaiian Home Lands Recovery Act to authorize the transfer of certain federal lands to the Department of Hawaiian Home Lands to provide for a full settlement of claims against the United States for its taking and continued use of land set aside for the implementation of the Hawaiian Homes Commission Act. To this day, lands continue to be transferred in a manner inconsistent with the Hawaiian Home Lands Recovery Act. This resolution urges the United States to satisfy its obligations in a timely manner.

Your Committees have amended this measure by 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 Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 91, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 91, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).
Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3654 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 81

The purpose and intent of this measure is to urge the United States to satisfy its obligations to the Department of Hawaiian Home Lands and the Hawaiian Home Lands Trust under the Hawaiian Home Lands Recovery Act.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual.

Your Committees find that in 1921, Congress enacted the Hawaiian Homes Commission Act which set aside 203,000 acres of former crown and government lands for a homestead program with the specific purpose of revitalizing and rehabilitating the Native Hawaiian community. In 1995, Congress enacted the Hawaiian Home Lands Recovery Act to authorize the transfer of certain federal lands to the Department of Hawaiian Home Lands to provide for a full settlement of claims against the United States for its taking and continued use of land set aside for the implementation of the Hawaiian Homes Commission Act. To this day, lands continue to be transferred in a manner inconsistent with the Hawaiian Home Lands Recovery Act. This resolution urges the United States to satisfy its obligations in a timely manner.

Your Committees have amended this measure by 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 Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 81, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 81, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3655 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 92

The purpose and intent of this measure is to urge the President of the United States to issue a directive ordering federal agencies to report disaggregated Native Hawaiian and Pacific Islander data in compliance with the Office of Management and Budget Statistical Policy Directive No. 15.

Your Committees received testimony in support of this measure from the Hawaii Youth Services Network, 'Āinahau o Kaleponi Hawaiian Civic Club, Ke One O Kākuhihewa, and the Council for Native Hawaiian Advancement.

Your Committees find that racial and ethnic data play a critical role in identifying disparities, monitoring programs for civil rights compliance, informing policy development, and guiding funding priorities. Numerous data reports at the local, state, and federal level continue to fail to report disaggregated Native Hawaiian data. Furthermore, numerous federal agencies fail to utilize a Native Hawaiian and Pacific Islander category when reporting data from critical surveys. The purpose of this resolution is to urge the President of the United States to issue a presidential directive ordering federal agencies to report disaggregated Native Hawaiian and Pacific Islander data in compliance with the Office of Management and Budget Statistical Policy Directive No. 15.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 92 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3656 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 82

The purpose and intent of this measure is to urge the President of the United States to issue a directive ordering federal agencies to report disaggregated Native Hawaiian and Pacific Islander data in compliance with the Office of Management and Budget Statistical Policy Directive No. 15.

Your Committees received testimony in support of this measure from 'Āinahau o Kaleponi Hawaiian Civic Club, Ke One O Kākuhihewa, 'Ahahui o nā Kauka, Papa Ola Lōkahi, Spoehr Foundation, and one individual. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that racial and ethnic data play a critical role in identifying disparities, monitoring programs for civil rights compliance, informing policy development, and guiding funding priorities. Numerous data reports at the local, state, and federal level continue to fail to report disaggregated Native Hawaiian data. Furthermore, numerous federal agencies fail to utilize a Native Hawaiian and Pacific Islander category when reporting data from critical surveys. The purpose of this resolution is to urge the President of the United States to issue a presidential directive ordering federal agencies to report disaggregated Native Hawaiian and Pacific Islander data in compliance with the Office of Management and Budget Statistical Policy Directive No. 15.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 82 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3657 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 93

The purpose and intent of this measure is to urge the United States government to support co-stewardship of wahi kūpuna with the Native Hawaiian community with regards to lands under federal, state, and local government authority.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that the preservation, protection, and stewardship of land, watersheds, ocean resources, and significant cultural sites is of the highest importance to Hawaiian culture. Wahi kūpuna are ancestral, physical locations significant to the Native Hawaiian community as strongholds of culture and knowledge. However, wahi kūpuna are disproportionately underfunded within the private and public sectors of Hawaii. The purpose of this resolution is to urge the United States government to support the co-stewardship of wahi kūpuna with the Native Hawaiian community with regard to lands under government authority.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 93 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3658 (Joint) Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 83

The purpose and intent of this measure is to urge the United States government to support co-stewardship of wahi kūpuna with the Native Hawaiian community with regards to lands under federal, state, and local government authority.

Your Committee did not receive any testimony on this measure.

Your Committees find that the preservation, protection, and stewardship of land, watersheds, ocean resources, and significant cultural sites is of the highest importance to Hawaiian culture. Wahi kūpuna are ancestral, physical locations significant to the Native Hawaiian community as strongholds of culture and knowledge. However, wahi kūpuna are disproportionately underfunded within the private and public sectors of Hawaii. The purpose of this resolution is to urge the United States government to support the co-stewardship of wahi kūpuna with the Native Hawaiian community with regard to lands under government authority.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 83 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Hawaiian Affairs: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3659 (Joint) Human Services and Health on S.C.R. No. 151

The purpose and intent of this measure is to urge the Department of Health's Child and Adolescent Mental Health Division to conduct a feasibility study on the establishment of a Community Mental Health Center Office, also known as a Family Guidance Center Office, in the Ka'ū district in the County of Hawaii.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council. Your Committees received comments on this measure from the Department of Health.

Your Committees find that the Department of Health's Child and Adolescent Mental Health Division manages Community Mental Health Centers, also known as Family Guidance Centers, that provide Hawaii's children and youth who have serious emotional or behavioral challenges access to essential intensive mental health services. On the island of Hawaii, there are two Family Guidance Centers--the East Hawaii Family Guidance Center in Hilo; and the West Hawaii Family Guidance Center that operates two offices, one each in Waimea and Kona. The West Hawaii Family Guidance Center's Kona office has been closed for some time as the lease for a new premises is being finalized, and as a result, the Waimea office currently serves the entire western region of the island of Hawaii. Your Committees further find that many residents in the Ka'ū District on the south side of the island of Hawaii, which is located approximately one hundred miles from Waimea, face cultural, financial, and geographical barriers that prevent them from accessing health services. This measure will help determine the feasibility of establishing a Family Guidance Center office in the Ka'ū district to serve the needs of the children and youth who reside in the southern region of the County of Hawaii.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 151 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

SCRep. 3660 (Joint) Human Services and Health on S.R. No. 144

The purpose and intent of this measure is to urge the Department of Health's Child and Adolescent Mental Health Division to conduct a feasibility study on the establishment of a Community Mental Health Center Office, also known as a Family Guidance Center Office, in the Ka'ū district in the County of Hawaii.

Your Committees did not receive any testimony on this measure.

Your Committees find that the Department of Health's Child and Adolescent Mental Health Division manages Community Mental Health Centers, also known as Family Guidance Centers, that provide Hawaii's children and youth who have serious emotional or behavioral challenges access to essential intensive mental health services. On the island of Hawaii, there are two Family Guidance Centers--the East Hawaii Family Guidance Center in Hilo; and the West Hawaii Family Guidance Center that operates two offices, one each in Waimea and Kona. The West Hawaii Family Guidance Center's Kona office has been closed for some time as the lease for a new premises is being finalized, and as a result, the Waimea office currently serves the entire western region of the island of Hawaii. Your Committees further find that many residents in the Ka'ū District on the south side of the island of Hawaii, which is located approximately one hundred miles from Waimea, face cultural, financial, and geographical barriers that prevent them from accessing health services. This measure will help determine the feasibility of establishing a Family Guidance Center office in the Ka'ū district to serve the needs of the children and youth who reside in the southern region of the County of Hawaii.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 144 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Human Services: Ayes, 5. Noes, none. Excused, none.

Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

SCRep. 3661 Human Services on S.R. No. 173

The purpose and intent of this measure is to urge the Department of Human Services to designate two full-time equivalent (2.0 FTE) employees to assist Compact of Free Association migrants to enroll in Medicaid, including establishing and implementing an outreach program to inform the Compact of Free Association community in Hawaii of the eligibility criteria and enrollment process.

Your Committee received testimony in support of this measure from the COFA Alliance National Network. 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.

Your Committee finds that the United States has international treaty agreements, known as the Compacts of Free Association, with three island nations in the Pacific--the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau--collectively known as the Freely Associated States. Your Committee further finds that citizens of the Freely Associated States are given broad migration privileges to the United States and its jurisdictions as "Compact of Free Association migrants". Compact of Free Association migrants, upon entry into the United States, are given a "non-immigrant" immigration status without an expiration date, and therefore, can freely enter, exit, reside, and work indefinitely in the United States and its jurisdictions.

Your Committee also finds that the Consolidated Appropriations Act, 2021, P.L. 116-260, restored Medicaid eligibility to Compact of Free Association migrants, which had been previously eliminated for the most part by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193. This measure will ensure that Compact of Free Association migrants in Hawaii are informed of the restoration of their Medicaid eligibility and provided with assistance in the enrollment process to receive available Medicaid coverage and services.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 173 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3662 (Joint) Human Services and Health on S.C.R. No. 154

The purpose and intent of this measure is to request the Hawaii Health Systems Corporation to partner with the Ka'ū Rural Health Community Association, Inc., to conduct a needs assessment to determine the demand for and access to urgent care and outpatient behavioral health services in the Ka'ū district of the County of Hawaii.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council.

Your Committees find that residents of the Ka'ū district in the southern region of the island of Hawaii face cultural, financial, and geographical barriers that prevent them from accessing health services. Your Committees further find that the Hawaii Health Systems Corporation, which serves as a "safety net" for neighbor island acute care and long-term care, operates Ka'ū Hospital and Rural Health Clinic, a twenty-one-bed critical access hospital providing both acute and long-term care, including twenty-four-hour emergency services and a family practice medical clinic. Your Committees believe that by partnering with Ka'ū Rural Health Community Association, Inc., a non-profit organization whose mission is to preserve access to quality health care in rural communities in the Ka'ū district, the Hawaii Health Systems Corporation will be able to provide the Legislature with relevant and accurate information needed to determine the demand for and available access to urgent care and outpatient behavioral health services in the Ka'ū district.

Your Committees have amended this measure by 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 Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 154, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 154, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

SCRep. 3663 (Joint) Human Services and Health on S.R. No. 147

The purpose and intent of this measure is to request the Hawaii Health Systems Corporation to partner with the Ka'ū Rural Health Community Association, Inc., to conduct a needs assessment to determine the demand for and access to urgent care and outpatient behavioral health services in the Ka'ū district of the County of Hawaii.

Your Committees did not receive any testimony on this measure.

Your Committees find that residents of the Ka'ū district in the southern region of the island of Hawaii face cultural, financial, and geographical barriers that prevent them from accessing health services. Your Committees further find that the Hawaii Health Systems Corporation, which serves as a "safety net" for neighbor island acute care and long-term care, operates Ka'ū Hospital and Rural Health Clinic, a twenty-one-bed critical access hospital providing both acute and long-term care, including twenty-four-hour emergency services and a family practice medical clinic. Your Committees believe that by partnering with Ka'ū Rural Health Community Association, Inc., a non-profit organization whose mission is to preserve access to quality health care in rural communities in the Ka'ū district, the Hawaii Health Systems Corporation will be able to provide the Legislature with relevant and accurate information needed to determine the demand for and available access to urgent care and outpatient behavioral health services in the Ka'ū district.

Your Committees have amended this measure by 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 Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 147, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 147, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 5. Noes, none. Excused, none.
Health: Ayes, 3. Noes, none. Excused, 2 (Baker, Moriwaki).

SCRep. 3664 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 144

The purpose and intent of this measure is to request that the Department of Transportation convene a working group and various committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report.

Your Committees received testimony in support of this measure from the Department of Transportation and the Hawaii Harbor Users Group.

Your Committees find that the Water Carriers Working Group convened in 2020 and issued its final report at the end of 2021. The working group found that Hawaii's communities are highly dependent on imported goods which consist of eighty percent of consumed goods. Furthermore, the working group reported that shipping markup of the goods are approximately 7.5 percent of the cost of the goods. There are no general cargo transport subsidies to offset this cost in Hawaii. Therefore, the purpose of this resolution is to request the Department of Transportation to convene a working group and various committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report.

Your Committees have amended this measure by:

- (1) Replacing references to a federal waterborne cargo subsidies program with federal waterborne cargo funding;
- (2) Adding a representative from the Hawaii Harbor Users Group to the working group;
- (3) Amending its title accordingly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 144, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 144, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).
Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3665 (Joint) Transportation and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 128

The purpose and intent of this measure is to request that the Department of Transportation convene a working group and various committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report.

Your Committees received testimony in support of this measure from the Hawaii Harbor Users Group.

Your Committees find that the Water Carriers Working Group convened in 2020 and issued its final report at the end of 2021. The working group found that Hawaii's communities are highly dependent on imported goods which consist of eighty percent of consumed goods. Furthermore, the working group reported that shipping markup of the goods are approximately 7.5 percent of the cost of the goods. There are no general cargo transport subsidies to offset this cost in Hawaii. Therefore, the purpose of this resolution is to request the Department of Transportation to convene a working group and various committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report.

Your Committees have amended this measure by:

- (1) Replacing references to a federal waterborne cargo subsidies program with federal waterborne cargo funding;
- (2) Adding a representative from the Hawaii Harbor Users Group to the working group;
- (3) Amending its title accordingly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Transportation and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 128, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 128, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).
Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3666 (Joint) Higher Education and Energy, Economic Development, and Tourism on S.C.R. No. 214

The purpose and intent of this measure is to request the University of Hawaii to establish a reliable, independent, and transparent methodology to assess effects of radio frequency emissions generated by wireless antenna sites.

Your Committees received testimony in support of this measure from Safe Dynamics, Inc.; Beneventure Partners, LLC; and two individuals. Your Committees received testimony in opposition to this measure from Crown Castle. Your Committees received comments on this measure from one individual.

Your Committees find that Act 49, Session Laws of Hawaii 2018 (Act 49), established a policy framework to foster the installation of a robust, reliable, and technologically advanced broadband infrastructure throughout the State. 5G, fifth-generation wireless technology, would allow for faster and higher-capacity transmissions to support significant data loads generated by smart devices, the Internet, robots, artificial intelligence, driverless cars, and other machine-to-machine connections. Currently, Hawaii has over four thousand wireless antenna sites, many of which accommodate multiple wireless carriers. Deployment of 5G would deliver faster and more reliable communications across the State, but faces concerns, especially in the current era with misinformation and public skepticism of 5G technology. Ensuring consistent and compliant Federal Communications Commission regulations may allow Hawaii to ensure safe growth in new wireless technologies.

As affirmed by the records of votes of the members of your Committees on Higher Education and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 214 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 3667 (Joint) Higher Education and Energy, Economic Development, and Tourism on S.R. No. 207

The purpose and intent of this measure is to request the University of Hawaii to establish a reliable, independent, and transparent methodology to assess effects of radio frequency emissions generated by wireless antenna sites.

Your Committee received testimony in support of this measure from Schlack Ito; and one individual. Your Committee received testimony in opposition to this measure from Crown Castle.

Your Committees find that Act 49, Session Laws of Hawaii 2018 (Act 49), established a policy framework to foster the installation of a robust, reliable, and technologically advanced broadband infrastructure throughout the State. 5G, fifth-generation wireless technology, would allow for faster and higher-capacity transmissions to support significant data loads generated by smart devices, the Internet, robots, artificial intelligence, driverless cars, and other machine-to-machine connections. Currently, Hawaii has over four thousand wireless antenna sites, many of which accommodate multiple wireless carriers. Deployment of 5G would deliver faster and more reliable communications across the State, but faces concerns, especially in the current era with misinformation and public skepticism of 5G technology. Ensuring consistent and compliant Federal Communications Commission regulations may allow Hawaii to ensure safe growth in new wireless technologies.

As affirmed by the records of votes of the members of your Committees on Higher Education and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 207 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Lee).

SCRep. 3668 Water and Land on S.C.R. No. 199

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development, in consultation with the Department of Land and Natural Resources Forestry and Wildlife Division and Commission on Water Resource Management, to conduct a study of Waiahole Stream that:

- (1) Identifies jurisdictional obstacles to coordinated stream maintenance; and
- (2) Offers recommendations to improve stream maintenance and flood hazard mitigation policies.

Your Committee received testimony in support of this measure from the Ko'olau Foundation and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Commission on Water Resource Management, and Office of Planning and Sustainable Development.

Your Committee finds that stream maintenance and flood hazard mitigation are important issues facing the Waiahole Valley community. The Waiahole Stream plays a critical role in the ecological, socioeconomic, and material well-being of the communities of Waiahole Valley. Currently, state and City and County of Honolulu laws exist specifically to address stream maintenance, which if followed would alleviate some challenges from flooding due to debris blockage of stream channels. However, jurisdictional and landowner challenges impede efforts to engage in proactive stream maintenance that may prevent destructive, significant flood hazards. To navigate jurisdictional challenges, while protecting the Waiahole Valley community from flood hazards, a collaborative, multi-agency study may provide solutions to ensure the safety of Waiahole Valley residents.

Your Committee has amended this measure by:

- (1) Adding the City and County of Honolulu as a consulting agency for the study;
- (2) Amending its title accordingly; and

- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 199, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 199, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3669 Water and Land on S.R. No. 192

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development, in consultation with the Department of Land and Natural Resources Forestry and Wildlife Division and Commission on Water Resource Management, to conduct a study of Waiahole Stream that:

- (1) Identifies jurisdictional obstacles to coordinated stream maintenance; and
- (2) Offers recommendations to improve stream maintenance and flood hazard mitigation policies.

Your Committee received testimony in support of this measure from the Ko'olau Foundation. Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development.

Your Committee finds that stream maintenance and flood hazard mitigation are important issues facing the Waiahole Valley community. The Waiahole Stream plays a critical role in the ecological, socioeconomic, and material well-being of the communities of Waiahole Valley. Currently, state and City and County of Honolulu laws exist specifically to address stream maintenance, which if followed would alleviate some challenges from flooding due to debris blockage of stream channels. However, jurisdictional and landowner challenges impede efforts to engage in proactive stream maintenance that may prevent destructive, significant flood hazards. To navigate jurisdictional challenges, while protecting the Waiahole Valley community from flood hazards, a collaborative, multi-agency study may provide solutions to ensure the safety of Waiahole Valley residents.

Your Committee has amended this measure by:

- (1) Adding the City and County of Honolulu as a consulting agency for the study;
- (2) Amending its title accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 192, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 192, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3670 Water and Land on S.C.R. No. 203

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to develop programs to recapture, retain, and share the cultural and environmental knowledge of limu kala.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, The Marine Science Learning Center at Wai'anae High School, Malama Pūpūkea-Waimea, and four individuals.

Your Committee finds that limu is an important component of a healthy and productive reef ecosystem; the base of the marine food chain; a key indicator of the health and resilience of an ahupuaa; and a critical part of many marine life habitats, especially limu kala. Four endemic species are currently found in Hawaii: *S. echniocarpum*, *S. hawaiiensis*, *S. obtusifolium*, and *S. polyphyllum*. Limu kala is a seasonally abundant and commonly found in many intertidal and subtidal habitats, including tidepools and reef flats in areas with moderate to high wave action. Limu is used as a vitamin-, mineral-, and fiber-rich food source, in traditional medicine, and cultural ceremonies. Your Committee further finds that much of limu-based cultural knowledge has been lost over many generations due to a lack of understanding and awareness of the significance of limu. This lack of knowledge hinders work and efforts to increase the State's population of nearshore fish. Learning, retaining, and sharing cultural and environmental knowledge about limu will benefit nearshore fisheries and all residents of the State for many generations.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 203 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3671 Water and Land on S.R. No. 196

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to develop programs to recapture, retain, and share the cultural and environmental knowledge of limu kala.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, Malama Pūpūkea-Waimea, and two individuals.

Your Committee finds that limu is an important component of a healthy and productive reef ecosystem; the base of the marine food chain; a key indicator of the health and resilience of an ahupuaa; and a critical part of many marine life habitats, especially limu kala. Four endemic species are currently found in Hawaii: *S. echniocarpum*, *S. hawaiiensis*, *S. obtusifolium*, and *S. polyphyllum*. Limu kala

is a seasonally abundant and commonly found in many intertidal and subtidal habitats, including tidepools and reef flats in areas with moderate to high wave action. Limu is used as a vitamin-, mineral-, and fiber-rich food source, in traditional medicine, and cultural ceremonies. Your Committee further finds that much of limu-based cultural knowledge has been lost over many generations due to a lack of understanding and awareness of the significance of limu. This lack of knowledge hinders work and efforts to increase the State's population of nearshore fish. Learning, retaining, and sharing cultural and environmental knowledge about limu will benefit nearshore fisheries and all residents of the State for many generations.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 196 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3672 Water and Land on S.C.R. No. 204

The purpose and intent of this measure is to request the Department of Planning and Permitting of the City and County of Honolulu to publish on its website all decisions regarding waivers and variances.

Your Committee received testimony in support of this measure from the Kahuku Community Association, CountryTalkStory.com, 'Āina Haina Community Association, Hawaii's Thousand Friends, and five individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the decisions rendered by the Department of Planning and Permitting of the City and County of Honolulu impact communities and the quality of life of residents. Currently, the Director of Planning and Permitting of the City and County of Honolulu has the authority to provide exceptions to building and land use requirements. The current process for granting or denial of waivers and variances lacks transparency as documents pertaining to those decisions are not easily accessible to members of the public. The Department of Planning and Permitting oversees functions critical to ensuring public safety and comprehensive land use planning such as enforcement of zoning, building, electrical, housing, plumbing, and energy codes; administration of the Land Use Ordinance; preparation of the Oahu General Plan; transit-oriented development; and development and sustainable community plans. In light of the March 2021 indictment of five current or former Department of Planning and Permitting employees for allegedly accepting bribes to fast track permits and provide other special treatment, your Committee further finds that maintaining the public's trust is paramount to the Department of Planning and Permitting and success of new developments.

Your Committee has amended this measure by adding the Executive Officer of the Public Utilities Commission to the list of recipients of certified copies.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 204, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 204, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3673 Water and Land on S.R. No. 197

The purpose and intent of this measure is to request the Department of Planning and Permitting of the City and County of Honolulu to publish on its website all decisions regarding waivers and variances.

Your Committee received testimony in support of this measure from Kahuku Community Association, Hawaii's Thousand Friends, and four individuals.

Your Committee finds that the decisions rendered by the Department of Planning and Permitting of the City and County of Honolulu impact communities and the quality of life of residents. Currently, the Director of Planning and Permitting of the City and County of Honolulu has the authority to provide exceptions to building and land use requirements. The current process for granting or denial of waivers and variances lacks transparency as documents pertaining to those decisions are not easily accessible to members of the public. The Department of Planning and Permitting oversees functions critical to ensuring public safety and comprehensive land use planning such as enforcement of zoning, building, electrical, housing, plumbing, and energy codes; administration of the Land Use Ordinance; preparation of the Oahu General Plan; transit-oriented development; and development and sustainable community plans. In light of the March 2021 indictment of five current or former Department of Planning and Permitting employees for allegedly accepting bribes to fast track permits and provide other special treatment, your Committee further finds that maintaining the public's trust is paramount to the Department of Planning and Permitting and success of new developments.

Your Committee has amended this measure by adding the Executive Officer of the Public Utilities Commission to the list of recipients of certified copies.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 197, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 197, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3674 Water and Land on S.C.R. No. 205

The purpose and intent of this measure is to request the Legislative Reference Bureau, in consultation with the Department of Land and Natural Resources Division of Boating and Ocean Recreation and the Kaneohe Bay Regional Council, to conduct a study on

Kaneohe Bay to quantify the amount of non-permitted commercial activity that is operating in violation of the Kaneohe Bay Master Plan.

Your Committee received testimony in support of this measure from Ko'olaupoko Hawaiian Civic Club. Your Committee received comments on this measure from the Department of Land and Natural Resources and Legislative Reference Bureau.

Your Committee finds that the Kaneohe Bay Master Plan was developed pursuant to Act 208, Session Laws of Hawaii 1990, to establish a framework for the sustainable management of Kaneohe Bay's natural resources while accommodating a variety of uses. The vision set forth by the Kaneohe Bay Master Plan continues to center on the preservation and protection of Kaneohe Bay's natural resources for the continued enjoyment of Hawaii's people. However, limits on commercial activity have been exceeded by other activities not previously envisioned, and by new technologies that support their proliferation. Recent expanded commercial activity include non-permitted or non-compliant boat excursions from Heeiea Kea Small Boat Harbor and pre-positioned kayak rentals at Heeiea State Park that are advertised, coordinated, and paid online. To strike a balance between the preservation and protection of Kaneohe Bay's natural resources and commercial activities, further research may allow key stakeholders to uphold the original purpose of the Kaneohe Bay Master Plan.

Your Committee has amended this measure by:

- (1) Requesting the Department of Land and Natural Resources Division of Boating and Ocean Recreation, rather than the Legislative Reference Bureau, to conduct the study;
- (2) Amending its title accordingly; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 205, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 205, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3675 Water and Land on S.R. No. 198

The purpose and intent of this measure is to request the Legislative Reference Bureau, in consultation with the Department of Land and Natural Resources Division of Boating and Ocean Recreation and the Kaneohe Bay Regional Council, to conduct a study on Kaneohe Bay to quantify the amount of non-permitted commercial activity that is operating in violation of the Kaneohe Bay Master Plan.

Your Committee received testimony in support of this measure from Ko'olaupoko Hawaiian Civic Club and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources and Legislative Reference Bureau.

Your Committee finds that the Kaneohe Bay Master Plan was developed pursuant to Act 208, Session Laws of Hawaii 1990, to establish a framework for the sustainable management of Kaneohe Bay's natural resources while accommodating a variety of uses. The vision set forth by the Kaneohe Bay Master Plan continues to center on the preservation and protection of Kaneohe Bay's natural resources for the continued enjoyment of Hawaii's people. However, limits on commercial activity have been exceeded by other activities not previously envisioned, and by new technologies that support their proliferation. Recent expanded commercial activity include non-permitted or non-compliant boat excursions from Heeiea Kea Small Boat Harbor and pre-positioned kayak rentals at Heeiea State Park that are advertised, coordinated, and paid online. To strike a balance between the preservation and protection of Kaneohe Bay's natural resources and commercial activities, further research may allow key stakeholders to uphold the original purpose of the Kaneohe Bay Master Plan.

Your Committee has amended this measure by:

- (1) Requesting the Department of Land and Natural Resources Division of Boating and Ocean Recreation, rather than the Legislative Reference Bureau, to conduct the study;
- (2) Amending its title accordingly; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 198, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 198, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3676 Energy, Economic Development, and Tourism on S.C.R. No. 22

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the "Made in Hawaii" and "Hawaii Made" brands and prepare a plan to encourage and enforce the use of those brands.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that Act 2, Special Session Laws of Hawaii 2021, created the "Hawaii Made" program and appropriated \$150,000 out of the funds received by the State from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901) to the

Department of Business, Economic Development and Tourism (DBEDT) to promote the “Hawaii Made” brand. According to testimony received by your Committee, because the request for proposal (RFP) for services to conduct a study and to develop the “Hawaii Made” brand that DBEDT issued in January 2022 did not yield any response, a revised RFP was issued in March 2022, with a response due date in April. During the hearing, DBEDT confirmed that should there be no responses to the revised RFP, it may have to issue a third RFP with a revised scope of work that does not include the development of the “Hawaii Made” brand and, instead, work with the Hawaii Tourism Authority, who will be issuing an RPF for destination brand marketing and management services, to develop the “Hawaii Made” brand.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 22 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3677 Energy, Economic Development, and Tourism on S.R. No. 16

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the “Made in Hawaii” and “Hawaii Made” brands and prepare a plan to encourage and enforce the use of those brands.

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

Your Committee finds that Act 2, Special Session Laws of Hawaii 2021, created the “Hawaii Made” program and appropriated \$150,000 out of the funds received by the State from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901) to the Department of Business, Economic Development and Tourism (DBEDT) to promote the “Hawaii Made” brand. According to testimony received by your Committee, because the request for proposal (RFP) for services to conduct a study and to develop the “Hawaii Made” brand that DBEDT issued in January 2022 did not yield any response, a revised RFP was issued in March 2022, with a response due date in April. During the hearing, DBEDT confirmed that should there be no responses to the revised RFP, it may have to issue a third RFP with a revised scope of work that does not include the development of the “Hawaii Made” brand and, instead, work with the Hawaii Tourism Authority, who will be issuing an RPF for destination brand marketing and management services, to develop the “Hawaii Made” brand.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 16 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3678 Water and Land on S.C.R. No. 176

The purpose and intent of this measure is to support the Department of Land and Natural Resources Division of Boating and Ocean Recreation’s efforts to execute its improvement masterplan for the Honokohau Small Boat Harbor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, two members of the Hawai‘i County Council, Blue Ocean Mariculture, Hawai‘i Fishing and Boating Association, Wee Guys Fishing Tournament, Atlantis Submarines Kona, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Department of Land and Natural Resources Division of Boating and Ocean Recreation is responsible for administering the State’s small boat harbor and ocean recreation management programs. Honokohau Small Boat Harbor, under the stewardship of the Division of Boating and Ocean Recreation, has become a significant gathering place for the West Hawaii community. The Honokohau Small Boat Harbor sustains two hundred local businesses, making it the largest single contributor to West Hawaii’s gross domestic product (GDP), generating \$2 million directly to the State annually and over \$100 million to Hawaii’s GDP.

Your Committee further finds that in August 2018, the Division of Boating and Ocean Recreation formed a working group composed of harbor and recreational users, commercial operators, key legislators, and representatives from government to discuss potential uses and revenue generating strategies for vacant lands at the Honokohau Small Boat Harbor. Currently, the Honokohau Small Boat Harbor Working Group remains as an important resource to the vast community of harbor users while also providing guidance to the Division of Boating and Ocean Recreation to develop its improvement masterplan. As the Honokohau Small Boat Harbor provides a strong sense of place, support for the local ocean economy, perpetuation of cultural heritage, protection of the health and vitality of the nearshore ecosystem, preparation for the impacts of climate change, and support for the advancement of scientific research, the Honokohau Small Boat Harbor improvement masterplan should be implemented to address both current, immediate needs and future, long-term expansion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 176 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3679 Water and Land on S.R. No. 169

The purpose and intent of this measure is to support the Department of Land and Natural Resources Division of Boating and Ocean Recreation’s efforts to execute its improvement masterplan for the Honokohau Small Boat Harbor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, two members of the Hawai‘i County Council, Hawai‘i Fishing and Boating Association, and one individual.

Your Committee finds that the Department of Land and Natural Resources Division of Boating and Ocean Recreation is responsible for administering the State's small boat harbor and ocean recreation management programs. Honokohau Small Boat Harbor, under the stewardship of the Division of Boating and Ocean Recreation, has become a significant gathering place for the West Hawaii community. The Honokohau Small Boat Harbor sustains two hundred local businesses, making it the largest single contributor to West Hawaii's gross domestic product (GDP), generating \$2 million directly to the State annually and over \$100 million to Hawaii's GDP.

Your Committee further finds that in August 2018, the Division of Boating and Ocean Recreation formed a working group composed of harbor and recreational users, commercial operators, key legislators, and representatives from government to discuss potential uses and revenue generating strategies for vacant lands at the Honokohau Small Boat Harbor. Currently, the Honokohau Small Boat Harbor Working Group remains as an important resource to the vast community of harbor users while also providing guidance to the Division of Boating and Ocean Recreation to develop its improvement masterplan. As the Honokohau Small Boat Harbor provides a strong sense of place, support for the local ocean economy, perpetuation of cultural heritage, protection of the health and vitality of the nearshore ecosystem, preparation for the impacts of climate change, and support for the advancement of scientific research, the Honokohau Small Boat Harbor improvement masterplan should be implemented to address both current, immediate needs and future, long-term expansion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 169 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3680 Judiciary on S.C.R. No. 8

The purpose and intent of this measure is to ratify a proposed amendment to the Constitution of the United States giving the Congress of the United States power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, University of San Diego School of Law's Children's Advocacy Institute, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that House Joint Resolution 184, approved by the Sixty-Eighth Congress in 1924, proposed an amendment to the United States Constitution to give Congress the power to regulate child labor. Your Committee further finds that the proposal to amend the Constitution is still outstanding because Congress did not set a time limit for its ratification by the states, and that Hawaii is one of several states that have no record of taking action on the proposed amendment. Your Committee also finds that federal regulation of child labor is now provided under the Fair Labor Standards Act of 1938, as amended; however, by ratifying the proposed amendment, the Legislature would demonstrate the State's stance on the issue.

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

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3681 Judiciary on S.C.R. No. 26

The purpose and intent of this measure is to urge the United States Congress to enact legislation to address the rise in illegal text messages.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and two individuals.

Your Committee finds that text messages are a new method for criminals to scam consumers. It has been reported that existing spam apps are not effective at filtering text messages. Text messaging is effective for scammers because the text messages can be designated to appear harmless and allow scammers to trick consumers into giving out personal information without realizing it is happening. Once scammers obtain a consumer's personal information, they can transfer money out of bank accounts, use the consumer's identity, or sell the consumer's information to a third-party. Text messaging is also a preferred method for criminals to gain complete control over a person's phone. This measure aims to help prevent criminals from using text messages to scam consumers.

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

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3682 Judiciary on S.R. No. 20

The purpose and intent of this measure is to urge the United States Congress to enact legislation to address the rise in illegal text messages.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that text messages are a new method for criminals to scam consumers. It has been reported that existing spam apps are not effective at filtering text messages. Text messaging is effective for scammers because the text messages can be designated to appear harmless and allow scammers to trick consumers into giving out personal information without realizing it is happening. Once scammers obtain a consumer's personal information, they can transfer money out of bank accounts, use the consumer's identity, or sell the consumer's information to a third-party. Text messaging is also a preferred method for criminals to gain complete control over a person's phone. This measure aims to help prevent criminals from using text messages to scam consumers.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 20 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3683 Judiciary on S.C.R. No. 110

The purpose and intent of this measure is to strongly urge the Supreme Court of the United States to adopt a code of ethics similar to the code of conduct for United States judges.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that in *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868 (2009), Justice Kennedy, writing for the court, stated that, “[judicial] codes of conduct serve to maintain the integrity of the judiciary and the rule of law”. The code of conduct for United States judges is a set of ethical principles and guidelines adopted by the Judicial Conference of the United States and includes specific rules about ethics, integrity, and appearances of impropriety relating to outside business and political activities and the acceptance of gifts. The Judicial Conference which promulgated the code of conduct does not have the authority to bind the Supreme Court of the United States. Therefore, the nine justices of the Supreme Court of the United States are not bound by any code of conduct. This measure will urge the Supreme Court of the United States to adopt a code of conduct, which will promote openness, transparency, and trust in the judicial system.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 110 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3684 Judiciary on S.R. No. 97

The purpose and intent of this measure is to strongly urge the Supreme Court of the United States to adopt a code of ethics similar to the code of conduct for United States judges.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that in *Caperton v. A. T. Massey Coal Co.*, 556 U.S. 868 (2009), Justice Kennedy, writing for the court, stated that, “[judicial] codes of conduct serve to maintain the integrity of the judiciary and the rule of law”. The code of conduct for United States judges is a set of ethical principles and guidelines adopted by the Judicial Conference of the United States and includes specific rules about ethics, integrity, and appearances of impropriety relating to outside business and political activities and the acceptance of gifts. The Judicial Conference which promulgated the code of conduct does not have the authority to bind the Supreme Court of the United States. Therefore, the nine justices of the Supreme Court of the United States are not bound by any code of conduct. This measure will urge the Supreme Court of the United States to adopt a code of conduct, which will promote openness, transparency, and trust in the judicial system.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 97 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3685 Judiciary on S.C.R. No. 195

The purpose and intent of this measure is to urge the members of the United States Congress to enact federal legislation granting statehood to the people of Washington, D.C.

Your Committee received testimony in support of this measure from the American Civil Liberties Union of Hawaii; Common Cause Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; Rainbow Family 808; and Americans for Democratic Action Hawai‘i. Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that residents of the District of Columbia share all the responsibilities of United States citizenship, including paying more federal taxes than residents of twenty-two states, service on federal juries, and defending the United States as members of the United States Armed Forces in every war since the War for Independence. Despite these facts, residents of the District of Columbia are denied full representation in Congress. The residents of the District of Columbia do not enjoy the full democracy, equality, and citizenship enjoyed by residents of the fifty states. This measure will promote providing the citizens of Washington D.C. the equal rights of self-governance and citizenship as enjoyed by all other American citizens.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 195 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3686 Judiciary on H.B. No. 1810

The purpose and intent of this measure is to:

- (1) Define what constitutes a quorum for the Environmental Advisory Council; and

(2) Specify the number of votes required to make any action of the Environmental Advisory Council valid.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development.

Your Committee finds that there have been many instances where the Environmental Advisory Council has not had its full complement of fifteen members, due to term expirations. The minimum number of board members required for quorum is eight members. In some instances, meetings have had to be cancelled because of the inability to meet the quorum count. This measure will specify what constitutes a quorum, which will allow the Environmental Advisory Council to function more efficiently.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1810, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1810, H.D. 1, S.D. 1.

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

SCRep. 3687 (Majority) Judiciary on H.B. No. 2074

The purpose and intent of this measure is to clarify that a defendant, being sentenced for an offense that was committed while serving a sentence of imprisonment on a separate unrelated felony conviction, cannot be given credit for a period of presentence detention that took place while the defendant was also serving the sentence of imprisonment for the separate unrelated felony conviction.

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, and Department of Public Safety. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the Hawaii Supreme Court's holding in *State v. Abihai* disregards the intent of the Legislature when it enacted section 706-671(3), Hawaii Revised Statutes, in 2012. In *State v. Abihai*, the Hawaii Supreme Court held that the plain language in section 706-671(3), Hawaii Revised Statutes, did not eliminate the defendant's entitlement to pre-sentence detention credit pursuant to the language outlined in section 706-671(1), Hawaii Revised Statutes. However, when the Legislature codified section 706-671(3), Hawaii Revised Statutes, during the 2012 Legislative Session, it indicated its intent in the Senate Committee on Judiciary and Labor's committee report, stating that the purpose and intent of the measure was to clarify that a defendant will not earn credit for time served for a subsequent crime while the defendant is serving an imprisonment sentence for a separate, unrelated offense. This measure will clarify and solidify the legislative intent of section 706-671(3), Hawaii Revised Statutes, and ensure that convicted offenders do not benefit from effectively shortened sentences if they commit new crimes while incarcerated.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2074, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2074, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 6; Ayes with Reservations (Fevella). Noes, 1 (Acasio). Excused, none.

SCRep. 3688 Water and Land on S.C.R. No. 119

The purpose and intent of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kauai, as "Paulaula".

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ke One O Kākuhihewa – O'ahu Council of the Association of Hawaiian Civic Clubs, Kaumuali'i Hawaiian Civic Club, and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that Paulaula is the traditional place name for the eastern bank at the mouth of the Waimea River, and Paulaula was the location of the royal compound of Kaumualii, the alii ai moku of Kauai. In 1815, the Russian-American Company sent Georg Anton Schaffer, a medical physician, to Kauai to retrieve the Company's trade ship Bering's lost cargo, receive payment for the cargo, and salvage any remaining pieces from the Bering. In 1816, Kaumualii and Schaffer entered into a secret treaty, which provided for the construction of forts on the island of Kauai, including one in Paulaula. In 1816, Schaffer began construction of a stronghold in Paulaula, to be named "Fort Elisabeth", after the consort of Emperor Alexander I. In 1817, the fort at Paulaula, constructed largely from a Hawaiian labor force, and with rocks from Waimea River's east bank, was completed. However, Kaumualii and Schaffer's agreement was short-lived, and Schaffer was driven away by Kaumualii's people in 1818.

Your Committee additionally finds that following Schaffer's departure, Kaumualii, and later his descendants, occupied the Waimea fort, which was utilized as an administrative center, prison, and burial ground. The Hawaiian government completed the fort and used the structure until 1864, when it was abandoned. Since abandonment of the fort at Paulaula, numerous names have been given to this enclosure, including "Paulaula", "Fort Elisabeth", and "stone fort", reflecting its cultural significance and multicultural history.

Your Committee further finds that in 1972, the State acquired the seventeen-acre property encompassing the fort structure for the purpose of preserving the site. The fort site, administered as the Russian Fort Elisabeth Historical Park, was designated as a National Historic Landmark in 1962 and listed on the Hawaii Register of Historic Places in 1981. In 2018, an informal working group,

composed of representatives from various cultural and historical organizations on Kauai, government agencies, and the Russian-American community, formed to discuss the future of the site. Representatives from Kauai's community believe that the name "Paulaula" should be restored to honor the name of the site and to ensure that the moolelo of this wahi pana is shared and the aina that cares for the iwi kupuna is honored.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 119 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3689 Water and Land on S.R. No. 106

The purpose and intent of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kauai, as "Paulaula".

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ke One O Kākuhihea – O'ahu Council for the Association of Hawaiian Civic Clubs, and three individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that Paulaula is the traditional place name for the eastern bank at the mouth of the Waimea River, and Paulaula was the location of the royal compound of Kaumualii, the alii ai moku of Kauai. In 1815, the Russian-American Company sent Georg Anton Schaffer, a medical physician, to Kauai to retrieve the Company's trade ship Bering's lost cargo, receive payment for the cargo, and salvage any remaining pieces from the Bering. In 1816, Kaumualii and Schaffer entered into a secret treaty, which provided for the construction of forts on the island of Kauai, including one in Paulaula. In 1816, Schaffer began construction of a stronghold in Paulaula, to be named "Fort Elisabeth", after the consort of Emperor Alexander I. In 1817, the fort at Paulaula, constructed largely from a Hawaiian labor force, and with rocks from Waimea River's east bank, was completed. However, Kaumualii and Schaffer's agreement was short-lived, and Schaffer was driven away by Kaumualii's people in 1818.

Your Committee additionally finds that following Schaffer's departure, Kaumualii, and later his descendants, occupied the Waimea fort, which was utilized as an administrative center, prison, and burial ground. The Hawaiian government completed the fort and used the structure until 1864, when it was abandoned. Since abandonment of the fort at Paulaula, numerous names have been given to this enclosure, including "Paulaula", "Fort Elisabeth", and "stone fort", reflecting its cultural significance and multicultural history.

Your Committee further finds that in 1972, the State acquired the seventeen-acre property encompassing the fort structure for the purpose of preserving the site. The fort site, administered as the Russian Fort Elisabeth Historical Park, was designated as a National Historic Landmark in 1962 and listed on the Hawaii Register of Historic Places in 1981. In 2018, an informal working group, composed of representatives from various cultural and historical organizations on Kauai, government agencies, and the Russian-American community, formed to discuss the future of the site. Representatives from Kauai's community believe that the name "Paulaula" should be restored to honor the name of the site and to ensure that the moolelo of this wahi pana is shared and the aina that cares for the iwi kupuna is honored.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 106 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3690 Commerce and Consumer Protection on S.C.R. No. 228

The purpose and intent of this measure is to request the Auditor to conduct a sunrise analysis on mandating health insurance coverage for annual mental health screenings.

Your Committee did not receive any testimony on this measure.

Your Committee finds that eighteen percent of adults in the United States experience mental illness or disorder, and that almost half of those individuals do not receive mental health treatment for their mental illness. Properly identifying and screening for mental illness could help reduce the health care costs and lost wages attributed to untreated mental illness every year. Senate Bill No. 728, Regular Session of 2021 (S.B. No. 728), would require health insurers and similar entities that provide coverage for health care to provide coverage for annual mental health screenings. This measure requests the Auditor to conduct a social and financial impact assessment of the proposed mandated coverage in S.B. No. 728, pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes, to further efforts to support the mental health of residents in the State.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 228 and recommends its adoption.

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

SCRep. 3691 Commerce and Consumer Protection on S.C.R. No. 229

The purpose and intent of this measure is to request the Auditor to assess the social and financial effects of mandating health insurance coverage for annual mental health wellness examinations.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that nearly one in five Americans experience a mental illness or disorder each year and that less than half of those experiencing a mental illness or disorder receive mental health services. Properly identifying and screening for mental illness could help reduce the health care costs and lost wages attributed to untreated mental illness every year. Senate Bill No. 728, Regular Session of 2021 (S.B. No. 728) and S.B. No. 2467, S.D. 2, Regular Session of 2022 (S.B. No. 2467), would require health insurers and similar entities that provide coverage for health care to provide coverage for annual mental health screenings. This measure requests the Auditor to conduct a social and financial impact assessment of the proposed mandated coverage in S.B. No. 728 and S.B. No. 2467, pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes, to further efforts to support the mental health of residents in the State.

Your Committee has amended this measure by:

- (1) Specifying S.B. No. 728 and S.B. No. 2467 as the measures requested to be analyzed by the Auditor;
- (2) Inserting language requesting the Auditor to define “mental health wellness examination” to allow health insurers to determine coverage requirements;
- (3) Requesting the Auditor to include in the impact assessment report a survey of other states in the United States that have implemented a mandate for annual mental health wellness examination benefits and to examine the resulting social and financial impact in those states; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 229, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 229, S.D. 1.

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

SCRep. 3692 Commerce and Consumer Protection on S.C.R. No. 152

The purpose and intent of this measure is to request the Auditor to assess the social and financial effects of mandating health insurance coverage for oocyte cryopreservation.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii.

Your Committee finds that women who undergo certain procedures, such as chemotherapy or surgeries, or who are at risk of premature ovarian failure or ovarian disease, have a high risk of infertility. Existing law does not require health insurers to cover costs associated with oocyte cryopreservation, or egg freezing. Your Committee further finds that access to sexual and reproductive health care is critical for the health and well-being of all families and that residents should be able to plan their families in ways that are best and appropriate for them without discrimination. This measure requests the Auditor to conduct a review and prepare a report assessing both the social and financial effects of the proposed mandated coverage in Senate Bill No. 2917, S.D. 2, Regular Session of 2022, which would include oocyte cryopreservation procedure coverage.

Your Committee has amended this measure by:

- (1) Inserting language requesting the Auditor to include in the impact assessment report a survey of other states in the United States that have implemented a mandate for oocyte cryopreservation benefits and to examine what the social and financial impact has been in these states;
- (2) Requesting the Auditor to research the standard medical definition of “reproductive age” and to examine the success rates for the different age groups to determine coverage benefit limitations for this proposed covered benefit, including an examination of whether different standards of infertility treatments are applied to different age groups in need of infertility treatments;
- (3) Requesting the Auditor to research whether any expansion of infertility in vitro fertilization procedures constitutes benefits that are in excess of the essential health benefits, thus requiring the State to defray such costs;
- (4) Requesting the Auditor to examine current medically necessary standards of care used to determine what types of infertility treatment options are available, particularly ones that result in greater cost-effective savings than in vitro fertilization, which may be best suited for individuals in need of infertility procedures, and to examine the existing technology in infertility procedures and possible future technology; and
- (5) Requesting the Auditor to research certain legal issues surrounding the rights and entitlements with respect to the frozen eggs, including contract remedies and storage and disposition of the cryopreserved material, and to consider:
 - (A) How long should the eggs be preserved;
 - (B) When and how should the eggs be destroyed;
 - (C) Whether the eggs may be used for providing instruction in assisted reproduction procedures or other research if the woman decides not to use them;
 - (D) What will happen to the eggs if the donor dies; and
 - (E) What will happen to the eggs if the donor and her spouse separate; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 152, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 152, S.D. 1.

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

SCRep. 3693 Commerce and Consumer Protection on S.C.R. No. 38

The purpose and intent of this measure is to request public utilities to provide a fifty percent rate discount to retired senior citizens.

Your Committee received testimony in support of this measure from Rainbow Family 808. 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 many retired seniors live on fixed incomes and rising utility costs can be highly burdensome. However, your Committee notes the concerns raised in testimony that, in addition to enforcement concerns, any discount rate shifts costs to other ratepayers and would result in cross-subsidization that could have unintended consequences, such as adversely affecting low- to moderate-income customers, resulting in utility bills becoming even less affordable. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Inserting findings acknowledging that low-income customers, in addition to retired senior citizens, may struggle to afford utility services due to widening gaps between costs and income;
- (2) Inserting findings acknowledging that public utilities offering discounted rates to any one customer group may shift costs to other ratepayers, making utility bills even less affordable;
- (3) Deleting language that would have requested public utilities to provide a fifty percent rate discount to retired senior citizens;
- (4) Inserting language requesting that the Public Utilities Commission investigate measures to benefit vulnerable customers, including low-income and retired customers, and to identify funding sources to support social policy objectives that would prevent the shifting of costs to other ratepayers;
- (5) Deleting language that would have requested the Public Utilities Commission to assess certain actions taken by public utilities and to provide certified copies of this measure to certain public utilities;
- (6) Amending its title to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 38, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 38, S.D. 1.

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

SCRep. 3694 Commerce and Consumer Protection on S.R. No. 33

The purpose and intent of this measure is to request public utilities to provide a fifty percent rate discount to retired senior citizens.

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 many retired seniors live on fixed incomes and rising utility costs can be highly burdensome. However, your Committee notes the concerns raised in testimony that, in addition to enforcement concerns, any discount rate shifts costs to other ratepayers and would result in cross-subsidization that could have unintended consequences, such as adversely affecting low- to moderate-income customers, resulting in utility bills becoming even less affordable. Accordingly, amendments to this measure are necessary to address these concerns.

Your Committee has amended this measure by:

- (1) Inserting findings acknowledging that low-income customers, in addition to retired senior citizens, may struggle to afford utility services due to widening gaps between costs and income;
- (2) Inserting findings acknowledging that public utilities offering discounted rates to any one customer group may shift costs to other ratepayers, making utility bills even less affordable;
- (3) Deleting language that would have requested public utilities to provide a fifty percent rate discount to retired senior citizens;
- (4) Inserting language requesting that the Public Utilities Commission investigate measures to benefit vulnerable customers, including low-income and retired customers, and to identify funding sources to support social policy objectives that would prevent the shifting of costs to other ratepayers;
- (5) Deleting language that would have requested the Public Utilities Commission to assess certain actions taken by public utilities and to provide certified copies of this measure to certain public utilities;
- (6) Amending its title to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 33, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 33, S.D. 1.

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

SCRep. 3695 Commerce and Consumer Protection on S.C.R. No. 156

The purpose and intent of this measure is to request the Department of Commerce and Consumer Affairs to convene a task force to provide recommendations for a pilot program that grants prescriptive authority to qualified psychologists in the counties of Kaua'i, Maui, and Hawai'i.

Your Committee received testimony in support of this measure from the Office of the Mayor for the County of Kaua'i. Your Committee received testimony in opposition to this measure from the Hawai'i Psychiatric Medical Association and two individuals. Your Committee received comments on this measure from the Hawai'i Board of Psychology and Hawaii Medical Association.

Your Committee finds that recent physician workforce assessments continue to reflect significant shortages of doctors throughout the State, especially in rural communities. The lack of access to appropriate mental health treatment can lead to devastating consequences, including suicide, which is the number one injury-related cause of death among Hawai'i residents. Your Committee further notes that in recent years, a number of other states have adopted legislation authorizing prescriptive authority for advanced trained psychologists as a means of addressing necessary treatment for mental health patients and have had success with this practice. This measure will help satisfy demands for psychological services, especially in rural areas, by expanding access to psychiatric medication support services in a safe manner. Additionally, according to testimony submitted by the Hawaii Board of Psychology, a pilot program is not necessary, and the Board is prepared to establish regulations authorizing prescriptive authority that will protect the consuming public. Accordingly, amendments to this measure are necessary to advance the establishment of prescriptive authority for certain psychologists.

Your Committee has amended this measure by:

- (1) Inserting findings acknowledging that other states have adopted legislation authorizing prescriptive authority for advanced trained psychologists;
- (2) Deleting language requesting the Department of Commerce and Consumer Affairs to convene a task force to provide recommendations for a pilot program that grants prescriptive authority to qualified psychologists in the counties of Kaua'i, Maui, and Hawai'i;
- (3) Inserting language requesting the Department of Commerce and Consumer Affairs' Division of Professional and Vocational Licensing, with the assistance of the Board of Psychology, to convene a task force to develop legislation granting prescriptive authority to qualified psychologists practicing in the State of Hawai'i;
- (4) Inserting language requesting that the task force include:
 - (A) Members representing other prescribing professionals who are amenable to the possibility of prescriptive authority for appropriately trained psychologists; and
 - (B) Psychologists licensed in the State;
- (5) Requesting that the task force:
 - (A) Review and evaluate laws from other states where psychologists have been granted prescriptive authority, including their subsequent experiences and patient outcomes;
 - (B) Consider any additional conditions or necessary training that would be required to grant prescriptive authority to psychologists practicing in Hawai'i;
 - (C) Determine whether the University of Hawai'i currently has the personnel to provide the advanced training necessary for psychologists to be granted prescriptive authority; and
 - (D) Develop appropriate legislation that would grant prescriptive authority to appropriately trained psychologists in Hawai'i;
- (6) Amending its title accordingly; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 156, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 156, S.D. 1.

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

SCRep. 3696 Commerce and Consumer Protection on S.R. No. 149

The purpose and intent of this measure is to request the Department of Commerce and Consumer Affairs to convene a task force to provide recommendations for a pilot program that grants prescriptive authority to qualified psychologists in the counties of Kaua'i, Maui, and Hawai'i.

Your Committee received testimony in support of this measure from the Office of the Mayor for the County of Kaua'i. Your Committee received testimony in opposition to this measure from the Hawai'i Psychiatric Medical Association and one individual. Your Committee received comments on this measure from the Hawai'i Board of Psychology.

Your Committee finds that recent physician workforce assessments continue to reflect significant shortages of doctors throughout the State, especially in rural communities. The lack of access to appropriate mental health treatment can lead to devastating consequences, including suicide, which is the number one injury-related cause of death among Hawai'i residents. Your Committee further notes that in recent years, a number of other states have adopted legislation authorizing prescriptive authority for advanced trained psychologists as a means of addressing necessary treatment for mental health patients and have had success with this practice. This measure will help satisfy demands for psychological services, especially in rural areas, by expanding access to psychiatric medication support services in a safe manner. Additionally, according to testimony submitted by the Hawaii Board of Psychology, a pilot program is not necessary, and the Board is prepared to establish regulations authorizing prescriptive authority that will protect the consuming public. Accordingly, amendments to this measure are necessary to advance the establishment of prescriptive authority for certain psychologists.

Your Committee has amended this measure by:

- (1) Inserting findings acknowledging that other states have adopted legislation authorizing prescriptive authority for advanced trained psychologists;
- (2) Deleting language requesting the Department of Commerce and Consumer Affairs to convene a task force to provide recommendations for a pilot program that grants prescriptive authority to qualified psychologists in the counties of Kaua'i, Maui, and Hawai'i;
- (3) Inserting language requesting the Department of Commerce and Consumer Affairs' Division of Professional and Vocational Licensing, with the assistance of the Board of Psychology, to convene a task force to develop legislation granting prescriptive authority to qualified psychologists practicing in the State of Hawai'i;
- (4) Inserting language requesting that the task force include:
 - (A) Members representing other prescribing professionals who are amenable to the possibility of prescriptive authority for appropriately trained psychologists; and
 - (B) Psychologists licensed in the State;
- (5) Requesting that the task force:
 - (A) Review and evaluate laws from other states where psychologists have been granted prescriptive authority, including their subsequent experiences and patient outcomes;
 - (B) Consider any additional conditions or necessary training that would be required to grant prescriptive authority to psychologists practicing in Hawai'i;
 - (C) Determine whether the University of Hawai'i currently has the personnel to provide the advanced training necessary for psychologists to be granted prescriptive authority; and
 - (D) Develop appropriate legislation that would grant prescriptive authority to appropriately trained psychologists in Hawai'i;
- (6) Amending its title accordingly; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 149, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 149, S.D. 1.

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

SCRep. 3697 Commerce and Consumer Protection on S.C.R. No. 242

The purpose and intent of this measure is to request the Public Utilities Commission, in collaboration with the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, to convene a working group to create a Hawaii Low Income Home Energy Assistance Program to assist low-income households with paying for their home energy.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, and Hawaiian Electric Company. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that the federal Low Income Home Energy Assistance Program was created to provide qualifying households with assistance to pay for their utility bills, but the number of households receiving assistance ultimately depends on the federal funds allocated to the State for the year. Often times, those receiving assistance under the program make up only a fraction of the households that are facing energy insecurity and possible service disconnection. This measure requests the convening of a working group to create a Hawaii Low Income Home Energy Assistance Program as an additional source of funds to provide assistance for those experiencing economic hardships and energy insecurity.

Your Committee has amended this measure by:

- (1) Clarifying that the members of the working group include one representative from the Department of Human Services' Division of Benefit, Employment and Support Services, and a representative from the Department of Labor and Industrial Relations' Office of Community Services;
- (2) Updating the list of persons to receive certified copies of this measure accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 242, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 242, S.D. 1.

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

SCRep. 3698 Commerce and Consumer Protection on S.R. No. 133

The purpose and intent of this measure is to request the Public Utilities Commission, in collaboration with the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, to convene a working group to create a Hawaii Low Income Home Energy Assistance Program to assist low-income households with paying for their home energy.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, and Hawaiian Electric Company. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that the federal Low Income Home Energy Assistance Program was created to provide qualifying households with assistance to pay for their utility bills, but the number of households receiving assistance ultimately depends on the federal funds allocated to the State for the year. Often times, those receiving assistance under the program make up only a fraction of the households that are facing energy insecurity and possible service disconnection. This measure requests the convening of a working group to create a Hawaii Low Income Home Energy Assistance Program as an additional source of funds to provide assistance for those experiencing economic hardships and energy insecurity.

Your Committee has amended this measure by:

- (1) Clarifying that the members of the working group include one representative from the Department of Human Services' Division of Benefit, Employment and Support Services, and a representative from the Department of Labor and Industrial Relations' Office of Community Services;
- (2) Updating the list of persons to receive certified copies of this measure accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 133, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 133, S.D. 1.

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

SCRep. 3699 Commerce and Consumer Protection on S.C.R. No. 120

The purpose and intent of this measure is to request the Public Utilities Commission to develop an efficient and streamlined process for reviewing electric utilities' requests to provide "middle mile" broadband services in support of expanding broadband services for Hawaii residents in underserved and unserved areas.

Your Committee received testimony in support of this measure from Hawaiian Electric Company. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Public Utilities Commission, Hawaiian Telcom, and Crown Castle.

Your Committee finds that there remain a number of underserved and unserved communities in the State that lack sufficient broadband facilities. Digital accessibility has become even more essential as a result of the coronavirus disease 2019 pandemic. Further, electric utility telecommunication is increasingly important to operate electric grid safety and reliability, and maximizing an electric utility's infrastructure for broadband deployment is a growing national trend. While electric utilities are currently capable and authorized to continue to provide middle mile broadband infrastructure, this measure establishes strong public policy support and clear recognition of electric utilities' valuable role in broadband expansion, and acknowledges the need for an efficient regulatory oversight process to serve this public purpose and provide safeguards to avoid potential market-power abuses and cross-subsidization between regulated and unregulated activities.

Your Committee has amended this measure by:

- (1) Inserting findings acknowledging the Infrastructure Investment and Jobs Act, which includes funding to expand middle mile infrastructure to unserved and underserved areas, and that electric utilities do not currently see barriers to entering the middle mile telecommunications market but are concerned over the length of time needed for its approvals as competitive federal broadband funding becomes available;
- (2) Requesting the Public Utilities Commission to consider whether a standardized application that requires electric utility companies to file more than sufficient information to facilitate a streamlined and efficient review process is warranted, rather than requiring regulators to rely on a discovery process to address concerns;

- (3) Requesting that the Public Utilities Commission ensure that a level playing field and appropriate levels of competition in the telecommunications infrastructure industry is maintained;
- (4) Amending its title accordingly; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 120, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 120, S.D. 1.

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

SCRep. 3700 Commerce and Consumer Protection on S.R. No. 107

The purpose and intent of this measure is to request the Public Utilities Commission to develop an efficient and streamlined process for reviewing electric utilities' requests to provide "middle mile" broadband services in support of expanding broadband services for Hawaii residents in underserved and unserved areas.

Your Committee received testimony in support of this measure from Hawaiian Electric Company. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Public Utilities Commission, and Hawaiian Telcom.

Your Committee finds that there remain a number of underserved and unserved communities in the State that lack sufficient broadband facilities. Digital accessibility has become even more essential as a result of the coronavirus disease 2019 pandemic. Further, electric utility telecommunication is increasingly important to operate electric grid safety and reliability, and maximizing an electric utility's infrastructure for broadband deployment is a growing national trend. While electric utilities are currently capable and authorized to continue to provide middle mile broadband infrastructure, this measure establishes strong public policy support and clear recognition of electric utilities' valuable role in broadband expansion, and acknowledges the need for an efficient regulatory oversight process to serve this public purpose and provide safeguards to avoid potential market-power abuses and cross-subsidization between regulated and unregulated activities.

Your Committee has amended this measure by:

- (1) Inserting findings acknowledging the Infrastructure Investment and Jobs Act, which includes funding to expand middle mile infrastructure to unserved and underserved areas, and that electric utilities do not currently see barriers to entering the middle mile telecommunications market but are concerned over the length of time needed for its approvals as competitive federal broadband funding becomes available;
- (2) Requesting the Public Utilities Commission to consider whether a standardized application that requires electric utility companies to file more than sufficient information to facilitate a streamlined and efficient review process is warranted, rather than requiring regulators to rely on a discovery process to address concerns;
- (3) Requesting that the Public Utilities Commission ensure that a level playing field and appropriate levels of competition in the telecommunications infrastructure industry is maintained;
- (4) Amending its title accordingly; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 107, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 107, S.D. 1.

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

SCRep. 3701 Energy, Economic Development, and Tourism on S.C.R. No. 12

The purpose and intent of this measure is to urge the Hawaii Broadband and Digital Equity Office to prioritize access to broadband services in rural areas throughout the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Disability and Communication Access Board; Common Cause Hawaii; Charter Communications; Broadband Hui; and one individual.

Your Committee finds that although broadband coverage in the State is widespread, it is critical to bridge the digital divide in the State through improving access to broadband services for Hawaii's residents, consumers, and businesses, especially those in rural communities.

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 12, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3702 Energy, Economic Development, and Tourism on S.R. No. 6

The purpose and intent of this measure is to urge the Hawaii Broadband and Digital Equity Office to prioritize access to broadband services in rural areas throughout the State.

Your Committee received testimony in support of this measure from Department of Business, Economic Development, and Tourism; Disability and Communication Access Board; Common Cause Hawaii; Charter Communications; and Broadband Hui.

Your Committee finds that although broadband coverage in the State is widespread, it is critical to bridge the digital divide in the State through improving access to broadband services for Hawaii's residents, consumers, and businesses, especially those in rural communities.

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

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 6, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 6, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3703 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.C.R. No. 48

The purpose and intent of this measure is to request the Public Utilities Commission to consider efforts to mitigate high energy burdens for low- and moderate-income customers and investigate how to integrate considerations of energy equity and justice across its work.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, Public Utilities Commission, and Hawaiian Electric Company. Your Committees received comments on this measure from the Hawaii State Energy Office.

Your Committees find that low-income households spend a larger percentage of their income on home energy costs, making them vulnerable to energy insecurity. While some households may receive utility bill payment assistance through certain federal programs, these programs are only temporary and can still leave many low- and moderate-income households susceptible to disconnection. Your Committees further find that certain communities, especially those in economically-challenged areas, have shouldered the burden of hosting large renewable energy projects. Additionally, due to Hawaii's low homeownership rate, vulnerable households do not have the same abilities as more affluent customers to take advantage of certain programs and technologies.

Your Committees acknowledge the past and ongoing work of the Public Utilities Commission to offset burdens placed on low- and moderate-income communities and to innovate programs to reduce costs to customers. Accordingly, this measure is not intended to duplicate, but rather to continue these efforts and focus the need for integration of energy equity and justice in the ongoing and future work of the Public Utilities Commission to further support and develop reasonable measures to lessen the burden of energy costs on low- and moderate-income customer groups.

Your Committees have amended this measure by:

- (1) Adding findings acknowledging the past and ongoing work of the Public Utilities Commission, specifically Docket No. 2019-0323, which addresses rate design for all customers, and provides proposed approaches to address consideration for relief for low- and moderate-income customers;
- (2) Adding findings clarifying that current circumstances necessitate an explicit focus on energy and climate justice and energy equity in the ongoing and future work of the Public Utilities Commission to ensure that the benefits and burdens of energy infrastructure development in the face of climate change are equitably distributed and that relief options are available for low- and moderate-income customers;
- (3) Requesting the Public Utilities Commission to consult with the Division of Consumer Advocacy to obtain any necessary input in furtherance of the items requested to be examined by this measure;
- (4) Adding the Executive Director of the Division of Consumer Advocacy as a recipient of a certified copy of this measure;
- (5) Amending its title to reflect its amended purpose; and
- (6) 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 48, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 48, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Fevella).
Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3704 Government Operations on S.C.R. No. 20

The purpose and intent of this measure is to encourage all counties of the State to coordinate their efforts to create a special number plate design for motor vehicles to commemorate the accomplishments of Carissa Kainani Moore.

Your Committee received testimony in support of this measure from the Outrigger Duke Kahanamoku Foundation and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that surfing debuted as an Olympic sport at the Tokyo 2020 Summer Olympics. Carissa Kainani Moore surfed her way with power and grace to Olympic gold, becoming the first female gold medalist in Olympic surfing history. Your Committee further finds that Ms. Moore has represented Hawaii admirably out of the ocean as well, using her platform to support local surf clubs, speak out against sexism and body-shaming, and bring attention to eating disorders. As noted in testimony, she is a welcomed ambassador of the Aloha Spirit, in a time of sore need. Accordingly, this measure seeks to perpetuate the Aloha Spirit by commemorating the accomplishments of Carissa Kainani Moore.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 20 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3705 Government Operations on S.R. No. 14

The purpose and intent of this measure is to encourage all counties of the State to coordinate their efforts to create a special number plate design for motor vehicles to commemorate the accomplishments of Carissa Kainani Moore.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that surfing debuted as an Olympic sport at the Tokyo 2020 Summer Olympics. Carissa Kainani Moore surfed her way with power and grace to Olympic gold, becoming the first female gold medalist in Olympic surfing history. Your Committee further finds that Ms. Moore has represented Hawaii admirably out of the ocean as well, using her platform to support local surf clubs, speak out against sexism and body-shaming, and bring attention to eating disorders. As noted in testimony, she is a welcomed ambassador of the Aloha Spirit, in a time of sore need. Accordingly, this measure seeks to perpetuate the Aloha Spirit by commemorating the accomplishments of Carissa Kainani Moore.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 14 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3706 Government Operations on S.C.R. No. 27

The purpose and intent of this measure is to request the Office of Enterprise Technology Services to conduct a feasibility study on the development of a statewide interagency system for filing and maintaining documents required of individuals and organizations accessing government services online.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services, Chamber of Commerce Hawaii, Hawai'i Health & Harm Reduction Center, Hawai'i Alliance of Nonprofit Organizations, Hawai'i Children's Action Network Speaks!, Transform Hawai'i Government, AARP Hawai'i, and 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 many government services and programs are now provided online. These online programs and services often require the input of personal information or the upload of documentation in order to access and utilize the services and programs. Your Committee further finds that oftentimes the same information and documentation must be input and uploaded numerous times. This inefficiency wastes time, causes user frustration, and likely contributes to less utilization of online services than would be the case if the process were streamlined. Accordingly, this measure promotes government efficiency by requesting the Office of Enterprise Technology Services to study the feasibility of implementing a statewide interagency system for the filing and maintenance of information and documents required to access and utilize online government services and programs.

Your Committee has amended this measure by:

- (1) Clarifying the information to be included in the feasibility study; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 27, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 27, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3707 Government Operations on S.R. No. 21

The purpose and intent of this measure is to request the Office of Enterprise Technology Services to conduct a feasibility study on the development of a statewide interagency system for filing and maintaining documents required of individuals and organizations accessing government services online.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology, Chamber of Commerce Hawaii, Hawai'i Health and Harm Reduction Center, Hawai'i Alliance of Nonprofit Organizations, Hawaii Children's Action Network Speaks!, AARP Hawai'i, Transform Hawai'i Government and one individual.

Your Committee finds that many government services and programs are now provided online. These online programs and services often require the input of personal information or the upload of documentation in order to access and utilize the services and programs. Your Committee further finds that oftentimes the same information and documentation must be input and uploaded numerous times. This inefficiency wastes time, causes user frustration, and likely contributes to less utilization of online services than would be the case if the process were streamlined. Accordingly, this measure promotes government efficiency by requesting the Office of Enterprise Technology Services to study the feasibility of implementing a statewide interagency system for the filing and maintenance of information and documents required to access and utilize online government services and programs.

Your Committee has amended this measure by:

- (1) Clarifying the information to be included in the feasibility study; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 21, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 21, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3708 (Joint) Government Operations and Agriculture and Environment on S.C.R. No. 107

The purpose and intent of this measure is to urge the State and all counties to adopt the Global Pact to achieve the United Nations Paris Agreement and the 2030 Development Agenda, and to specifically adopt the United Nations sustainable development goals, numbers 13 through 17.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Forest Industry Association, Wild Kids, and two individuals.

Your Committees find that Hawaii, as an island state, will acutely experience the effects of climate change and must continue to be a leader in climate change mitigation.

Your Committees recognize that in September 2015, the United Nations General Assembly adopted the historic "Transforming our world: the 2030 Agenda for Sustainable Development" (2030 Development Agenda), which is a comprehensive, compassionate, creative, and courageous plan of action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity. The 2030 Development Agenda includes seventeen sustainable development goals, one hundred sixty-nine targets, and two hundred thirty indicators upon which general agreement has been reached to measure, monitor, and mobilize to achieve these goals and targets. Your Committees additionally find that goals 13 through 17 of the United Nations sustainable development goals are vital to protecting the State's land and people and should be adopted as local policy and governing principles for local government entities and other organizations.

Your Committees further find that the Global Pact for the Environment (Global Pact) is an initiative led by the hosts of the United Nations Framework Convention on Climate Change in Paris to address the fragmented nature and inconsistent implementation of international environmental law by enumerating fundamental climate change principles in one legally binding framework for current and future generations for equity and equality. Your Committees believe that the Global Pact will serve as a cornerstone in international human rights and environmental law and create a more coherent global environmental governance.

Accordingly, this measure promotes sustainable development and encourages continued statewide efforts to tackle the effects of climate change by urging the State and all counties to adopt and embrace the Global Pact and the United Nations sustainable development goals numbered 13 through 17.

As affirmed by the records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 107 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3709 (Joint) Government Operations and Agriculture and Environment on S.R. No. 94

The purpose and intent of this measure is to urge the State and all counties to adopt the Global Pact to achieve the United Nations Paris Agreement and the 2030 Development Agenda, and to specifically adopt the United Nations sustainable development goals, numbers 13 through 17.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Forest Industry Association, and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that Hawaii, as an island state, will acutely experience the effects of climate change and must continue to be a leader in climate change mitigation.

Your Committees recognize that in September 2015, the United Nations General Assembly adopted the historic “Transforming our world: the 2030 Agenda for Sustainable Development” (2030 Development Agenda), which is a comprehensive, compassionate, creative, and courageous plan of action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity. The 2030 Development Agenda includes seventeen sustainable development goals, one hundred sixty-nine targets, and two hundred thirty indicators upon which general agreement has been reached to measure, monitor, and mobilize to achieve these goals and targets. Your Committees additionally find that goals 13 through 17 of the United Nations sustainable development goals are vital to protecting the State’s land and people and should be adopted as local policy and governing principles for local government entities and other organizations.

Your Committees further find that the Global Pact for the Environment (Global Pact) is an initiative led by the hosts of the United Nations Framework Convention on Climate Change in Paris to address the fragmented nature and inconsistent implementation of international environmental law by enumerating fundamental climate change principles in one legally binding framework for current and future generations for equity and equality. Your Committees believe that the Global Pact will serve as a cornerstone in international human rights and environmental law and create a more coherent global environmental governance.

Accordingly, this measure promotes sustainable development and encourages continued statewide efforts to tackle the effects of climate change by urging the State and all counties to adopt and embrace the Global Pact and the United Nations sustainable development goals numbered 13 through 17.

As affirmed by the records of votes of the members of your Committees on Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 94 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3710 (Joint) Commerce and Consumer Protection and Energy, Economic Development, and Tourism on S.R. No. 43

The purpose and intent of this measure is to request the Public Utilities Commission to consider efforts to mitigate high energy burdens for low- and moderate-income customers and investigate how to integrate considerations of energy equity and justice across its work.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs’ Division of Consumer Advocacy, Public Utilities Commission, and Hawaiian Electric Company.

Your Committees find that low-income households spend a larger percentage of their income on home energy costs, making them vulnerable to energy insecurity. While some households may receive utility bill payment assistance through certain federal programs, these programs are only temporary and can still leave many low- and moderate-income households susceptible to disconnection. Your Committees further find that certain communities, especially those in economically-challenged areas, have shouldered the burden of hosting large renewable energy projects. Additionally, due to Hawaii’s low homeownership rate, vulnerable households do not have the same abilities as more affluent customers to take advantage of certain programs and technologies.

Your Committees acknowledge the past and ongoing work of the Public Utilities Commission to offset burdens placed on low- and moderate-income communities and to innovate programs to reduce costs to customers. Accordingly, this measure is not intended to duplicate, but rather to continue these efforts and focus the need for integration of energy equity and justice in the ongoing and future work of the Public Utilities Commission to further support and develop reasonable measures to lessen the burden of energy costs on low- and moderate-income customer groups.

Your Committees have amended this measure by:

- (1) Adding findings acknowledging the past and ongoing work of the Public Utilities Commission, specifically Docket No. 2019-0323, which addresses rate design for all customers, and provides proposed approaches to address consideration for relief for low- and moderate-income customers;
- (2) Adding findings clarifying that current circumstances necessitate an explicit focus on energy and climate justice and energy equity in the ongoing and future work of the Public Utilities Commission to ensure that the benefits and burdens of energy infrastructure development in the face of climate change are equitably distributed and that relief options are available for low- and moderate-income customers;
- (3) Requesting the Public Utilities Commission to consult with the Division of Consumer Advocacy to obtain any necessary input in furtherance of the items requested to be examined by this measure;
- (4) Adding the Executive Director of the Division of Consumer Advocacy as a recipient of a certified copy of this measure;
- (5) Amending its title to reflect its amended purpose; and
- (6) 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 Commerce and Consumer Protection and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 43, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 43, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (Fevella).

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3711 (Joint) Energy, Economic Development, and Tourism and Transportation on S.C.R. No. 103

The purpose and intent of this measure is to request the Hawaii State Energy Office to convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes, rules, and other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Climate Protectors Hawai'i; Ulupono Initiative; Hawaiian Electric Company, Inc.; Alliance for Automotive Innovation; Hawai'i Automobile Dealer's Association; and one individual. Your Committees received testimony in opposition to this measure from two individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy and Public Utilities Commission.

Your Committees find that, with the growing popularity of electric and other alternative fuel vehicles, the lack of available zero-emission fueling stations inhibits the use of these vehicles. Your Committees recognize that most of the State's existing multi-dwelling units might have very difficult challenges to retrofit their common areas, parking garages, and parking stalls to allow for the installation of electric vehicle charging stations. This measure is essential to facilitate consumer access to electric vehicle charging stations, increase use of electric vehicles, and decrease the State's reliance on fossil fuels.

Your Committees have amended this measure by:

- (1) Adding to the list of requested working group members:
 - (A) A representative from the Hawaiian Electric Company, Inc.; and
 - (B) An additional representative from the electric vehicle charging station industry; and
- (2) Requesting that the Working Group also examine alternatives to retrofitting multi-unit dwellings that still ensure convenient access to electric vehicle charging systems;
- (3) Allowing the Working Group to invite other representatives from relevant industries to participate on the working group as necessary; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 103, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 103, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

Transportation: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (DeCoite, Shimabukuro).

SCRep. 3712 (Joint) Energy, Economic Development, and Tourism and Transportation on S.R. No. 91

The purpose and intent of this measure is to request the Hawaii State Energy Office to convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes, rules, and other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; Climate Protectors Hawai'i; Hawaiian Electric Company, Inc.; Alliance for Automotive Innovation; and Hawai'i Automobile Dealer's Association. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy and Public Utilities Commission.

Your Committees find that, with the growing popularity of electric and other alternative fuel vehicles, the lack of available zero-emission fueling stations inhibits the use of these vehicles. Your Committees recognize that most of the State's existing multi-dwelling units might have very difficult challenges to retrofit their common areas, parking garages, and parking stalls to allow for the installation of electric vehicle charging stations. This measure is essential to facilitate consumer access to electric vehicle charging stations, increase use of electric vehicles, and decrease the State's reliance on fossil fuels.

Your Committees have amended this measure by:

- (1) Adding to the list of requested working group members:
 - (A) A representative from the Hawaiian Electric Company, Inc.; and
 - (B) An additional representative from the electric vehicle charging station industry; and
- (2) Requesting that the Working Group also examine alternatives to retrofitting multi-unit dwellings that still ensure convenient access to electric vehicle charging systems;
- (3) Allowing the Working Group to invite other representatives from relevant industries to participate on the working group as necessary; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Energy, Economic Development, and Tourism and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 91, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 91, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Energy, Economic Development, and Tourism: Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.
 Transportation: Ayes, 3; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (DeCoite, Shimabukuro).

SCRep. 3713 Human Services on S.C.R. No. 102

The purpose and intent of this measure is to request:

- (1) The Office of the Auditor to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services; and
- (2) To have the performance audit include the examination of:
 - (A) The policies, procedures, and processes of the Child Welfare Services Branch to protect the safety and well-being of children in their own homes and in out-of-home placements, including foster care, guardianship, and adoption; and
 - (B) The recruitment and retention of social workers and other staff at the Child Welfare Services Branch.

Your Committee received testimony in support of this measure from the Waimanalo Neighborhood Board and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services, Hawaii Family Advocacy Team, and one individual.

Your Committee finds that the Child Welfare Services Branch of the Department of Human Services is responsible for protecting the well-being of the children of Hawaii, including children who are wards of the State and children who have allegedly been neglected or abused. Your Committee finds, however, that during recent years, there have been incidences where the Child Welfare Services Branch failed to fulfill its responsibility, resulting in the fatality of children. Your Committee also finds that the Child Welfare Services Branch has failed to pass all three reviews conducted by the United States Department of Health and Human Services' Administration for Children and Families in 2003, 2009, and 2017.

Your Committee further finds that House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, requested the Auditor to conduct a program audit of the efficiency and effectiveness of the Child Welfare Services Branch in processing and investigating complaints of child abuse and neglect, and the misuse of child support; however, this request was declined by the Auditor on the ground that such audit would be duplicative of the federal review being conducted by the National Resource Center for Child Protective Services. Your Committee finds that this matter has not been revisited or assessed by the Auditor, including whether the Child Welfare Services Branch implemented a second Program Improvement Plan to avert a penalty pursuant to the federal review.

Your Committee has amended this measure by:

- (1) Inserting the following clauses:

WHEREAS, House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, sought to request from the Auditor a program audit on the efficiency and effectiveness of the Child Welfare Services Branch in processing and investigating complaints but the Auditor by letter dated May 6, 2013, failed to conduct such audit as being problematic and duplicative of federal review by the National Resource Center for Child Protective Services, which conducts on-site visits; and

WHEREAS, the Auditor's letter failed to be updated after the 2010 federal requirement for the Child Welfare Services Branch to implement a second Program Improvement Plan to avert a penalty; nor did it conduct an assessment on the triage procedure required by the federal Child Abuse Prevention and Treatment Act that was reauthorized by the Keeping Children and Families Safe Act of 2003;
- (2) Deleting the request to the Office of the Auditor "to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services," and replacing it with "to update its Child Welfare Services Branch assessment standard pursuant to House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, to include the second Program Improvement Plan required by the United States Department of Health and Human Services in 2010";
- (3) Deleting the requested content of the performance audit and replacing it with "the triage procedure required by the federal Child Abuse Prevention and Treatment Act that was reauthorized by the Keeping Children and Families Safe Act of 2003";
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 102, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 102, S.D. 1.

Signed by the Chair on behalf of the Committee.
 Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3714 Human Services on S.R. No. 90

The purpose and intent of this measure is to request:

- (1) The Office of the Auditor to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services; and
- (2) To have the performance audit include the examination of:
 - (A) The policies, procedures, and processes of the Child Welfare Services Branch to protect the safety and well-being of children in their own homes and in out-of-home placements, including foster care, guardianship, and adoption; and

(B) The recruitment and retention of social workers and other staff at the Child Welfare Services Branch.

Your Committee received testimony in opposition to this measure from the Department of Human Services and Hawaii Family Advocacy Team.

Your Committee finds that the Child Welfare Services Branch of the Department of Human Services is responsible for protecting the well-being of the children of Hawaii, including children who are wards of the State and children who have allegedly been neglected or abused. Your Committee finds, however, that during recent years, there have been incidences where the Child Welfare Services Branch failed to fulfill its responsibility, resulting in the fatality of children. Your Committee also finds that the Child Welfare Services Branch has failed to pass all three reviews conducted by the United States Department of Health and Human Services' Administration for Children and Families in 2003, 2009, and 2017.

Your Committee further finds that House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, requested the Auditor to conduct a program audit of the efficiency and effectiveness of the Child Welfare Services Branch in processing and investigating complaints of child abuse and neglect, and the misuse of child support; however, this request was declined by the Auditor on the ground that such audit would be duplicative of the federal review being conducted by the National Resource Center for Child Protective Services. Your Committee finds that this matter has not been revisited or assessed by the Auditor, including whether the Child Welfare Services Branch implemented a second Program Improvement Plan to avert a penalty pursuant to the federal review.

Your Committee has amended this measure by:

(1) Inserting the following clauses:

WHEREAS, House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, sought to request from the Auditor a program audit on the efficiency and effectiveness of the Child Welfare Services Branch in processing and investigating complaints but the Auditor by letter dated May 6, 2013, failed to conduct such audit as being problematic and duplicative of federal review by the National Resource Center for Child Protective Services, which conducts on-site visits; and

WHEREAS, the Auditor's letter failed to be updated after the 2010 federal requirement for the Child Welfare Services Branch to implement a second Program Improvement Plan to avert a penalty; nor did it conduct an assessment on the triage procedure required by the federal Child Abuse Prevention and Treatment Act that was reauthorized by the Keeping Children and Families Safe Act of 2003;

- (2) Deleting the request to the Office of the Auditor "to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services," and replacing it with "to update its Child Welfare Services Branch assessment standard pursuant to House Concurrent Resolution No. 165, Regular Session of Hawaii 2010, to include the second Program Improvement Plan required by the United States Department of Health and Human Services in 2010";
- (3) Deleting the requested content of the performance audit and replacing it with "the triage procedure required by the federal Child Abuse Prevention and Treatment Act that was reauthorized by the Keeping Children and Families Safe Act of 2003";
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 90, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 90, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3715 (Joint) Water and Land and Housing on S.C.R. No. 232

The purpose and intent of this measure is to request the Office of Planning and Sustainable Development to convene a multi-agency working group to make recommendations for planning, coordinating, and implementing the objectives and policies for housing in the Hawaii State Planning Act.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development, Hawaii Public Housing Authority, and Office of Information Practices.

Your Committees find that the Hawaii State Plan's objectives and policies for housing as outlined in section 226-19, Hawaii Revised Statutes, provides that planning for housing shall be directed toward providing greater opportunities for Hawaii's people to secure reasonably priced, safe, sanitary, and livable homes located in suitable environments that accommodate the needs of families and individuals through collaboration and cooperation between government, nonprofit, and for-profit developers to ensure the availability of more rental and for-sale affordable housing. As Hawaii's population has grown and evolve, the Hawaii State Plan, as it relates to affordable housing, was amended by Act 82, Session Laws of Hawaii 2017, to meet the housing needs of a broad range of income levels. Currently, the Office of Planning and Sustainable Development, Hawaii Housing Finance and Development Corporation, Hawaii Community Development Authority, and Hawaii Public Housing Authority collaborate to coordinate the provision of housing to the extent allowed by constrained resources of urban-designated land, capital, subsidies, incentives, and market demands. However, as Hawaii's affordable housing crisis grows, further collaboration by necessary state agencies is needed to provide housing for Hawaii's people.

Your Committees note that while the Office of Planning and Sustainable Development supports the multi-agency working group, the Office of Planning and Sustainable Development currently lacks the necessary funding to fill one full-time equivalent (1.0 FTE) position needed to support the effort to plan, assess, and develop recommendations for attaining the housing objectives and policies in the Hawaii State Planning Act.

Your Committees have amended this measure by:

- (1) Deleting the exemption from chapter 92, Hawaii Revised Statutes, for the working group; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 232, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 232, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Misalucha).

Housing: Ayes, 5. Noes, none. Excused, none.

SCRep. 3716 (Joint) Energy, Economic Development, and Tourism and Housing on S.C.R. No. 210

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to submit a report to the Legislature on the barriers to creating affordable housing in the State.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committees find that the affordability of housing is influenced by various factors including demand, supply, mortgage rates, construction costs, income, population growth, and public housing policies. Your Committees recognize that housing affordability is a very important issue in the State. This measure will ensure that the proper agencies will pursue this issue and provide the Legislature with recommendations to address the barriers to creating affordable housing in the State.

Your Committees have amended this measure by 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 Energy, Economic Development, and Tourism and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 210, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 210, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Housing: Ayes, 3. Noes, none. Excused, 2 (Kanuha, Fevella).

SCRep. 3717 (Joint) Energy, Economic Development, and Tourism and Housing on S.R. No. 203

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to submit a report to the Legislature on the barriers to creating affordable housing in the State.

Your Committees received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committees find that the affordability of housing is influenced by various factors including demand, supply, mortgage rates, construction costs, income, population growth, and public housing policies. Your Committees recognize that housing affordability is a very important issue in the State. This measure will ensure that the proper agencies will pursue this issue and provide the Legislature with recommendations to address the barriers to creating affordable housing in the State.

Your Committees have amended this measure by 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 Energy, Economic Development, and Tourism and Housing that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 203, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 203, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Housing: Ayes, 3. Noes, none. Excused, 2 (Kanuha, Fevella).

SCRep. 3718 Energy, Economic Development, and Tourism on S.C.R. No. 21

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the economic impacts of domestic out-of-state students.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Guild Consulting; and one individual.

Your Committee finds that out-of-state students have a discernable impact on the economy of the State. However, your Committee recognizes that only data on international students has been collected and analyzed. Studying the economic impact of Hawaii's domestic out-of-state students would provide a better understanding of education services as an industry within the State. Your Committee further finds that due to the scope of the study requested, additional time is needed to conduct a comprehensive study and analysis on the economic impact of domestic out-of-state students in Hawaii.

Your Committee has amended this measure by:

- (1) Extending the deadline of the report to the Legislature to September 1, 2023; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 21, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 21, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3719 Energy, Economic Development, and Tourism on S.R. No. 15

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the economic impacts of domestic out-of-state students.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that out-of-state students have a discernable impact on the economy of the State. However, your Committee recognizes that only data on international students has been collected and analyzed. Studying the economic impact of Hawaii's domestic out-of-state students would provide a better understanding of education services as an industry within the State. Your Committee further finds that due to the scope of the study requested, additional time is needed to conduct a comprehensive study and analysis on the economic impact of domestic out-of-state students in Hawaii.

Your Committee has amended this measure by:

- (1) Extending the deadline of the report to the Legislature to September 1, 2023; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 15, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 15, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3720 (Joint) Human Services and Education on S.C.R. No. 1

The purpose and intent of this measure is to urge the Department of Education to develop and implement an affirmative action program, to the extent permitted by law, designed to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and in other positions, as teachers of visually impaired students.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, and ten individuals. Your Committees received comments on this measure from the Department of Human Services and Academy for Certification of Vision Rehabilitation and Education Professionals.

Your Committees find that for decades, the methods and principles of Structured Discovery Cane Travel have empowered blind children and adults across the United States, assisting them to build confidence and feelings of self-respect as they move safely from place to place. Your Committees find however, that until recently, the Department of Education has only enlisted as orientation and mobility instructors for blind students, individuals who are credentialed as Certified Orientation and Mobility Specialists (COMS) by the Academy for Certification of Vision Rehabilitation and Education Professionals. The COMS teaching method includes a variety of instructional strategies, including vision-centered orientation and mobility services, and does not focus on Structured Discovery Cane Travel. Of these two recognized training methods, adherents to the structured discovery approach emphasize employing blind instructors, which leads to increased employment opportunities at the Department of Education for qualified blind persons. By urging the Department of Education to develop and implement an affirmative action program to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and teachers of visually impaired students, this measure will not only provide more opportunities for blind instructors in the workforce, but also provide a powerful example to students with a disability that their disability need not be a barrier for employment.

Your Committees have amended this measure by 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 Human Services and Education that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 3. Noes, none. Excused, 2 (Acasio, Ihara).
Education: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kim).

SCRep. 3721 (Joint) Human Services and Education on S.R. No. 5

The purpose and intent of this measure is to urge the Department of Education to develop and implement an affirmative action program, to the extent permitted by law, designed to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and in other positions, as teachers of visually impaired students.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, and ten individuals. Your Committees received comments on this measure from the Department of Human Services and Academy for Certification of Vision Rehabilitation and Education Professionals.

Your Committees find that for decades, the methods and principles of Structured Discovery Cane Travel have empowered blind children and adults across the United States, assisting them to build confidence and feelings of self-respect as they move safely from place to place. Your Committees find however, that until recently, the Department of Education has only enlisted as orientation and mobility instructors for blind students, individuals who are credentialed as Certified Orientation and Mobility Specialists (COMS) by the Academy for Certification of Vision Rehabilitation and Education Professionals. The COMS teaching method includes a variety of instructional strategies, including vision-centered orientation and mobility services, and does not focus on Structured Discovery Cane Travel. Of these two recognized training methods, adherents to the structured discovery approach emphasize employing blind instructors, which leads to increased employment opportunities at the Department of Education for qualified blind persons. By urging the Department of Education to develop and implement an affirmative action program to recruit and employ qualified blind professionals to serve as orientation and mobility instructors and teachers of visually impaired students, this measure will not only provide more opportunities for blind instructors in the workforce, but also provide a powerful example to students with a disability that their disability need not be a barrier for employment.

Your Committees have amended this measure by 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 Human Services and Education that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 5, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 5, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Human Services: Ayes, 3. Noes, none. Excused, 2 (Acasio, Ihara).
Education: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kim).

SCRep. 3722 Education on S.C.R. No. 168

The purpose and intent of this measure is to:

- (1) Request the School Facilities Authority to adopt and publish administrative rules in accordance with chapter 91, Hawaii Revised Statutes, as necessary to implement Act 72, Session Laws of Hawaii 2020, as amended (Act 72), by no later than July 1, 2023; and
- (2) Request the Governor to submit a report documenting the process by which the School Facilities Authority purchases real property and executes capital improvement project contracts to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committee received comments on this measure from the School Facilities Authority.

Your Committee finds that, presently, there are no administrative rules to implement Act 72. Your Committee further finds that the lack of administrative rules can hamper the operations of the School Facilities Authority. For example, there is currently a lack of clarity regarding the process by which the School Facilities Authority purchases real property and executes capital improvement project contracts. Accordingly, this measure promotes the sound operation of the School Facilities Authority by encouraging the development of administrative rules regarding the same.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 168 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3723 Education on S.R. No. 160

The purpose and intent of this measure is to:

- (1) Request the School Facilities Authority to adopt and publish administrative rules in accordance with chapter 91, Hawaii Revised Statutes, as necessary to implement Act 72, Session Laws of Hawaii 2020, as amended (Act 72), by no later than July 1, 2023; and
- (2) Request the Governor to submit a report documenting the process by which the School Facilities Authority purchases real property and executes capital improvement project contracts to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committee received comments on this measure from the School Facilities Authority.

Your Committee finds that, presently, there are no administrative rules to implement Act 72. Your Committee further finds that the lack of administrative rules can hamper the operations of the School Facilities Authority. For example, there is currently a lack of clarity regarding the process by which the School Facilities Authority purchases real property and executes capital improvement project contracts. Accordingly, this measure promotes the sound operation of the School Facilities Authority by encouraging the development of administrative rules regarding the same.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 160 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3724 Judiciary on S.C.R. No. 185

The purpose and intent of this measure is to:

- (1) Strongly and forcefully denounce the Russian Federation and its President Vladimir Putin for the blatant targeting of civilians by the Russian military and the destruction of civilian infrastructure, which makes evacuating civilians from the warzone even more difficult;
- (2) Urge the United States Congress to take concrete actions to help with the refugee crisis facing Ukraine and its European neighbors by increasing material support to refugees, both those internally displaced, such as those who have fled to the relatively safe western part of Ukraine, and those who have fled the country, by sending monetary support and supplies to Ukraine and its neighbors who have accepted large numbers of refugees; and
- (3) Urge the President and Congress of the United States to take an active role in assisting the crisis by raising the U.S. Refugee Admissions and Refugee Resettlement Ceilings, making a stronger effort at resettling more Ukrainian refugees into the United States, and allocating more funding in order to support those efforts.

Your Committee received testimony in support of this measure from the Office of Community Services. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Russian invasion of Ukraine has prompted two million Ukrainians to flee the country as of March 8, 2022, and the number has grown even higher as Russia continues its siege tactics of indiscriminately bombing cities. According to the United Nations High Commissioner for Refugees, as of March 8, 2022, Poland has received 1,204,403 refugees, Hungary has received 191,348 refugees, Romania has received 143,000 refugees, Slovakia has received 140,745 refugees, the Czech Republic has received more than one hundred thousand refugees, and Moldova has received 82,762 refugees, with other countries receiving fewer refugees. This measure will urge the United States to do more to help the Ukrainian government and countries housing refugees as soon as possible.

Your Committee has amended this measure by:

- (1) Replacing the term “refugees” with “internally displaced people” when referring to people displaced within Ukraine;
- (2) Specifying that according to the UN Refugee Agency, as of March 31, 2022, Poland has received 2,384,814 refugees, Romania has received 623,627, Moldova received 390,187 refugees, Hungary has received 374,535 refugees, and Slovakia has received 292,039 refugees;
- (3) Specifying that although United States President Biden has stated that the United States will accept one hundred thousand refugees, the United States needs to do more to help the refugee crises as countries like Poland, Romania, and Moldova are taking in a disproportionate amount of Ukrainian refugees compared to the rest of the world; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 185, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 185, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3725 Judiciary on S.R. No. 178

The purpose and intent of this measure is to:

- (1) Strongly and forcefully denounce the Russian Federation and its President Vladimir Putin for the blatant targeting of civilians by the Russian military and the destruction of civilian infrastructure, which makes evacuating civilians from the warzone even more difficult;
- (2) Urge the United States Congress to take concrete actions to help with the refugee crisis facing Ukraine and its European neighbors by increasing material support to refugees, both those internally displaced, such as those who have fled to the relatively safe western part of Ukraine, and those who have fled the country, by sending monetary support and supplies to Ukraine and its neighbors who have accepted large numbers of refugees; and
- (3) Urge the President and Congress of the United States to take an active role in assisting the crisis by raising the U.S. Refugee Admissions and Refugee Resettlement Ceilings, making a stronger effort at resettling more Ukrainian refugees into the United States, and allocating more funding in order to support those efforts.

Your Committee did not receive any testimony on this measure.

Your Committee finds that the Russian invasion of Ukraine has prompted two million Ukrainians to flee the country as of March 8, 2022, and the number has grown even higher as Russia continues its siege tactics of indiscriminately bombing cities. According to the United Nations High Commissioner for Refugees, as of March 8, 2022, Poland has received 1,204,403 refugees, Hungary has received 191,348 refugees, Romania has received 143,000 refugees, Slovakia has received 140,745 refugees, the Czech Republic has received more than one hundred thousand refugees, and Moldova has received 82,762 refugees, with other countries receiving fewer refugees. This measure will urge the United States to do more to help the Ukrainian government and countries housing refugees as soon as possible.

Your Committee has amended this measure by:

- (1) Replacing the term “refugees” with “internally displaced people” when referring to people displaced within Ukraine;
- (2) Specifying that according to the UN Refugee Agency, as of March 31, 2022, Poland has received 2,384,814 refugees, Romania has received 623,627, Moldova received 390,187 refugees, Hungary has received 374,535 refugees, and Slovakia has received 292,039 refugees;
- (3) Specifying that although United States President Biden has stated that the United States will accept one hundred thousand refugees, the United States needs to do more to help the refugee crises as countries like Poland, Romania, and Moldova are taking in a disproportionate amount of Ukrainian refugees compared to the rest of the world; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 178, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 178, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3726 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.C.R. No. 164

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism and Department of Accounting and General Services to conduct a cost analysis study regarding consolidating west Hawaii state offices into one complex.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committees find that conducting a cost study analysis would be beneficial in determining whether the consolidation of the state offices in west Hawaii would be more convenient, cost effective, and efficient.

Your Committees have amended this measure by 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 164, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 164, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

SCRep. 3727 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.R. No. 156

The purpose and intent of this measure is to request the Department of Business, Economic Development, and Tourism and Department of Accounting and General Services to conduct a cost analysis study regarding consolidating west Hawaii state offices into one complex.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services. Your Committees received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committees find that conducting a cost study analysis would be beneficial in determining whether the consolidation of the state offices in west Hawaii would be more convenient, cost effective, and efficient.

Your Committees have amended this measure by 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 156, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 156, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.
Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

SCRep. 3728 (Joint) Energy, Economic Development, and Tourism and Government Operations on S.C.R. No. 99

The purpose and intent of this measure is to request the Legislative Reference Bureau to update a study on the feasibility of undergrounding the State’s utility facilities.

Your Committees received testimony in support of this measure from the Department of Transportation. Your Committees received comments on this measure from the Legislative Reference Bureau and the Hawaii State Energy Office.

Your Committees find that undergrounding, or placing existing and proposed overhead utility facilities underground, would help the State preserve, protect, and enhance view planes and scenic resources for residents, visitors, and filmgoers worldwide. According to testimony from the Legislative Reference Bureau, its 1999 report on the feasibility of undergrounding the State’s utility facilities does not need to be updated and that eight out of the nine recommendations provided in the report have yet to be implemented by the Public Utilities Commission.

Accordingly, your Committees have amended this measure by:

- (1) Amending the contents of the measure to request that the Public Utilities Commission:
 - (A) Adopt the recommendations for undergrounding the State's utility facilities as outlined in the 1999 Legislative Reference Bureau report entitled "Undergrounding Public Utility Lines"; and
 - (B) Submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023 that addresses its reasons for not adopting each recommendation for undergrounding the State's utility facilities as outlined in the 1999 Legislative Reference Bureau report entitled "Undergrounding Public Utility Lines";
- (2) Amending its title to reflect its amended purpose; and
- (3) 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 Energy, Economic Development, and Tourism and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 99, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 99, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 5. Noes, none. Excused, none.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

SCRep. 3729 (Joint) Housing and Water and Land on S.C.R. No. 178

The purpose and intent of this measure is to request the Department of Land and Natural Resources, through the State Historic Preservation Division, to contract its review of proposed state projects affecting historic properties to third-party consultants if the projects involve the development of affordable housing.

Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation and Department of Land and Natural Resources.

Your Committees find that, as the need for affordable housing in Hawaii continues to grow, it is increasingly challenging for the State to efficiently respond to the permitting requirements for affordable housing development. Contracting the review of proposed state projects on privately-owned historic property will help the Department of Land and Natural Resources more effectively respond to the affordable housing needs of the State. This measure requests the Department of Land and Natural Resources, through the State Historic Preservation Division, to contract its review of proposed state projects affecting historic properties to third-party consultants if the projects involve the development of affordable housing. Your Committees further find, however, that contracting with third-party consultants would require the appropriation of additional funds to the Department of Land and Natural Resources.

Your Committees have amended this measure by:

- (1) Amending its title accordingly; 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 Housing and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 178, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 178, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Misalucha).

SCRep. 3730 (Joint) Housing and Water and Land on S.R. No. 171

The purpose and intent of this measure is to request the Department of Land and Natural Resources, through the State Historic Preservation Division, to contract its review of proposed state projects affecting historic properties to third-party consultants if the projects involve the development of affordable housing.

Your Committees received comments on this measure from the Hawaii Housing Finance and Development Corporation and Department of Land and Natural Resources.

Your Committees find that, as the need for affordable housing in Hawaii continues to grow, it is increasingly challenging for the State to efficiently respond to the permitting requirements for affordable housing development. Contracting the review of proposed state projects on privately-owned historic property will help the Department of Land and Natural Resources more effectively respond to the affordable housing needs of the State. This measure requests the Department of Land and Natural Resources, through the State Historic Preservation Division, to contract its review of proposed state projects affecting historic properties to third-party consultants if the projects involve the development of affordable housing. Your Committees further find, however, that contracting with third-party consultants would require the appropriation of additional funds to the Department of Land and Natural Resources.

Your Committees have amended this measure by:

- (1) Amending its title accordingly; 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 Housing and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 171, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 171, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Housing: Ayes, 5. Noes, none. Excused, none.
 Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Misalucha).

SCRep. 3731 Government Operations on S.C.R. No. 41

The purpose and intent of this measure is to request the Hawaii Broadband and Digital Equity Office to conduct a data mapping study to identify geographically underserved and unserved areas in the State that lack quality broadband connectivity, and report the results of the study to the Legislature.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism, and State Executive Office on Aging. Your Committee received comments on this measure from Charter Communications and Hawaiian Telcom.

Your Committee finds that residents across the State, particularly in rural areas, have historically experienced disruption in broadband internet service, dropped calls, and dead areas. Your Committee further finds that the State has the responsibility to provide equitable access to broadband internet and service for residents as opportunities continue to arise in the areas of teleworking, distance learning, and telehealth. Accordingly, this measure promotes broadband equity by requesting the Hawaii Broadband and Digital Equity Office to gather the data necessary to identify areas that lack quality access to broadband internet service.

Your Committee has amended this measure by:

- (1) Defining the terms “underserved” and “unserved” by reference to certain federal law;
- (2) Clarifying the nature and scope of the action requested of the Hawaii Broadband and Digital Equity Office;
- (3) Deleting the request to expend funds from the budget of the Hawaii Tourism Authority;
- (4) Adding the heads of Charter Communications and Hawaiian Telcom as recipients of this measure; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 41, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 41, S.D. 1.

Signed by the Chair on behalf of the Committee.
 Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3732 Government Operations on S.R. No. 36

The purpose and intent of this measure is to request the Hawaii Broadband and Digital Equity Office to conduct a data mapping study to identify geographically underserved and unserved areas in the State that lack quality broadband connectivity, and report the results of the study to the Legislature.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism, and State Executive Office on Aging. Your Committee received comments on this measure from Charter Communications and Hawaiian Telcom.

Your Committee finds that residents across the State, particularly in rural areas, have historically experienced disruption in broadband internet service, dropped calls, and dead areas. Your Committee further finds that the State has the responsibility to provide equitable access to broadband internet and service for residents as opportunities continue to arise in the areas of teleworking, distance learning, and telehealth. Accordingly, this measure promotes broadband equity by requesting the Hawaii Broadband and Digital Equity Office to gather the data necessary to identify areas that lack quality access to broadband internet service.

Your Committee has amended this measure by:

- (1) Defining the terms “underserved” and “unserved” by reference to certain federal law;
- (2) Clarifying the nature and scope of the action requested of the Hawaii Broadband and Digital Equity Office;
- (3) Deleting the request to expend funds from the budget of the Hawaii Tourism Authority;
- (4) Adding the heads of Charter Communications and Hawaiian Telcom as recipients of this measure; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 36, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 36, S.D. 1.

Signed by the Chair on behalf of the Committee.
 Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3733 (Joint) Commerce and Consumer Protection and Housing on S.C.R. No. 220

The purpose and intent of this measure is to convene a working group on the governance of housing subdivisions in the Puna District, Hawaii County.

Your Committees received testimony in support of this measure from the Community Associations Institute and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that Puna is one of the fastest growing subdivisions in the State, particularly Hawaiian Paradise Park. Pre-statehood associations of owners who took it upon themselves to unify efforts to collect fees to maintain roads lack the necessary authority, governance, and oversight to protect its members from potential abuse, as reported in recent news articles highlighting the neighborhood disputes that have sometimes escalated to physical altercations. To ensure the funds contributed by the nearly ten thousand residents in the Puna area are properly managed and that members of private subdivisions are properly trained in parliamentary procedures, this measure requests a working group be convened to, among other things, establish the necessary framework and rules for the governance of these subdivisions.

Your Committees have amended this measure by:

- (1) Specifying that the working group include a member of the Senate representing the Puna District, who is requested to serve as co-chair of the working group;
- (2) Including a member of the Hawaii County Council to serve as a member of the working group, to be selected by the member of the Senate representing the Puna District, who is also requested to serve as co-chair; and
- (3) 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 Commerce and Consumer Protection and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 220, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 220, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Riviere, Fevella).

Housing: Ayes, 3. Noes, none. Excused, 2 (Rhoads, Fevella).

SCRep. 3734 (Joint) Government Operations and Housing on S.C.R. No. 231

The purpose and intent of this measure is to urge the counties to produce land use plans that account for housing production and demand.

Your Committees received testimony in support of this measure from one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Grassroot Institute of Hawaii.

Your Committees find that the State is currently in a housing crisis that will require an additional fifty—seven thousand affordable housing units by 2025 in order to meet long—term housing demands, particularly on Oahu. Your Committees further find, however, that despite this projected acute housing shortage, there has been a lack of measurable progress at the county level to enact policies that will stimulate housing production to meet projected demand. Accordingly, this measure promotes the development of affordable housing across the State by urging the counties to assess current housing needs and supply, and to take action to remove barriers to housing development.

Your Committees have amended this measure by:

- (1) Requesting the counties to also identify and remove barriers to housing development in their respective jurisdictions; 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 Government Operations and Housing that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 231, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 231, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

Housing: Ayes, 4. Noes, none. Excused, 1 (Rhoads).

SCRep. 3735 (Joint) Commerce and Consumer Protection and Health on S.C.R. No. 241

The purpose and intent of this measure is to request the Auditor to assess the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

Your Committees received testimony in support of this measure from Alliance for Fertility Preservation, Hawaii Society of Clinical Oncology, Association for Clinical Oncology, and Kaiser Permanente Hawaii. Your Committees received comments on this measure from Hawaii Medical Service Association and Hawaii Association of Health Plans.

Your Committees find that hundreds of Hawaii residents are diagnosed with cancer each year while still in their reproductive years (under age forty-five). Despite high survival rates, many treatments can have permanent effects on patients' reproductive systems and can lead to infertility. Senate Bill No. 3308, introduced in the Regular Session of 2022, would require Hawaii insurance companies to include, as a benefit, fertility preservation procedures for men and women of reproductive age who have been diagnosed with cancer and whose cancer treatment may adversely affect their fertility. Pursuant to the requirements of sections 23-51 and 23-52, Hawaii Revised Statutes, this measure requests the Auditor to prepare and submit a report to the Legislature that assesses both the social and financial effects of the proposed mandated coverage in Senate Bill No. 3308 (2022).

Your Committees have amended this measure by:

- (1) Inserting language requesting the Auditor to include in the impact assessment report a survey of other states in the United States that have implemented a mandate for cryopreservation benefits for those diagnosed with cancer and to examine what the social and financial impact has been in those states;

- (2) Requesting the Auditor to research whether the proposed cryopreservation coverage for those diagnosed with cancer constitutes benefits that are in excess of the essential health benefits, thus requiring the State to defray such costs;
- (3) Requesting the Auditor to research the standard medical definition of "reproductive age" and to examine the success rates for the different age groups to determine coverage benefit limitations, including an examination of whether different standards of infertility treatments are applied to different age groups for those diagnosed with cancer;
- (4) Requesting the Auditor to research public and private entities that provide the proposed coverage for cryopreservation procedures for those diagnosed with cancer and to determine standards of coverage, including what, if any, cost limitations are placed on this coverage benefit;
- (5) Requesting the Auditor to examine current medically necessary standards of care used to determine what types of infertility treatment options are available, at a more cost-effective savings than the proposed cryopreservation procedures, which may be best suited for individuals diagnosed with cancer, and to examine the existing technology in infertility procedures and possible future technology;
- (6) Requesting the Auditor to examine current scientific studies and current medical literature relating to the efficacy of the proposed cryopreservation procedures for those diagnosed with cancer;
- (7) Requesting the Auditor to examine whether the scope of coverage for those "diagnosed with a cancer that may, or whose treatment may, adversely affect the fertility of the insured" is limited to medically necessary fertility preservation treatments for "iatrogenic infertility", meaning an impairment of fertility by surgery, radiation, chemotherapy, or other medical treatment affecting reproductive organs or processes;
- (8) Requesting the Auditor to research certain ethical and legal issues surrounding the rights and entitlements with respect to the cryopreserved material; and
- (9) 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 Commerce and Consumer Protection and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 241, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 241, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

Health: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3736 (Joint) Water and Land and Government Operations on S.R. No. 24

The purpose and intent of this measure is to request the Auditor to conduct an audit of the Department of Land and Natural Resources' State Historic Preservation Division.

Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that the Department of Land and Natural Resources State Historic Preservation Division serves to protect and preserve historic properties significant to Hawaii's history through several program areas. The State Historic Preservation Division is tasked with many responsibilities such as protection and preservation of historic properties, burial regulation, Hawaii and National Registers, and compliance with the National Historic Preservation Act. The Division has also faced challenges with insufficient staffing and funding. Despite the lack of resources, the Division has digitized approximately forty percent of its reports and project review documents, and the Division also developed and launched the Hawaii Cultural Resources Information System (HICRIS) to initially automate project submittals. With full implementation of HICRIS, the Division will have the ability to process, track, and respond more efficiently to both project reviews and information requests, which will improve decision-making in project planning and review. However, without the resources necessary to carry out its mission, the Division has experienced significant delays in its ability to meet those mission objectives. As the State Historic Preservation Division has a responsibility to protect and preserve Hawaii's historic identity, findings from a report by the Auditor may provide further guidance on internal challenges faced by the State Historic Preservation Division.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 24 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Water and Land: Ayes, 3. Noes, none. Excused, 2 (Keith-Agaran, Misalucha).

Government Operations: Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3737 Transportation on S.C.R. No. 96

The purpose and intent of this measure is to request the Department of Transportation to increase local funding for metropolitan planning organizations and to pursue further funding opportunities under the Federal Bipartisan Infrastructure Law.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the cost of building and maintaining infrastructure is one of the costliest annual expenses to the State. The new Federal Bipartisan Infrastructure Law will provide opportunities for federal funding. Metropolitan Planning Organizations are an important part of the process of obtaining federal funding but are traditionally understaffed in Hawaii compared to Metropolitan Planning Organizations in other states. Therefore, the purpose of this measure is to request that the Department of Transportation increase funding for Metropolitan Planning Organizations so that they may more effectively pursue federal funding for infrastructure.

Your Committee has amended this measure by:

- (1) Adding a request for annual Oahu Metropolitan Planning Organization briefings to the Legislature, including how projects planned and underway achieve state ground transportation goals;
- (2) Clarifying that the Oahu Metropolitan Planning Organization is requested to submit annual briefings to the legislature on projects in the Oahu regional transportation plan; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 96, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 96, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3738 Transportation on S.R. No. 86

The purpose and intent of this measure is to request the Department of Transportation to increase local funding for metropolitan planning organizations and to pursue further funding opportunities under the Federal Bipartisan Infrastructure Law.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the cost of building and maintaining infrastructure is one of the costliest annual expenses to the State. The new Federal Bipartisan Infrastructure Law will provide opportunities for federal funding. Metropolitan Planning Organizations are an important part of the process of obtaining federal funding but are traditionally understaffed in Hawaii compared to Metropolitan Planning Organizations in other states. Therefore, the purpose of this measure is to request that the Department of Transportation increase funding for Metropolitan Planning Organizations so that they may more effectively pursue federal funding for infrastructure.

Your Committee has amended this measure by:

- (1) Adding a request for annual Oahu Metropolitan Planning Organization briefings to the Legislature, including how projects planned and underway achieve state ground transportation goals;
- (2) Clarifying that the Oahu Metropolitan Planning Organization is requested to submit annual briefings to the legislature on projects in the Oahu regional transportation plan; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 86, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 86, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3739 Transportation on S.C.R. No. 55

The purpose and intent of this measure is to request the Department of Transportation to convene a task force to conduct a feasibility study on alternate emergency access routes and a second bridge to serve the Hanalei, Waipa, and Ha'ena communities.

Your Committee received testimony in support of this measure from the Department of Transportation and Hanalei Business Community. Your Committee received testimony in opposition to this measure from the Historic Hawaii Foundation. Your Committee received comments on this measure from the Office of the Mayor of the County of Kaua'i.

Your Committee finds that in Kauai County, flooding and landslides are especially dangerous for Hanalei and surrounding communities due to the lack of alternate routes into and out of the area. To further public safety, this resolution requests the convening of a task force to conduct a feasibility study of alternate emergency access routes for the Hanalei, Waipa, and Ha'ena communities.

Your Committee has amended this measure by:

- (1) Removing references to the feasibility of a second bridge;
- (2) Adding the Hanalei to Ha'ena Community Association and Hanalei Roads Committee as working group members;
- (3) Adding the President of the Hanalei to Ha'ena Community Association and President of the Hanalei Roads Committee as recipients of certified copies of this resolution;
- (4) Amending its title accordingly; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 55, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 55, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3740 Transportation on S.R. No. 50

The purpose and intent of this measure is to request the Department of Transportation to convene a task force to conduct a feasibility study on alternate emergency access routes and a second bridge to serve the Hanalei, Waipa, and Ha'ena communities.

Your Committee received testimony in support of this measure from the Kauai Taro Growers Association and one individual. Your Committee received testimony in opposition to this measure from the Historic Hawaii Foundation, Hui Hoomalu i ka Aina, Hanalei-to-Ha'ena Community Association, and one individual. Your Committee received comments on this measure from the Office of the Mayor of the County of Kaua'i.

Your Committee finds that in Kauai County, flooding and landslides are especially dangerous for Hanalei and surrounding communities due to the lack of alternate routes into and out of the area. To further public safety, this resolution requests the convening of a task force to conduct a feasibility study of alternate emergency access routes for the Hanalei, Waipa, and Ha'ena communities.

Your Committee has amended this measure by:

- (1) Removing references to the feasibility of a second bridge;
- (2) Adding the Hanalei to Ha'ena Community Association and Hanalei Roads Committee as working group members;
- (3) Adding the President of the Hanalei to Ha'ena Community Association and President of the Hanalei Roads Committee as recipients of certified copies of this resolution;
- (4) Amending its title accordingly; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3741 Water and Land on Gov. Msg. Nos. 683 and 686

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF LAND AND NATURAL RESOURCES

G.M. No. 683 AIMEE BARNES, for a term to expire 06-30-2025; and

G.M. No. 686 WESLEY YOON, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Aimee Barnes and Wesley Yoon for service on the Board of Land and Natural Resources.

AIMEE BARNES

Your Committee received testimony in support of the nomination for the appointment of Aimee Barnes from the Department of Land and Natural Resources, Hawaii State Energy Office, Hawaii State Aha Moku, Women Organizing for Change in Agriculture and Natural Resource Management, Hawaii Energy, Surfrider Foundation Hawai'i Region, Polipoli Farms, and eighteen individuals. Your Committee received comments on the nomination for the appointment of Aimee Barnes from the Sierra Club of Hawai'i.

Upon review of the testimony, your Committee finds that Ms. Barnes' experience, background, and commitment to public service qualify her for appointment to the Board of Land and Natural Resources as the member from the City and County of Honolulu. Your Committee finds that Ms. Barnes serves as the principal of Hua Nani Partners, a consulting practice that advises major policy and nonprofit and philanthropic organizations on climate change, including the California-China Climate Institute at the University of California, Berkeley; United States Climate Alliance; Hawaii State Energy Office; and Climate Leadership Initiative. Ms. Barnes has over twenty years of experience working on climate change issues in California, Hawaii, and internationally and is a nationally recognized expert on climate change. Your Committee further finds that Ms. Barnes' specific knowledge on the impacts of climate change on agriculture and natural resources will be an asset to the Board of Land and Natural Resources to serve the needs of Hawai'i's communities. Your Committee therefore recommends that Aimee Barnes be appointed to the Board of Land and Natural Resources based on her experience, knowledge, and commitment to public service.

WESLEY YOON

Your Committee received testimony in support of the nomination for the reappointment of Wesley Yoon from the Department of Land and Natural Resources and Hawaii State Aha Moku. Your Committee received comments on the nomination for the reappointment of Wesley Yoon from Sierra Club of Hawai'i.

Upon review of the testimony, your Committee finds that Mr. Yoon's experience, background, and commitment to public service qualify him for reappointment to the Board of Land and Natural Resources as an at-large member. Your Committee finds that Mr. Yoon currently serves as the Vice President of Operations, Planning, and Program Management of the Bishop Museum, a role in which Mr. Yoon is responsible for the daily operations of the Museum's fourteen-acre campus, institution-wide planning, and external relations. Mr. Yoon also has previous professional experience with the Office of Hawaiian Affairs as a Land and Property Manager, and as the Director of Cultural Affairs for The Festival Companies. Your Committee further finds that Mr. Yoon has previously served on the Office of Hawaiian Affairs Native Hawaiian Historic Preservation Council and the State Legacy Land Conservation Commission. Your Committee notes that Mr. Yoon has served on the Board of Land and Natural Resources since 2019 and his

background in cultural resources, land acquisition, and historic preservation are an asset to the Board of Land and Natural Resources. Your Committee therefore recommends that Wesley Yoon be reappointed to the Board of Land and Natural Resources based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Keith-Agaran).

SCRep. 3742 Water and Land on Gov. Msg. Nos. 684, 685, and 687

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF LAND AND NATURAL RESOURCES

G.M. No. 684 DOREEN CANTO, for a term to expire 06-30-2025;

G.M. No. 685 RILEY SMITH, for a term to expire 06-30-2026; and

G.M. No. 687 KAREN ONO, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Doreen Canto, Riley Smith, and Karen Ono for service on the Board of Land and Natural Resources.

DOREEN CANTO

Your Committee received testimony in support of the nomination for the appointment of Doreen Canto from the Department of Land and Natural Resources; Hawaii State Aha Moku; Ocean Tourism Coalition; Maui County Farm Bureau; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Aukai Pacific LLC; and nine individuals. Your Committee received testimony in opposition to the nomination for the appointment of Doreen Canto from two individuals. Your Committee received comments on the nomination for the appointment of Doreen Canto from the Sierra Club of Hawai'i.

Upon review of the testimony, your Committee finds that Ms. Canto's experience, knowledge, community service, and proven leadership to serve the communities of Maui County qualify her for appointment to the Board of Land and Natural Resources as the member representing Maui County. Ms. Canto currently serves Kula Community Association as President. Your Committee notes that Ms. Canto is an active member of the Maui community, and she has previously served as Past President of Maui Native Hawaiian Chamber of Commerce, Maui Commissioner for the Department of Hawaiian Home Lands, and President of Waiohuli Hawaiian Homesteaders Association. Your Committee further finds that Ms. Canto's experience and knowledge of natural and cultural resources of Hawaii, including Native Hawaiian traditional practices and natural resource policy provide crucial insight to the Board of Land and Natural Resources. Your Committee notes that Ms. Canto has been serving on the Board of Land and Natural Resources in an interim capacity since July 2021. Your Committee therefore recommends that Doreen Canto be appointed to the Board of Land and Natural Resources based on her experience, knowledge, and commitment to public service.

RILEY SMITH

Your Committee received testimony in support of the nomination for the appointment of Riley Smith from one member of Hawaii's congressional delegation; Department of Land and Natural Resources; Department of Transportation; Hawaii State Aha Moku; Office of the Mayor of the County of Hawai'i; one member of the Hawai'i County Council; Department of Water Supply of the County of Hawai'i; Ponoholo Ranch Limited; Kohala Coast Resort Association; Kia'iwai Service, LLC; Lāna'i Community Health Center; Akinaka & Associates, Ltd.; Hui 'Oihana – Hawai'i Island Native Hawaiian Chamber of Commerce; Hawaii Operating Engineers Industry Stabilization Fund; Kona-Kohala Chamber of Commerce; Hawaii Cattlemen's Council, Inc.; KAI Hawaii, Inc.; Ku'iwalu; KTA Super Stores; Ho'okele Strategies LLC; Hawaii Island Economic Development Board; Hawaii Leeward Planning Conference; and sixty-four individuals. Your Committee received testimony in opposition to the nomination for the appointment of Riley Smith from Kūpuna for the Mo'opuna and thirteen individuals. Your Committee received comments on the nomination for the appointment of Riley Smith from the Sierra Club of Hawai'i.

Upon review of the testimony, your Committee finds that Mr. Smith's experience, knowledge, and proven leadership to serve the communities of Hawaii County qualify him for appointment to the Board of Land and Natural Resources as the member representing Hawaii County. Mr. Smith currently serves as President and Chief Executive Officer of Lanihau Properties, LLC, and has been a licensed professional engineer in Hawaii since 1980. Your Committee notes that Mr. Smith is an active member of the Hawaii Island community, where he currently serves as a member of the Commission on Water Resource Management Nominating Committee, Kailua Village Design Commission, Kona Water Roundtable, Executive Committee for the Hawaii Leeward Planning Conference, and as Chairperson of Na Ala Hele Advisory Council, Hawaii Island. Your Committee further finds that Mr. Smith's extensive community experience in water resources and land use, in addition to his professional experience in engineering and land management, will be an asset to the Board of Land and Natural Resources. Your Committee therefore recommends that Riley Smith be appointed to the Board of Land and Natural Resources based on his experience, knowledge, and commitment to public service.

KAREN ONO

Your Committee received testimony in support of the nomination for the appointment of Karen Ono from the Department of Land and Natural Resources, one member of the House of Representatives, one member of the Kaua'i County Council, Hawaii State Aha Moku, Hawai'i Association of REALTORS, Contractors Association of Kaua'i, PAL Kauai – Permanently Affordable Living, and twelve individuals. Your Committee received testimony in opposition to the nomination for the appointment of Karen Ono from three individuals. Your Committee received comments on the nomination for the appointment of Karen Ono from the Sierra Club of Hawai'i.

Upon review of the testimony, your Committee finds that Ms. Ono's experience, knowledge, and proven leadership to serve the communities of Kauai County qualifies her for appointment to the Board of Land and Natural Resources as the member representing Kauai County. Ms. Ono served as Association Executive for the Kauai Board of REALTORS for over forty years. Your Committee notes that Ms. Ono also served on the Government Affairs Committee for the Kauai Board of REALTORS as a member representative at various industry events and hosted the annual County Council Candidate Political Forums. In her capacity with the Kauai Board of REALTORS, Ms. Ono trained realtors, government officials, and community members in affordable housing, sea level rise impacts, hunting and fishing access, and Hawaiian land title pathways. Ms. Ono also has prior experience as a representative of the Kauai Board of REALTORS Association to the Kauai Business Council and the Rice Street Business Association, and service as a member of the Kauai County Tax Review Board and the Kauai Public Access, Open Space Commission. Accordingly, Ms. Ono has a thorough, extensive understanding of the roles and responsibilities of the Board and Land and Natural Resources' members. Your Committee therefore recommends that Karen Ono be appointed to the Board of Land and Natural Resources based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3743 Ways and Means on H.B. No. 1801

The purpose and intent of this measure is to improve the energy efficiency of state facilities.

Specifically, the measure:

- (1) Requires state facilities, with the exception of smaller facilities, to implement cost-effective energy efficiency measures;
- (2) Directs the Hawaii State Energy Office to collect all state-owned facilities' utility bill and energy usage data and make this data publicly available;
- (3) Provides that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures; and
- (4) Beginning July 1, 2023, where feasible and cost-effective, requires the design of all new state building construction to maximize energy and water efficiency and energy generation potential, and the use of building materials that minimize the project's carbon footprint.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Hawaii Energy, Hawaii Association for Marine Education and Research, Blue Planet Foundation, Ulupono Initiative, 350Hawaii, Climate Protectors Hawaii, Elemental Excelerator, and twenty-two individuals.

Your Committee received written comments on this measure from the Department of Accounting and General Services and one individual.

Your Committee finds that improving energy efficiency is the most cost-effective way to reduce energy usage and is vital for maximizing near-term savings and the long-term energy performance of state buildings.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1801, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9. Noes, none. Excused, 2 (Misalucha, Wakai).

SCRep. 3744 Ways and Means on H.B. No. 2255

The purpose and intent of this measure is to amend energy efficiency standards for state buildings and facilities to reduce the demand for and costs associated with energy consumption.

Specifically, this measure requires state agencies to:

- (1) Use public benefits fee administrator rebates to reduce purchase and installation costs of energy efficient equipment; and
- (2) Prioritize the use of appliances that meet the standards required to qualify for public benefits fee administrator rebates.

Your Committee received written comments in support of this measure from the Hawaii State Energy Office, Hawaii Energy, Green Building Initiative, and one individual.

Your Committee finds that requiring both existing and new state facilities to prioritize purchasing energy-efficient products and use incentives and rebates to reduce energy consumption and manage utility costs will help to achieve the State's clean energy goals.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2255, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Misalucha).

SCRep. 3745 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1681

The purpose and intent of this measure is to:

- (1) Establish requirements and permitting procedures for transportation network companies operating in the State; and
- (2) Make permanent insurance requirements for transportation network companies and transportation network company drivers.

Your Committees received testimony in support of this measure from the Department of Transportation; Hawaii Insurers Council; Lyft; and Uber Technologies, Inc.

Your Committees find that statewide regulation of transportation network companies will ensure that residents and visitors have enhanced access to important transportation options, while also ensuring uniform consumer protection throughout the State. Your Committees further find that making insurance requirements permanent for transportation network companies is appropriate and a continuation of protection for consumers.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1681, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3746 Judiciary on H.B. No. 1789

The purpose and intent of this measure is to:

- (1) Require the representative of labor on the Hawaii Labor Relations Board to be a person whose name has been selected by a simple majority of the exclusive representatives of the collective bargaining units and submitted to the Governor for appointment; and
- (2) Require the Governor to submit the name of the nominee to the Senate for advice and consent no later than twenty days after exclusive representatives' submittal of the nominee's name to the Governor, and if the Governor fails to do so, requires the exclusive representatives who recommended the nominee to transmit the nominee's name directly to the Senate for confirmation.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining.

Your Committee finds that the Hawaii Labor Relations Board is composed of three members: a representative of labor, a representative of management, and the Chairperson who shall represent the public interest. Under existing law, the representative of labor is appointed by the Governor from a list of three nominees submitted by a majority of the exclusive representatives and must be confirmed by the Senate; however, the Governor also appoints both the representative of management and the Chairperson. Since decisions and rulings by the Hawaii Labor Relations Board directly impact every unionized state and county government employee in Hawai'i, it is fair and reasonable to allow the exclusive representatives the right to collectively nominate the representative of labor. This measure will ensure that the exclusive representatives' collective voice is strengthened.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1789, H.D. 2, S.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. 3747 Judiciary on H.B. No. 2495

The purpose and intent of this measure is to prohibit an employer from entering into or requiring an employee to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault occurring in the workplace, at work-related events, between employees, or between the employer and an employee.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Civil Rights Commission, Hawai'i State Commission on the Status of Women, AAUW of Hawaii, Hawaii State Democratic Women's Caucus, Hawai'i Women Lawyers, and two individuals.

Your Committee finds that while the current statute specifically prohibits requiring nondisclosure agreements as a condition of employment, it does not prohibit other nondisclosure agreements, whether during employment or post-employment. Even without an express exception for confidential settlement agreements, the narrow focus of the statutory prohibition as a condition of employment does not cover nondisclosure agreements in settlement agreements. This measure further prohibits an employer from entering into a nondisclosure agreement that prevents the employee from disclosing or discussing sexual harassment or assault related to the workplace, expanding the prohibition beyond simply preventing an employer from requiring non-disclosure as a condition of employment.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2495, H.D. 1, S.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. 3748 Judiciary on H.B. No. 1743

The purpose and intent of this measure is to define “pool” to mean a watertight artificial structure containing a body of water that does not exchange water with any other body of water, either naturally or mechanically, used for swimming, diving, recreational bathing, or therapy by humans.

Your Committee received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that public swimming pools are currently regulated under the Hawaii Administrative Rules, which require established turnover rates and disinfectant residuals to ensure that proper filtering of the water is occurring at all times during use by the public. Your Committee further finds that man-made lagoons and pools, such as the Natatorium, cannot meet these requirements and do not meet nationally recognized definitions of a “public swimming pool”. Therefore, alternative public health standards for other public recreational waters, such as beaches, should be applied to these structures instead, particularly if the owner of the structure intends to use the ocean or ocean venue for swimming. This measure clarifies the definition of “pool” so that certain structures such as man-made lagoons and pools do not fall under the regulation of “pools”.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1743, H.D. 1, S.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. 3749 Judiciary on H.B. No. 2006

The purpose and intent of this measure is to:

- (1) Require, for emergency permits to install sandbags, that the Board of Land and Natural Resources include as a condition on the emergency permit a requirement for the attachment of identifying information, including the permittee’s contact information and the permit number, to the sandbag; and
- (2) Require the Board of Land and Natural Resources to specify the form and manner in which the identifying information is to be attached to the sandbag.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that temporary erosion control devices with sandbag “burritos,” which are large tubes of sand wrapped in fabric, have been authorized on a temporary emergency basis to address coastal erosion pursuant to chapter 13-5, Hawaii Administrative Rules, which allows the Chairperson of the Board of Land and Natural Resources to issue emergency permits when there is an imminent threat to public health or safety. This has been an important tool when addressing short-term emergencies such as floods, landslides, tsunamis, and storms. There have been reports of torn bags and debris washed up on the beach that have not been authorized by the Board of Land and Natural Resources for use in the shoreline area. The addition of identifying information to sandbags utilized for erosion control will allow for greater enforcement and accountability.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2006, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3750 Judiciary on H.B. No. 2514

The purpose and intent of this measure is to prohibit the operation of underground storage tanks with a capacity greater than one hundred thousand gallons, beginning July 1, 2023.

Your Committee received testimony in support of this measure from the Department of Health; Honolulu Board of Water Supply; Sierra Club of Hawai‘i; Hawai‘i Alliance for Community-Based Economic Development; Council for Native Hawaiian Advancement; Shimanchu Wai Protectors-Ukwanshin Kabudan; ‘Ahaui o nā Kauka; Native Hawaiian & Pacific Islander COVID-19 Hawai‘i Response, Recovery, and Resilience Team; Hawai‘i Public Health Institute; 350Hawaii.org; Livable Hawaii Kai Hui; Hawai‘i Alliance for Progressive Action; and twenty-six individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that for years, advocates and organizations have warned about the need to protect the State’s drinking water from contamination due to the Red Hill Fuel Tank facility that sits only one hundred feet above the aquifer that supplies water to over four hundred thousand people, from Halawa to Hawai‘i Kai. The Red Hill facility has a long history of leaking fuel into the surrounding environment and has already contaminated Oahu’s primary drinking water aquifer. Your Committee believes that ending operations of the Red Hill facility immediately and preventing future large underground storage tanks from being constructed is necessary to guarantee the safety of the State’s residents. This measure will ensure that the State’s fresh water aquifers remain safe and free from fuel contamination by prohibiting the operation of underground storage tanks with a capacity greater than one hundred thousand gallons, beginning July 1, 2023.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2514, H.D. 1, S.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. 3751 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1619

The purpose and intent of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Transportation, Hawaii Insurers Council, Hawaii Association for Justice, and American Property Casualty Insurance Association. Your Committees received testimony in opposition to this measure from Passenger Car Rental and four individuals. Your Committees received comments on this measure from Turo, Inc; Getaround; and two individuals.

Your Committees find that peer-to-peer car-sharing programs, which are not rental car businesses, allow for vehicle owners to share their vehicles with others through online platforms. Your Committees further find that peer-to-peer car-sharing programs do not currently have established requirements for insurance coverage. Your Committees additionally find that it is in the public interest to establish requirements for peer-to-peer car-sharing programs regarding mandatory insurance coverage.

Your Committees have amended this measure by:

- (1) Making it effective upon its approval; 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1619, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1619, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3752 Commerce and Consumer Protection on H.B. No. 1988

The purpose and intent of this measure is to:

- (1) Prohibit the sale, import, harvest, or export of coral products, with certain exceptions; and
- (2) Require the Department of Land and Natural Resources to amend its administrative rules accordingly no later than December 31, 2024.

Your Committee received testimony in support of this measure from Coral Reef Alliance, Environmental Caucus of the Democratic Party of Hawai'i, Moana Ohana, Legacy Reef Foundation, Clean the Pacific, Hawai'i Reef and Ocean Coalition, Big Island "Reef Keepers" Hui, Center for Biological Diversity, Maui Divers of Hawai'i, For the Fishes, Conservation Council for Hawai'i, Kai Palaoa, Sierra Club of Hawai'i Moku Lua Group, Kalanihale, Friends of Hanauma Bay, Haereticus Environmental Laboratory, Fair Wind Charters, Ocean Defenders Alliance – Hawai'i, and nine individuals. 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 Land and Natural Resources, Department of the Attorney General, and Maui Divers Jewelry.

Your Committee finds that the commercial use of coral contributes to the decline and degradation of the State's coral reefs and is disrespectful to native Hawaiian cultural values, traditions, and practices, especially regarding black coral. Coral reefs, which are the foundation of the State's marine ecosystem, are already facing unprecedented stressors, including acidification, warming oceans, overfishing, and pollution. The archaic trade in coral products is not compatible with principles of sustainability and this measure will further support efforts to protect Hawaii's coral reefs.

Your Committee notes the concerns raised in testimony that this measure, as currently drafted, may exclude non-state entities from harvesting corals under Special Activity Permits issued by the Department of Land and Natural Resources for certain non-commercial scientific, management, educational, or propagation purposes. Accordingly, amendments to this measure are necessary to address this concern and to resolve certain potential constitutional challenges.

Your Committee has amended this measure by:

- (1) Clarifying that it shall be unlawful for any person to import into, export from, sell in, harvest from, or offer for sale in the State any coral product, provided that the coral product is an endangered species native to Hawaii;
- (2) Clarifying this restriction shall not apply to:
 - (A) The import into, export from, sale in, or offer for sale in the State of any coral product for certain purposes;
 - (B) The harvest of coral products pursuant to a special activity permit for non-commercial harvesting purposes; and
 - (C) Coral products expressly authorized by federal law or federal permit;
- (3) Inserting an effective date of July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1988, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1988, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3753 Commerce and Consumer Protection on H.B. No. 2089

The purpose and intent of this measure is to:

- (1) Amend the definition of “renewable portfolio standard” to more accurately reflect the percentage of renewable electrical energy generated in the State;
- (2) Expand the events or circumstances that are beyond an electric utility company’s reasonable control to include non-renewable energy generated by electric generation facilities where the electric utility does not have direct control or ownership; and
- (3) Require electric utility companies to track and annually report data and trends on customer retention and attrition to further inform the calculation of the renewable portfolio standards.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Public Utilities Commission; Hawai‘i State Energy Office; Hawaiian Electric Company; Ulupono Initiative; 350Hawaii.org; Climate Protectors Hawai‘i; and two individuals.

Your Committee finds that the State is statutorily required to establish a one hundred percent renewable portfolio standard by December 31, 2045, with the intent to transition the State away from imported fuels and toward renewable local resources that provide a secure source of affordable energy. Your Committee further finds that the Legislature has also established a zero emissions clean economy target to sequester more atmospheric carbon and greenhouse gases than emitted within the State as quickly as practicable, but no later than 2045. Your Committee additionally finds that current calculations of the renewable portfolio standard do not accurately reflect the progress made by the State or the steps required to meet the State’s renewable portfolio goals. This measure will change the renewable portfolio standard to be based on generation, rather than sales, to ensure that a one hundred percent renewable portfolio standard is achieved as intended.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2089, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2089, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3754 Commerce and Consumer Protection on H.B. No. 2280

The purpose and intent of this measure is to specify that planned community associations cannot prohibit or unreasonably restrict the use of a member’s enclosed yard area for personal agriculture.

Your Committee received testimony in support of this measure from Associa and three individuals. Your Committee received testimony in opposition to this measure from the Community Associations Institute Legislative Action Committee and three individuals.

Your Committee finds that the home cultivation of food can contribute to sustainability and can promote health and food security. Accordingly, this measure would allow members of planned community associations to use their enclosed yard spaces for personal agriculture purposes. Your Committee notes the concerns raised in testimony that this measure, as currently drafted, may lead to disputes on covenants enforcement and some definitions may be considered vague relating to “reasonable restrictions”. Amendments to this measure are therefore necessary to address these concerns, but it is the clear intent and understanding of your Committee that this measure, as amended, will not grant associations the authority to restrict personal agriculture on property that is properly zoned for agricultural use.

Your Committee has amended this measure by:

- (1) Clarifying that no association shall prohibit or unreasonably restrict the use of a unit owner’s enclosed yard area for personal agriculture, provided that the use is not in violation of the association’s existing master landscape plan or other restrictive covenants applicable to the unit;
- (2) Amending the definition of “personal agriculture” to mean a use of land where an individual cultivates lawful edible plant crops for personal use or donation;
- (3) Amending the definition of “reasonable restrictions” to mean restrictions that are reasonably necessary to protect neighbor unit owners or residents’ use and enjoyment of their property and do not unreasonably increase the cost of engaging in personal agriculture or unreasonably decrease its efficiency; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2280, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2280, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3755 Commerce and Consumer Protection on H.B. No. 2340

The purpose and intent of this measure is to amend the definition of “address” in the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, to make post office boxes and rural and highway contract route boxes permissible for a prescription to be considered valid, on the condition that a physical address is readily accessible.

Your Committee received testimony in support of this measure from Kaiser Permanente and three individuals. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that the number of prescriptions pharmacists receive with post office box addresses is significant, particularly on the neighbor islands. Your Committee further finds that, under existing law, if a controlled substance prescription has a post office box address, pharmacists are required to verify a patient's identification, note the identification number on the prescription, and change the address to a physical location, such as a street address, tax map key, or description of the physical location. Your Committee additionally finds permitting post office box and rural and highway contract route box addresses to be used as an option for prescriptions, as long as the physical location where an individual resides is on file, would reduce an unnecessary administrative burden on pharmacists and allow them to better focus on the needs of patients.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2022; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2340, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3756 Judiciary on H.B. No. 1567

The purpose and intent of this measure is to:

- (1) Eliminate the use of monetary bail and require defendants to be released on their own recognizance for traffic offenses, violations, nonviolent petty misdemeanor offenses, or nonviolent misdemeanor offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Common Cause Hawaii, Community Alliance on Prisons, Hawai'i Alliance for Progressive Action, Americans for Democratic Action Hawai'i, Faith Action for Community Equity, Trinity United Methodist Church, League of Women Voters Hawaii, Imua Alliance, Bail Reform Project, and sixty-nine individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Retail Merchants of Hawaii, and State of Hawaii Organization of Police Officers. Your Committee received comments on this measure from the Judiciary, Department of Public Safety, American Civil Liberties Union of Hawai'i, Hawaii Substance Abuse Coalition, and one individual.

Your Committee finds that almost half of the people in the Oahu Community Correctional Center are there because they cannot afford bail. From April 1 to September 30, 2021, pretrial detainees at Oahu Community Correctional Center cost the State, on average, \$113,000 per day. Your Committee further finds that the use of money bail is often justified on the grounds that it makes us safer by keeping dangerous people in jail. However, a report from the 2018 Criminal Pretrial Task Force, chaired by Hawaii Circuit Judge Rom A. Trader found that "there is virtually no correlation between the setting of a particular bail amount and whether the defendant will commit further crime or engage in violent behavior when released from custody". Your Committee believes that money bail is a poor method of assessing and managing a defendant's risks to the community. This measure will provide better equality within the justice system by eliminating the use of monetary bail and requiring that defendants be released on their own recognizance for certain offenses, and allowing defendants the option to participate in a bail report interview via videoconference.

Your Committee has heard the testimony of the Department of the Prosecuting Attorney of the City and County of Honolulu expressing concerns that this measure fails to account for time between the date of the offense and the date the individual is arraigned on the original case, which can range from a few days to a few weeks for petty misdemeanor and misdemeanor cases. Your Committee notes the suggestion of the Department of the Prosecuting Attorney of the City and County of Honolulu to amend this measure to address this issue.

Your Committee has amended this measure by:

- (1) Restoring language that requires the court to release defendants arrested, charged, and held for nonviolent class C felony offenses;
- (2) Requiring the Director of Public Safety to release a defendant if the defendant is unable to post bail in the amount of \$99 or less;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1567, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1567, H.D. 1, S.D. 1.

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

SCRep. 3757 Judiciary on H.B. No. 1891

The purpose and intent of this measure is to enact the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Laws and Domestic Violence Action Center. Your Committee received comments on this measure from the Hawaii Association for Justice.

Your Committee finds that the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act was developed by the Uniform Law Commission with input from judges and practicing lawyers from both the United States and Canada. Your Committee further finds that to date, the Act has been enacted in seven states, including California, Nevada, and Washington. This measure will protect Canadian travelers who have domestic violence protection orders while they are visiting Hawai'i by providing clear rules for judicial enforcement of Canadian protection orders.

Your Committee has amended this measure by:

- (1) Granting law enforcement officers the same immunity from liability for the enforcement of Canadian domestic-violence protection orders as they would receive for the enforcement of domestic protection orders;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1891, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1891, H.D. 1, S.D. 1.

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

SCRep. 3758 (Majority) Ways and Means on H.B. No. 1705

The purpose and intent of this measure is to authorize the Department of Agriculture to extend the agricultural park lease of any lessee holding a lease that has a remaining term of fifteen years or less; provided that the leased land is twenty-five acres or less and located in a county having a population of less than five hundred thousand.

Your Committee received written comments in support of this measure from the Land Use Research Foundation of Hawaii, Hawaii Floriculture and Nursery Association, Hawaii Farm Bureau, and five individuals.

Your Committee received written comments in opposition to this measure from the Department of Agriculture.

Your Committee finds that authorizing the Department of Agriculture to permit lessees of certain agricultural park lands to extend their leases will facilitate those lessees' ability to contribute to food production in the State.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1705, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1705, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 8. Noes, 1 (Fevella). Excused, 2 (Misalucha, Wakai).

SCRep. 3759 Ways and Means on H.B. No. 2088

The purpose and intent of this measure is to facilitate the financing of wastewater, clean energy, or other qualifying improvements for commercial properties.

Specifically, the measure:

- (1) Establishes a commercial property assessed financing program; and
- (2) Authorizes property assessed financing for commercial properties.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii Reef and Ocean Coalition; Nuveen Green Capital; Hawaii Bankers Association; Petros PACE Finance, LLC; PACENation; C-PACE Alliance; WAI: Wastewater Alternatives & Innovations; CORAL (Coral Reef Alliance); Elemental Excelsator; and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Hawaii Public Utilities Commission, City and County of Honolulu, Tax Foundation of Hawaii, and Hawaii Financial Services Association.

Your Committee finds that to make wastewater, clean energy, or other qualifying commercial property improvements more affordable, the State should create a financial assistance program so that commercial property owners are more willing to voluntarily finance these improvements.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2088, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2088, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Misalucha, Wakai).

SCRep. 3760 Ways and Means on H.B. No. 2218

The purpose and intent of this measure is to designate runway 8R-26L at the Daniel K. Inouye International Airport as the “Frank T. Okimoto Reef Runway”.

Your Committee received written comments in support of this measure from three individuals.

Your Committee finds that the designation of runway 8R-26L at the Daniel K. Inouye International Airport as the “Frank T. Okimoto Reef Runway” is an appropriate tribute to Frank T. Okimoto, the project engineer for the runway.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2218, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2218, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3761 Ways and Means on H.B. No. 2491

The purpose and intent of this measure is to require all letterheads of the State and counties to use and spell Hawaiian words and names consistently, including the consistent use of kahakō and ‘okina diacritical marks.

Your Committee received written comments in support of this measure from the Hawaii Civil Rights Commission, University of Hawaii at Hilo, Center for Hawaiian Sovereignty Studies, and three individuals.

Your Committee finds that this measure will help government agencies promote to the public the proper meaning, spelling, and pronunciation of words in the Hawaiian language.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2491, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2491, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3762 Judiciary on H.B. No. 1412

The purpose and intent of this measure is to:

- (1) Require the counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment; and
- (2) Require that, before a vehicle can be classified as being abandoned, notice be provided that the vehicle must be moved the specified distance within the specified timeframe or be subject to removal.

Your Committee received testimony in support of this measure from the County of Maui Department of Environmental Management, County of Hawai‘i Department of Environmental Management, one member of the Kaua‘i County Council, one member of the Maui County Council, Hawai‘i State Association of Counties, Hawaii Council of Mayors, and eight individuals.

Your Committee finds that abandoned vehicles continue to overrun neighborhoods across the State. The prevalence of abandoned vehicles on public streets has created widespread environmental issues, as well as unsafe and unhealthy conditions for Hawai‘i residents. Your Committee further finds that existing law is silent regarding the distance a vehicle must be moved in order to no longer be classified as abandoned. This loophole can create problems in the disposition of an abandoned vehicle if a vehicle that was once deemed abandoned can no longer be classified as abandoned if it merely moves an inch or two from the location where it was deemed abandoned. This measure will make it clear as to how far a vehicle must be moved and when it must be moved in order to no longer be classified as abandoned.

Your Committee has amended this measure by inserting an effective date of July 30, 2075, 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. 1412, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1412, H.D. 2, S.D. 1.

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

SCRep. 3763 Judiciary on H.B. No. 1894

The purpose and intent of this measure is to accommodate the use of both traditional Native Hawaiian burial practices and environmentally-friendly burial practices by including water cremation in the treatment and disposal of human remains.

Your Committee received testimony in support of this measure from the Council for Native Hawaiian Advancement; Fischer & Associates, LLC; Ken Ordenstein Funerals; and fourteen individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that, traditionally, Native Hawaiian burial practices were undertaken by the steaming of the deceased's body in an imu until the flesh could be easily removed from the bones, which were then wrapped and returned to the family of the deceased. For over a century, Native Hawaiians have had no culturally appropriate way to bury their loved ones other than a full body burial in a casket in a plot of earth or by flame cremation with ashes and bone fragments. Water cremation is a water-based dissolution process for human remains that uses alkaline chemicals, heat, agitation, and pressure to gently accelerate natural decomposition. The liquid is considered a sterile wastewater, with no remaining DNA and is discharged with the permission of the local wastewater treatment authority, in accordance with federal, state, and local laws. There are also significant environmental benefits in comparison to traditional flame cremation. This measure, therefore, provides Native Hawaiians and consumers in Hawai'i with an option for burial that is culturally appropriate, clean, and environmentally responsible.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1894, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1894, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3764 Judiciary on H.B. No. 1339

The purpose and intent of this measure is to establish requirements for institution of and causes for impeachment of the Governor or Lieutenant Governor.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that currently there is no process provided for in the Hawaii Revised Statutes for the impeachment of the Governor or Lieutenant Governor in the Hawaii Revised Statutes for cases when high crimes and misdemeanors are committed. The process by which a Governor or Lieutenant Governor may be removed from office should be clearly articulated and transparent. This measure provides for that process.

Your Committee notes that federal case law and its application should be considered for guidance on the definition of "high crimes and misdemeanors."

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1339, 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, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3765 Judiciary on H.B. No. 2416

The purpose and intent of this measure is to:

- (1) Require nonprofit organizations to disclose the name and address of donors who donate an aggregate of more than \$100, with certain exceptions; and
- (2) Add definitions.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i, Hawai'i Children's Action Network Speaks!, and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Campaign Spending Commission, Common Cause Hawaii, and American Civil Liberties Union of Hawai'i.

Your Committee finds that the State's existing campaign finance laws fail to reveal the true source of dark money campaign spending. Dark money campaign spending occurs when an organization, such as a nonprofit organization, raises funds through donations, then uses the donations on campaign expenditures in an attempt to influence elections. It is dark money because there is a lack of transparency on who is trying to influence an election. This measure will enhance existing campaign spending disclosure requirements to ensure that the true source of campaign spending is disclosed to the electorate.

Your Committee has amended this measure by:

- (1) Increasing the threshold amount that requires that nonprofit organizations file a report of each donor making a donation from more than \$100 in the aggregate during an election period, to more than \$10,000;

- (2) Incorporating the amendments proposed by the Campaign Spending Commission as follows:
- (A) Restoring statement of information requirements for electioneering communications expenditures made by noncandidate committees and organizations other than noncandidate committees;
 - (B) Deleting language that would have required each statement of information to contain the name and address of the top three donors donating an aggregate of more than \$100 in the preceding twelve-month period, excluding the donor's name or address if the donor has not provided consent;
 - (C) Clarifying that if the expenditures were made by a nonprofit organization, the statement of information shall contain the amount and date of the deposit of each donation received and the name and address of each donor making a donation aggregating more than \$10,000 during an election period, which was not previously reported, excluding a donor's name or address if the donor has not provided consent; and
 - (D) Clarifying that "disclosure date" means, for every calendar year, the first date during the calendar year on which an electioneering communication is made, and the date on which any subsequent electioneering communication is made; provided that the person making the electioneering communication has made expenditures for electioneering communications of more than \$2,000 in the aggregate; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2416, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2416, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3766 (Joint) Health and Commerce and Consumer Protection on S.C.R. No. 2

The purpose and intent of this measure is to request the Auditor to conduct a sunrise review of the certification and regulation of community health workers.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Health, Hawai'i Public Health Institute, Hawai'i Primary Care Association, and two individuals. Your Committees received comments on this measure from the Office of the Auditor and Hawai'i Community Health Worker Association.

Your Committees find that persons who hold themselves out as community health workers are not presently required to be licensed, certified, registered, or otherwise regulated by the State. Your Committees further find that increasing the number of community health workers and standardizing their qualifications and required training will help rural communities receive access to adequate, timely, and life-saving health care services. Furthermore, establishing certification for community health workers may also enable their services to be reimbursable under private and public health insurance plans.

Your Committees find that S.B. No. 2882, introduced during the Regular Session of 2022, proposes the certification and regulation of community health workers. Section 26H-6, Hawaii Revised Statutes, requires new measures subjecting unregulated professions and vocations to licensing or other regulatory controls to be referred to the Auditor for analysis. This measure requests the Auditor to analyze the proposed certification and regulation of community health workers in accordance with section 26H-6, Hawaii Revised Statutes.

Your Committees have amended this measure by:

- (1) Identifying Senate Bill No. 2882, Regular Session of 2022, as the measure that would subject community health workers to licensing or other regulatory controls for the Auditor to analyze;
- (2) Requesting the Auditor to, in preparing the sunrise review of the certification and regulation of community health workers, solicit and incorporate input from current community health workers in the State and consider the potential cost burdens to community health workers resulting from the certification and regulation of community health workers; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 2, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Health: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).
Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3767 (Joint) Health and Commerce and Consumer Protection on S.C.R. No. 122

The purpose and intent of this measure is to request the Auditor to conduct a sunrise review of the licensure of school psychologists.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Department of Education. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Board of Psychology.

Your Committees find that persons who hold themselves out as school psychologists are not presently required to undergo any formal credentialing by the State. Senate Bill No. 1274, introduced during the Regular Session of 2021, proposes the regulation and licensure of school psychologists. Section 26H-6, Hawaii Revised Statutes, requires new measures subjecting unregulated professions

and vocations to licensing or other regulatory controls to be referred, via concurrent resolution, to the Auditor for analysis. This measure requests the Auditor to analyze the proposed licensure of school psychologists in accordance with section 26H-6, Hawaii Revised Statutes.

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

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 122, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 122, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3768 (Joint) Health and Commerce and Consumer Protection on S.C.R. No. 123

The purpose and intent of this measure is to request the Auditor to conduct a social and financial assessment of the mandatory health insurance coverage for early access breast cancer screening proposed by Senate Bill No. 827, S.D. 2, Regular Session of 2021.

Your Committees received testimony in support of this measure from the University of Hawai'i System; Hawaii Medical Association; 'Ahaui o nā Kauka – Association of Native Hawaii Physicians; CHI Lifestyle Medical Center, LLC; Hawaii Chapter of the American College of Emergency Physicians; Hawaii Radiological Society; Hawaii Society of Clinical Oncology; and seven individuals. Your Committees received comments on this measure from the Department of Health.

Your Committees find that section 23-51, Hawaii Revised Statutes, requires that “[b]efore any legislative measure that mandates health insurance coverage for specific health services, specific diseases, or certain providers of health care services as part of individual or group health insurance policies, can be considered, there shall be concurrent resolutions passed requesting the auditor to prepare and submit to the legislature a report that assesses both the social and financial effects of the proposed mandated coverage”. Senate Bill No. 827, S.D. 2, introduced in the Regular Session of 2021, proposed to expand existing mandated breast cancer screening health insurance coverage. This measure requests the Auditor to conduct a social and financial assessment of the mandatory health insurance coverage for early access breast cancer screening proposed by Senate Bill No. 827, S.D. 2, in accordance with section 23-51, Hawaii Revised Statutes.

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

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 123, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 123, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Health: Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (San Buenaventura).

SCRep. 3769 (Joint) Energy, Economic Development, and Tourism and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 94

The purpose and intent of this measure is to request the Hawaii State Energy Office to engage the United States Department of Energy to establish a permanent presence within the State of Hawaii.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawaii Technology Development Corporation; Hawaii Green Infrastructure Authority; Natural Energy Laboratory of Hawaii; University of Hawai'i System's Hawaii Natural Energy Institute; Department of Commerce and Consumer Affairs' Division of Consumer Advocacy; Public Utilities Commission; Hawaiian Electric Company, Inc.; and Hawaii Gas.

Your Committees find that the request for the establishment of a permanent presence in Hawaii proposed by this measure would give the United States Department of Energy (Energy Department) some discretion as to the nature of that permanent presence in the State. It could take a variety of forms, including but not limited to establishing an Energy Department office, national lab, research center, or field site. During the hearing, the Hawaii State Energy Office noted that the Energy Department currently has a callout to hire one thousand new employees across the country; it is unclear whether the Energy Department has the existing office space or the ability for all of these new hires to work remotely; and the Energy Department could be currently looking for space to establish a physical office. Your Committees note that the establishment of an Energy Department office in Hawaii could improve the placed-based results of various clean energy programs, increase federal funding, and attract highly-skilled workers to the State. Your Committees further note that in addition to providing copies of this resolution to the congressional delegation, the Legislature should also enlist their support on this matter.

Your Committees have amended this measure 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 Energy, Economic Development, and Tourism and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 94, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 94, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

SCRep. 3770 (Joint) Energy, Economic Development, and Tourism and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 84

The purpose and intent of this measure is to request the Hawaii State Energy Office to engage the United States Department of Energy to establish a permanent presence within the State of Hawaii.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawaii Technology Development Corporation; Hawaii Green Infrastructure Authority; Natural Energy Laboratory of Hawaii; University of Hawai'i System's Hawaii Natural Energy Institute; Department of Commerce and Consumer Affairs' Division of Consumer Advocacy; Public Utilities Commission; Hawaiian Electric Company, Inc.; and Hawaii Gas.

Your Committees find that the request for the establishment of a permanent presence in Hawaii proposed by this measure would give the United States Department of Energy (Energy Department) some discretion as to the nature of that permanent presence in the State. It could take a variety of forms, including but not limited to establishing an Energy Department office, national lab, research center, or field site. During the hearing, the Hawaii State Energy Office noted that the Energy Department currently has a callout to hire one thousand new employees across the country; it is unclear whether the Energy Department has the existing office space or the ability for all of these new hires to work remotely; and the Energy Department could be currently looking for space to establish a physical office. Your Committees note that the establishment of an Energy Department office in Hawaii could improve the placed-based results of various clean energy programs, increase federal funding, and attract highly-skilled workers to the State. Your Committees further note that in addition to providing copies of this resolution to the congressional delegation, the Legislature should also enlist their support on this matter.

Your Committees have amended this measure 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 Energy, Economic Development, and Tourism and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 84, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 84, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Energy, Economic Development, and Tourism: Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 3. Noes, none. Excused, 2 (Riviere, Fevella).

SCRep. 3771 Transportation on S.C.R. No. 137

The purpose and intent of this measure is to:

- (1) Request that the Department of Transportation take all necessary steps to expedite work on the Maipalaoa Bridge in Maili, Oahu;
- (2) Request improved traffic signal support on the Waianae Coast; and
- (3) Urge various entities to work together to immediately open the section of the Waianae Coast Emergency Access Road System extending from Paakea Road out to Lualualei Naval Road for public use on a permanent basis.

Your Committee received testimony in support of this measure from the Department of Transportation and two individuals.

Your Committee finds that gridlock traffic is a serious problem for Leeward motorists. Maipalaoa Bridge was last reconstructed in 1970, is severely compromised due to deterioration, and is currently under reconstruction. The Waianae Coast Emergency Access Road System is currently a closed emergency roadway that could significantly improve traffic congestion were it to be opened on a more permanent basis. Furthermore, Honolulu's Joint Traffic Management Center can manage traffic flow conditions if all of Waianae's vital traffic signals are connected. The purpose of this measure is to ameliorate Leeward gridlocks through a combination of various changes including the expediting of the Maipalaoa Bridge reconstruction, opening of the Waianae Coast Emergency Access Road System, and streamlining of Waianae's traffic signal system.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 137 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 3772 Transportation on S.R. No. 121

The purpose and intent of this measure is to:

- (1) Request that the Department of Transportation take all necessary steps to expedite work on the Maipalaoa Bridge in Maili, Oahu;
- (2) Request improved traffic signal support on the Waianae Coast; and
- (3) Urge various entities to work together to immediately open the section of the Waianae Coast Emergency Access Road System extending from Paakea Road out to Lualualei Naval Road for public use on a permanent basis.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that gridlock traffic is a serious problem for Leeward motorists. Maipalaoa Bridge was last reconstructed in 1970, is severely compromised due to deterioration, and is currently under reconstruction. The Waianae Coast Emergency Access Road System is currently a closed emergency roadway that could significantly improve traffic congestion were it to be opened on a more permanent basis. Furthermore, Honolulu's Joint Traffic Management Center can manage traffic flow conditions if all of

Waianae's vital traffic signals are connected. The purpose of this measure is to ameliorate Leeward gridlocks through a combination of various changes including the expediting of the Maipalaoa Bridge reconstruction, opening of the Waianae Coast Emergency Access Road System, and streamlining of Waianae's traffic signal system.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 121 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 3773 Transportation on S.C.R. No. 142

The purpose and intent of this measure is to urge the Department of Transportation to establish a safe routes to school advisory group to develop a comprehensive statewide safe routes to school strategic plan.

Your Committee received testimony in support of this measure from the Department of Education, Aloha Care, Ulupono Initiative, Hawai'i Public Health Institute, American Heart Association, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that transforming Hawaii's surface transportation systems and infrastructure to enable students to safely and comfortably walk and bike to school is critical to public health and safety. However, due to decades of motor vehicle centered planning and development, there are formidable barriers to safe commuting that result in significant danger to students and others. Because every child deserves to be able to walk, roll, bike, or bus to school in a safe way, this resolution urges the Department of Transportation to develop a comprehensive statewide safe routes to school strategic plan.

Your Committee has amended this measure by:

- (1) Replacing the physical activity and nutrition coordinator and the school wellness coordinator in the advisory group with a Director of Health designee having expertise on state physical activity strategies and a Director of Health designee having expertise on state school health strategies;
- (2) Adding one member of the Senate and one member of the House of Representatives to the advisory group;
- (3) Clarifying that the advisory group may elect its own chair;
- (4) Clarifying that the advisory group has the ability to invite other members;
- (5) Adding a representatives from Aloha Care as a member of the advisory group;
- (6) Replacing the Department of Transportation with the Governor of Hawaii as the entity requested to establish the Safe Routes to School Advisory Group;
- (7) Replacing the Safe Routes to School Coordinator with the Chairperson as the entity who shall invite other representatives to be members;
- (8) Clarifying that the Senate and House of Representatives members are to be from the respective standing committees with jurisdiction over transportation;
- (9) Amending its title accordingly; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 142, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 142, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 3774 Transportation on S.R. No. 126

The purpose and intent of this measure is to urge the Department of Transportation to establish a safe routes to school advisory group to develop a comprehensive statewide safe routes to school strategic plan.

Your Committee received testimony in support of this measure from AlohaCare, Hawai'i Public Health institute, and two individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that transforming Hawaii's surface transportation systems and infrastructure to enable students to safely and comfortably walk and bike to school is critical to public health and safety. However, due to decades of motor vehicle centered planning and development, there are formidable barriers to safe commuting that result in significant danger to students and others. Because every child deserves to be able to walk, roll, bike, or bus to school in a safe way, this resolution urges the Department of Transportation to develop a comprehensive statewide safe routes to school strategic plan.

Your Committee has amended this measure by:

- (1) Replacing the physical activity and nutrition coordinator and the school wellness coordinator in the advisory group with a Director of Health designee having expertise on state physical activity strategies and a Director of Health designee having expertise on state school health strategies;

- (2) Adding one member of the Senate and one member of the House of Representatives to the advisory group;
- (3) Clarifying that the advisory group may elect its own chair;
- (4) Clarifying that the advisory group has the ability to invite other members;
- (5) Adding a representatives from Aloha Care as a member of the advisory group;
- (6) Replacing the Department of Transportation with the Governor of Hawaii as the entity requested to establish the Safe Routes to School Advisory Group;
- (7) Replacing the Safe Routes to School Coordinator with the Chairperson as the entity who shall invite other representatives to be members;
- (8) Clarifying that the Senate and House of Representatives members are to be from the respective standing committees with jurisdiction over transportation;
- (9) Amending its title accordingly; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 126, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 126, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 3775 Transportation on S.C.R. No. 143

The purpose and intent of this measure is to request the Department of Transportation to name the Mokulele bike path after former State Representative Joseph "Joey" W. Bertram III in recognition and celebration of his life and role in the development of the Maui Veterans Highway Bike Route.

Your Committee received testimony in support of this measure from the Kihei Community Association and two individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that Joseph "Joey" W. Bertram III was a dedicated public servant, having served as a member of the State House of Representatives. He was a strong advocate for greenways, open spaces, bikeways, and improved public transportation while also supporting the rights of workers. Two of Bertram's most significant achievements were the Maui Veterans Highway Bike Route and the Kihei Greenway Bike Path which is currently in design for its phase three of construction from Waipuilani Road to Kaonoulu Street. To honor his commitment and dedication, this resolution requests to name the Mokulele Bike Path after Joseph "Joey" W. Bertram III.

Your Committee notes that questions were raised regarding the meaning behind the current name of the Mokulele Bike Path and your Committee hopes to receive information that addresses this concern as this measure moves forward.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 143 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 3776 Transportation on S.R. No. 127

The purpose and intent of this measure is to request the Department of Transportation to name the Mokulele bike path after former State Representative Joseph "Joey" W. Bertram III in recognition and celebration of his life and role in the development of the Maui Veterans Highway Bike Route.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that Joseph "Joey" W. Bertram III was a dedicated public servant, having served as a member of the State House of Representatives. He was a strong advocate for greenways, open spaces, bikeways, and improved public transportation while also supporting the rights of workers. Two of Bertram's most significant achievements were the Maui Veterans Highway Bike Route and the Kihei Greenway Bike Path which is currently in design for its phase three of construction from Waipuilani Road to Kaonoulu Street. To honor his commitment and dedication, this resolution requests to name the Mokulele Bike Path after Joseph "Joey" W. Bertram III.

Your Committee notes that questions were raised regarding the meaning behind the current name of the Mokulele Bike Path and your Committee hopes to receive information that addresses this concern as this measure moves forward.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 127 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 3777 Ways and Means on S.C.R. No. 13

The purpose and intent of this measure is to request that the Legislative Reference Bureau conduct a study, and submit a report to the Legislature, on the feasibility of the State establishing a universal no-cost pre-kindergarten program.

Your Committee received written comments in support of this measure from the Executive Office on Early Learning.

Your Committee received written comments on this measure from the Early Learning Board, Legislative Reference Bureau, and Early Childhood Action Strategy.

Your Committee finds that a statewide, universal, no-cost pre-kindergarten program may help to ensure that each child in the State receives equal and equitable access to early learning education. However, your Committee believes that it is appropriate to study the feasibility of establishing a statewide, universal, no-cost pre-kindergarten program before implementation of such a program.

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

Signed by the Chair on behalf of the Committee.

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

SCRep. 3778 Ways and Means on S.R. No. 7

The purpose and intent of this measure is to request that the Legislative Reference Bureau conduct a study, and submit a report to the Legislature, on the feasibility of the State establishing a universal no-cost pre-kindergarten program.

Your Committee received written comments on this measure from the Executive Office on Early Learning and Early Childhood Action Strategy.

Your Committee finds that a statewide, universal, no-cost pre-kindergarten program may help to ensure that each child in the State receives equal and equitable access to early learning education. However, your Committee believes that it is appropriate to study the feasibility of establishing a statewide, universal, no-cost pre-kindergarten program before implementation of such a program.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 7 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3779 Ways and Means on S.C.R. No. 62

The purpose and intent of this measure is to provide for the assessment of the social and financial effects of the mandatory health insurance coverage for sexual and reproductive health care services proposed by House Bill No. 249, Regular Session of 2021.

More specifically, this measure requests that the Auditor:

- (1) Conduct a social and financial assessment of House Bill No. 249, Regular Session of 2021;
- (2) Determine whether the proposed mandated benefits provided for in House Bill No. 249, Regular Session of 2021, exceed the essential health benefits under the federal Affordable Care Act;
- (3) Research whether mandating the full range of reproductive health services at no cost-share violates section 1303 of the federal Affordable Care Act; and
- (4) Submit a report to the Legislature.

Your Committee received written comments in support of this measure from Planned Parenthood Alliance Advocates.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Office of the Auditor.

Your Committee notes that pursuant to section 23-51, Hawaii Revised Statutes, before certain legislative measures mandating health insurance coverage may be considered, a Concurrent Resolution shall be adopted requesting the Auditor to conduct a report assessing the social and financial effects of the proposed mandated coverage. Accordingly, your Committee finds that this measure will ensure compliance with this statutory requirement.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 62, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3780 Ways and Means on S.C.R. No. 64

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement to Napili Bay and Beach Foundation, Inc., for a portion of certain state submerged lands and a portion of beach access stairs constructed on these lands.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and Napili Bay and Beach Foundation, Inc.

Your Committee notes that pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources is required to receive prior approval of the Governor and prior authorization of the Legislature by concurrent resolution before leasing certain state submerged lands and lands beneath tidal waters. Accordingly, your Committee finds that this measure will ensure that the Board of Land and Natural Resources' issuance of a term, non-exclusive easement to Napili Bay and Beach Foundation, Inc., for a portion of certain state submerged lands complies with this statutory requirement.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 64, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3781 Ways and Means on S.C.R. No. 88

The purpose and intent of this measure is to reduce crime in Waianae.

More specifically, this measure urges the Honolulu Police Department to:

- (1) Allocate additional resources to increase police presence on the Waianae Coast on the island of Oahu; and
- (2) Create a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee received written comments in support of this measure from the State of Hawaii Organization of Police Officers and three individuals.

Your Committee finds that concern regarding recent increases in the frequency and severity of criminal activity in the Waianae area has prompted local residents and business owners to call for a greater police presence in the area. Your Committee believes that increasing the visible presence of uniformed police officers in the Waianae area would improve public safety by deterring criminal activity, expediting police response, and providing more immediate assistance to crime victims.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 88, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3782 Ways and Means on S.R. No. 78

The purpose and intent of this measure is to reduce crime in Waianae.

More specifically, this measure urges the Honolulu Police Department to:

- (1) Allocate additional resources to increase police presence on the Waianae Coast on the island of Oahu; and
- (2) Create a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee received written comments in support of this measure from three individuals.

Your Committee finds that concern regarding recent increases in the frequency and severity of criminal activity in the Waianae area has prompted local residents and business owners to call for a greater police presence in the area. Your Committee believes that increasing the visible presence of uniformed police officers in the Waianae area would improve public safety by deterring criminal activity, expediting police response, and providing more immediate assistance to crime victims.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 78, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3783 Ways and Means on S.C.R. No. 222

The purpose and intent of this measure is to request the Department of Public Safety, Office of Youth Services, and Department of Budget and Finance to convene a task force to recommend how to create an efficient funding mechanism for the Office of Youth Services.

Your Committee received written comments in support of this measure from the Office of Youth Services and Stonewall Caucus of the Democratic Party of Hawaii.

Your Committee received written comments on this measure from the Department of Public Safety and Opportunity Youth Action Hui.

Your Committee finds that the Office of Youth Services seeks to engage in economic enterprise selling high-quality, local, and sustainable goods. Your Committee believes that the expertise of the Department of Public Safety and the Department of Budget and Finance will assist the Office of Youth Services in further developing their economic enterprise plans to provide youth with practical experience and job skills, and to create an efficient funding mechanism that will provide a long-term cost savings to the State.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 222 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3784 Ways and Means on S.R. No. 215

The purpose and intent of this measure is to request that the Office of Youth Services, Department of Public Safety, and Department of Budget and Finance convene a task force to recommend methods for creating an efficient funding mechanism for the Office of Youth Services to generate income to support the Office's vocational programs.

Your Committee received written comments on this measure from Opportunity Youth Action Hui.

Your Committee finds that the Office of Youth Services seeks to engage in economic enterprise selling high-quality, local, and sustainable goods. Your Committee believes that the expertise of the Department of Public Safety and the Department of Budget and Finance will assist the Office of Youth Services in further developing their economic enterprise plans to provide youth with practical experience and job skills, and to create an efficient funding mechanism that will provide a long-term cost savings to the State.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 215 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3785 (Joint) Transportation and Judiciary on S.C.R. No. 109

The purpose and intent of this measure is to request the establishment of a task force to explore the feasibility of restoring or changing historical placenames on streets.

Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that many locations in America are named after racist and negative figures from American history. In the continental United States, many cities, municipalities, and states have changed the names of streets that were named after these racist historical figures. In Hawaii, some streets are named after those who overthrew the monarchy and suppressed the use of the Hawaiian language and culture. Furthermore, some Hawaiian street names were changed to replace their original Hawaiian language names with more generic language. Therefore, the purpose of this measure is to request the formation of a task force to examine the feasibility of appropriately renaming streets.

As affirmed by the records of votes of the members of your Committees on Transportation and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 109 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Inouye).
Judiciary: Ayes, 5. Noes, none. Excused, 2 (Gabbard, Kim).

SCRep. 3786 (Joint) Transportation and Judiciary on S.R. No. 96

The purpose and intent of this measure is to request the establishment of a task force to explore the feasibility of restoring or changing historical placenames on streets.

Your Committees did not receive any testimony on this measure.

Your Committees find that many locations in America are named after racist and negative figures from American history. In the continental United States, many cities, municipalities, and states have changed the names of streets that were named after these racist historical figures. In Hawaii, some streets are named after those who overthrew the monarchy and suppressed the use of the Hawaiian language and culture. Furthermore, some Hawaiian street names were changed to replace their original Hawaiian language names with more generic language. Therefore, the purpose of this measure is to request the formation of a task force to examine the feasibility of appropriately renaming streets.

As affirmed by the records of votes of the members of your Committees on Transportation and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 96 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Inouye).
Judiciary: Ayes, 5. Noes, none. Excused, 2 (Gabbard, Kim).

SCRep. 3787 Agriculture and Environment on S.C.R. No. 106

The purpose and intent of this measure is to request the Governor to optimize the use of federal funds for climate resilience and equity and to convene a task force to coordinate the use of federal funds.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i, Sierra Club of Hawai'i, U.S. Green Building Council, and one individual.

Your Committee finds that climate change has already increased the frequency and intensity of extreme weather events that pose a significant threat to Hawaii and its residents. Without public action, the damage and costs of climate change will continue to grow. However, the State can mitigate the adverse effects of climate change by enhancing its climate resiliency. By optimizing the use of federal funds for climate resilience and equity, the State can preempt many of the negative outcomes that will result from climate change. This measure requests the Governor to optimize the use of federal funds for climate resilience and equity and to convene a task force to coordinate the use of federal funds.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 106 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3788 Agriculture and Environment on S.R. No. 93

The purpose and intent of this measure is to request the Governor to optimize the use of federal funds for climate resilience and equity and to convene a task force to coordinate the use of federal funds.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i, Sierra Club of Hawai'i, and U.S. Green Building Council. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that climate change has already increased the frequency and intensity of extreme weather events that pose a significant threat to Hawaii and its residents. Without public action, the damage and costs of climate change will continue to grow. However, the State can mitigate the adverse effects of climate change by enhancing its climate resiliency. By optimizing the use of federal funds for climate resilience and equity, the State can preempt many of the negative outcomes that will result from climate change. This measure requests the Governor to optimize the use of federal funds for climate resilience and equity and to convene a task force to coordinate the use of federal funds.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 93 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3789 (Joint) Agriculture and Environment and Transportation on S.C.R. No. 146

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on green transportation and public infrastructure.

Your Committees received testimony in support of this measure from the Department of Transportation, Trees for Honolulu's Future, and one individual. Your Committees received comments on this measure from the Legislative Reference Bureau.

Your Committees find that taxpayers repeatedly identify transportation infrastructure as one of the most significant and deserving recipients of state funds. Given the increasing threats from climate change, it is essential that future infrastructure development incorporates sustainable design concepts. Sustainable design concepts have numerous benefits, including decreased urban temperatures, reduced carbon emissions, improved air quality, and greater water replenishment. To ensure effective and efficient implementation of sustainable design concepts in the State, it is crucial to obtain information on the implementation of sustainable design concepts in other United States and international jurisdictions. This measure requests the Legislative Reference Bureau to conduct a study on green transportation and public infrastructure to promote effective and efficient implementation of sustainable design concepts in Hawaii.

Your Committees have amended this measure by:

- (1) Replacing the Legislative Reference Bureau with a task force to be convened by the Director of Transportation to study green transportation and public infrastructure; and
- (2) Amending its title accordingly.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 146, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 146, S.D. 1.

Signed by the Chairs on behalf of the Committees.
Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Transportation: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3790 (Joint) Agriculture and Environment and Transportation on S.R. No. 130

The purpose and intent of this measure is to request the Legislative Reference Bureau to conduct a study on green transportation and public infrastructure.

Your Committees received testimony in support of this measure from Trees for Honolulu's Future. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that taxpayers repeatedly identify transportation infrastructure as one of the most significant and deserving recipients of state funds. Given the increasing threats from climate change, it is essential that future infrastructure development incorporates sustainable design concepts. Sustainable design concepts have numerous benefits, including decreased urban temperatures, reduced carbon emissions, improved air quality, and greater water replenishment. To ensure effective and efficient implementation of sustainable design concepts in the State, it is crucial to obtain information on the implementation of sustainable design concepts in other United States and international jurisdictions. This measure requests the Legislative Reference Bureau to conduct a study on green transportation and public infrastructure to promote effective and efficient implementation of sustainable design concepts in Hawaii.

Your Committees have amended this measure by:

- (1) Replacing the Legislative Reference Bureau with a task force to be convened by the Director of Transportation to study green transportation and public infrastructure; and
- (2) Amending its title accordingly.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Transportation that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 130, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 130, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Transportation: Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3791 (Joint) Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 90

The purpose and intent of this measure is to urge Marine Corps Base Hawaii to upgrade the capacity of its sewage treatment plant and redundancy of the components to ensure that final effluent quality is in compliance with state permitting requirements.

Your Committees received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition and one individual.

Your Committees find that Marine Corps Base Hawaii discharges two million gallons of treated wastewater into Kailua Bay each day. To protect the water quality in Kailua Bay and the health of swimmers, paddlers, divers, and surfers, Marine Corps Base Hawaii must comply with final effluent bacteria limitations set forth by the Department of Health through the issuance of a National Pollutant Discharge Eliminations System permit. This measure urges Marine Corps Base Hawaii to upgrade the capacity and redundancy of its sewage treatment plant to ensure that final effluent quality is in compliance with state permitting requirements.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 90 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Acasio).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3792 (Joint) Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 80

The purpose and intent of this measure is to urge Marine Corps Base Hawaii to upgrade the capacity of its sewage treatment plant and redundancy of the components to ensure that final effluent quality is in compliance with state permitting requirements.

Your Committees received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition and one individual.

Your Committees find that Marine Corps Base Hawaii discharges two million gallons of treated wastewater into Kailua Bay each day. To protect the water quality in Kailua Bay and the health of swimmers, paddlers, divers, and surfers, Marine Corps Base Hawaii must comply with final effluent bacteria limitations set forth by the Department of Health through the issuance of a National Pollutant Discharge Eliminations System permit. This measure urges Marine Corps Base Hawaii to upgrade the capacity and redundancy of its sewage treatment plant to ensure that final effluent quality is in compliance with state permitting requirements.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 80 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Acasio).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3793 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.C.R. No. 140

The purpose and intent of this measure is to urge the State Sustainability Coordinator to work with the State and county film offices to develop protocols to ensure that film and television productions in Hawaii utilize sustainable practices.

Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Pride At Work - Hawai'i; SAG-AFTRA Hawaii Local; IATSE Local 665; Hawai'i Nurses' Association - OPEIU Local 50; Hawaii State AFL-CIO; and eight individuals. Your Committees received comments on this measure from the Honolulu Film Office.

Your Committees find that television and film production programs are among Hawaii's most important industries. However, television and film productions that do not emphasize sustainable practices contribute negatively to the environment. A growing number of advocates in the global entertainment industry recognize the need for more sustainable practices and have called for a reduction and eventual ban of single-use plastics, which are among the most significant causes of environmental damage from television and film productions. This measure urges the State Sustainability Coordinator to work with the State and county film offices to develop protocols to ensure that film and television productions in Hawaii utilize sustainable practices.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 140, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 140, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 3794 (Joint) Agriculture and Environment and Energy, Economic Development, and Tourism on S.R. No. 124

The purpose and intent of this measure is to urge the State Sustainability Coordinator to work with the State and county film offices to develop protocols to ensure that film and television productions in Hawaii utilize sustainable practices.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Hawaii State AFL-CIO; and one individual. Your Committee received comments on this measure from Honolulu Film Office.

Your Committees find that television and film production programs are among Hawaii's most important industries. However, television and film productions that do not emphasize sustainable practices contribute negatively to the environment. A growing number of advocates in the global entertainment industry recognize the need for more sustainable practices and have called for a reduction and eventual ban of single-use plastics, which are among the most significant causes of environmental damage from television and film productions. This measure urges the State Sustainability Coordinator to work with the State and county film offices to develop protocols to ensure that film and television productions in Hawaii utilize sustainable practices.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Energy, Economic Development, and Tourism that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 124, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 124, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 5. Noes, none. Excused, none.

Energy, Economic Development, and Tourism: Ayes, 4. Noes, none. Excused, 1 (Riviere).

SCRep. 3795 (Joint) Agriculture and Environment and Judiciary on S.C.R. No. 244

The purpose and intent of this measure is to engage, endorse, accept, and adopt the Aarhus Convention to achieve the goals of the United Nations' Paris Agreement, 2030 Agenda for Sustainable Development, and Universal Declaration of Human Rights.

Your Committees received testimony in support of this measure from Americans for Democratic Action Hawai'i, Community And Relationship Exchange Services, and three individuals. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that Hawaii is a global leader in promoting human rights to create a culture of democracy, rule of law, and protection of the planet. Your Committees further find that democracy, rule of law, and protection of the planet are embodied in the Aarhus Convention, which promotes access to environmental information, public participation in decision making, and accountability. This measure engages, endorses, accepts, and adopts the Aarhus Convention to achieve the goals of the United Nations' Paris Agreement, 2030 Agenda for Sustainable Development, and Universal Declaration of Human Rights.

As affirmed by the records of votes of the members of your Committees on Agriculture and Environment and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 244 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Judiciary: Ayes, 4. Noes, none. Excused, 3 (Keohokalole, Kim, Fevella).

SCRep. 3796 Hawaiian Affairs on S.C.R. No. 121

The purpose and intent of this measure is to request that the counties and the State work with Huamakahikina and Kumu Hula to establish policies protecting hula.

Your Committee received testimony in support of this measure from Waimea Hawaiian Civic Club, Huamakahikina, and three individuals.

Your Committee finds that hula is a centuries-old dance form with a rich and important cultural and spiritual background. However, the increasing exposure of Hawaii in popular media among other factors has led to the misrepresentation and exploitation of hula, including spreading incorrect choreography, designs, and proper names. There is currently insufficient acknowledgment of Kumu Hula in the professional labor market and insufficient protection for hula intellectual property rights. Therefore, the purpose of this measure is to request that the counties and government of Hawaii work with Huamakahikina and Kumu Hula to establish new policies to protect hula and requisition increased resources, including public funding and facilities, to ensure the protection of hula to allow it to continue and flourish.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 121 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3797 Hawaiian Affairs on S.R. No. 108

The purpose and intent of this measure is to request that the counties and the State work with Huamakahikina and Kumu Hula to establish policies protecting hula.

Your Committee did not receive any testimony on this measure.

Your Committee finds that hula is a centuries-old dance form with a rich and important cultural and spiritual background. However, the increasing exposure of Hawaii in popular media among other factors has led to the misrepresentation and exploitation of hula, including spreading incorrect choreography, designs, and proper names. There is currently insufficient acknowledgment of Kumu Hula in the professional labor market and insufficient protection for hula intellectual property rights. Therefore, the purpose of this measure is to request that the counties and government of Hawaii work with Huamakahikina and Kumu Hula to establish new policies to protect hula and requisition increased resources, including public funding and facilities, to ensure the protection of hula to allow it to continue and flourish.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 108 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3798 Government Operations on S.C.R. No. 192

The purpose and intent of this measure is to request the Office of Information Practices to convene a working group to develop a consensus on language for a new exception to the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes (UIPA), for agency records that are deliberative and pre-decisional which reasonably balances the public's interest in disclosure against the potential harm to the agency's ability to fully consider and make sound and informed decisions.

Your Committee received testimony in support of this measure from the Office of Information Practices, Department of Transportation, Department of Hawaiian Home Lands, Department of Defense, University of Hawai'i System, Department of Commerce and Consumer Affairs, Department of Taxation, Common Cause Hawaii, and Society of Professional Journalists Hawaii Chapter. Your Committee received comments on this measure from the Department of Agriculture, The Civil Beat Law Center for the Public Interest, Grassroot Institute of Hawaii, and League of Women Voters of Hawaii.

Your Committee finds that in order to reach sound decisions on the various questions that come before them, agencies in some instances need their employees and officers to fully and frankly discuss proposed policies or tentative decisions at an internal level, outside the glare of publicity, and with the freedom to express views or editorial changes that may not be incorporated into the final decision. Your Committee recognizes that this pre-decisional shield must be tempered by transparency. Your Committee further finds that jurisdictions across the country utilize a wide spectrum of approaches to transparency for agency deliberations. Accordingly, this measure promotes sound and transparent decision-making by requesting the Office of Information Practices to convene a working group to build consensus language for a new UIPA exception for agency records that are deliberative and pre-decisional that reasonably balances the public's interest in disclosure against the potential harm to the agency's ability to fully consider and make sound and informed decisions.

Your Committee notes that the testimony of Common Cause Hawaii, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, and the Department of Transportation expressed willingness to participate in the working group. Your Committee therefore recommends the Office of Information Practices consider the inclusion of these groups in the working group.

Your Committee has amended this measure by:

- (1) Clarifying one of the working group's goals in response to concerns regarding the importance of the public's interest in transparency and disclosure;
- (2) Amending the title accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 192, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 192, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3799 Government Operations on S.R. No. 185

The purpose and intent of this measure is to request the Office of Information Practices to convene a working group to develop a consensus on language for a new exception to the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes (UIPA), for agency records that are deliberative and pre-decisional which reasonably balances the public's interest in disclosure against the potential harm to the agency's ability to fully consider and make sound and informed decisions.

Your Committee received testimony in support of this measure from the Office of Information Practices, Department of Transportation, Department of Hawaiian Home Lands, Department of Defense, University of Hawai'i System, Department of Commerce and Consumer Affairs, Department of Taxation, Common Cause Hawaii, and Society of Professional Journalists Hawaii Chapter. Your Committee received comments on this measure from the Department of Agriculture, The Civil Beat Law Center for the Public Interest, Grassroot Institute of Hawaii, and League of Women Voters of Hawaii.

Your Committee finds that in order to reach sound decisions on the various questions that come before them, agencies in some instances need their employees and officers to fully and frankly discuss proposed policies or tentative decisions at an internal level, outside the glare of publicity, and with the freedom to express views or editorial changes that may not be incorporated into the final decision. Your Committee recognizes that this pre-decisional shield must be tempered by transparency. Your Committee further finds that jurisdictions across the country utilize a wide spectrum of approaches to transparency for agency deliberations. Accordingly, this measure promotes sound and transparent decision-making by requesting the Office of Information Practices to convene a working group to build consensus language for a new UIPA exception for agency records that are deliberative and pre-decisional that reasonably

balances the public's interest in disclosure against the potential harm to the agency's ability to fully consider and make sound and informed decisions.

Your Committee notes that the testimony of Common Cause Hawaii, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, and the Department of Transportation expressed willingness to participate in the working group. Your Committee therefore recommends the Office of Information Practices consider the inclusion of these groups in the working group.

Your Committee has amended this measure by:

- (1) Clarifying one of the working group's goals in response to concerns regarding the importance of the public's interest in transparency and disclosure;
- (2) Amending the title accordingly; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 185, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 185, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Gabbard, Fevella).

SCRep. 3800 (Joint) Government Operations and Agriculture and Environment on S.C.R. No. 108

The purpose and intent of this measure is to:

- (1) Affirm the State's ongoing commitment to the goals of the Paris Climate Agreement, United Nations Sustainable Development Goals, and greenhouse gas emissions reduction targets as called for by the Intergovernmental Panel on Climate Change;
- (2) Pledge to meet the State's proportionate greenhouse gas reductions under the Paris Climate Agreement;
- (3) Request the State and each county to formally endorse the call for a Fossil Fuel Non-Proliferation Treaty; and
- (4) Urge the U.S. government to support the initiative for a Fossil Fuel Non-Proliferation Treaty.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, Hawai'i Institute for Human Rights, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Forest Industry Association, and three individuals.

Your Committees recognize the scientific consensus that human activities are primarily responsible for accelerating global climate change, and that the climate crisis represents one of the preeminent threats to global civilization. Changes in the State's climate are already being felt, as evidenced by rising sea levels, coastal inundation, ocean warming as well as coral bleaching, heightened risk of wild fires, and increasing severe storms.

Your Committees further find that the Paris Climate Agreement and Glasgow Climate Pact made important progress in the fight against climate change. But more is needed. Your Committees note that a new global initiative is underway calling for a Fossil Fuel Non-Proliferation Treaty, which would end new fossil fuel exploration and expansion, phase-out existing production in line with the global commitment to limit warming to 1.5 degrees Celsius, and accelerate equitable transition plans.

Accordingly, this measure encourages rapid and equitable action to combat the climate crisis by urging the nation, State, and counties of Hawaii to endorse the Fossil Fuel Non-Proliferation Treaty and continue efforts to accelerate the transition to clean energy.

Your Committees have amended this measure by 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 Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 108, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 108, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3801 (Joint) Government Operations and Agriculture and Environment on S.R. No. 95

The purpose and intent of this measure is to:

- (1) Affirm the State's ongoing commitment to the goals of the Paris Climate Agreement, United Nations Sustainable Development Goals, and greenhouse gas emissions reduction targets as called for by the Intergovernmental Panel on Climate Change;
- (2) Pledge to meet the State's proportionate greenhouse gas reductions under the Paris Climate Agreement;
- (3) Request the State and each county to formally endorse the call for a Fossil Fuel Non-Proliferation Treaty; and
- (4) Urge the U.S. government to support the initiative for a Fossil Fuel Non-Proliferation Treaty.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office, 350Hawaii.org, and three individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees recognize the scientific consensus that human activities are primarily responsible for accelerating global climate change, and that the climate crisis represents one of the preeminent threats to global civilization. Changes in the State's climate are

already being felt, as evidenced by rising sea levels, coastal inundation, ocean warming as well as coral bleaching, heightened risk of wild fires, and increasing severe storms.

Your Committees further find that the Paris Climate Agreement and Glasgow Climate Pact made important progress in the fight against climate change. But more is needed. Your Committees note that a new global initiative is underway calling for a Fossil Fuel Non-Proliferation Treaty, which would end new fossil fuel exploration and expansion, phase-out existing production in line with the global commitment to limit warming to 1.5 degrees Celsius, and accelerate equitable transition plans.

Accordingly, this measure encourages rapid and equitable action to combat the climate crisis by urging the nation, State, and counties of Hawaii to endorse the Fossil Fuel Non-Proliferation Treaty and continue efforts to accelerate the transition to clean energy.

Your Committees have amended this measure by 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 Government Operations and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 95, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 95, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3802 (Joint) Government Operations and Public Safety, Intergovernmental, and Military Affairs on S.C.R. No. 79

The purpose and intent of this measure is to urge all the counties to recognize emergency services dispatchers as first responders.

Your Committees received testimony in support of this measure from the Hawaii Department of Defense; Honolulu Police Department; State of Hawaii Organization of Police Officers; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and thirty-nine individuals.

Your Committees recognize that there is simply no rational basis to not classify 911 emergency services dispatchers as first responders. Your Committees find that 911 emergency services dispatchers are a critical part of the public safety system and play a critical role in emergency response. Your Committees further find that these dispatchers deal with immensely stressful, dynamic, and life-and-death situations on a daily basis. Their duties involve rapid information-gathering and split-second decision-making that affect the safety and well-being of the public, as well as field responders. Accordingly, this measure acknowledges the monumental and integral public safety role served by 911 emergency services dispatchers by urging all the counties to recognize emergency services dispatchers, who receive, dispatch, and respond to 911 calls, texts, and other requests, as first responders in their respective jurisdictions.

As affirmed by the records of votes of the members of your Committees on Government Operations and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 79 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3803 (Joint) Government Operations and Public Safety, Intergovernmental, and Military Affairs on S.R. No. 72

The purpose and intent of this measure is to urge all the counties to recognize emergency services dispatchers as first responders.

Your Committees received testimony in support of this measure from the Honolulu Police Department; State of Hawaii Organization of Police Officer;, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and thirty-six individuals.

Your Committees recognize that there is simply no rational basis to not classify 911 emergency services dispatchers as first responders. Your Committees find that 911 emergency services dispatchers are a critical part of the public safety system and play a critical role in emergency response. Your Committees further find that these dispatchers deal with immensely stressful, dynamic, and life-and-death situations on a daily basis. Their duties involve rapid information-gathering and split-second decision-making that affect the safety and well-being of the public, as well as field responders. Accordingly, this measure acknowledges the monumental and integral public safety role served by 911 emergency services dispatchers by urging all the counties to recognize emergency services dispatchers, who receive, dispatch, and respond to 911 calls, texts, and other requests, as first responders in their respective jurisdictions.

As affirmed by the records of votes of the members of your Committees on Government Operations and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 72 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Gabbard).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

SCRep. 3804 Ways and Means on S.C.R. No. 213

The purpose and intent of this measure is to request the Department of Health to restore funding to certain substance use disorder treatment organizations that provide services for residential, outpatient, and adult and adolescent school-based programs in fiscal years 2022-2023 and 2023-2024.

More specifically, this measure requests that funding be restored for:

- (1) Adult and adolescent school-based treatment services offered by Hina Mauka (The Alcoholic Rehabilitation Services of Hawaii);
- (2) Adult services offered by The Salvation Army Addiction Treatment Services;
- (3) Adult and children services provided by The Salvation Army Family Treatment Services;
- (4) Subsidization of reduced rates for services provided by Poailani, Inc., and the above-mentioned agencies; and
- (5) School-based services provided by Aloha House, Malama Family Recovery Center, and Maui Youth and Family Services.

Your Committee received written comments in support of this measure from Hina Mauka; Poailani, Inc.; The Salvation Army, Hawaiian and Pacific Islands Division; and one individual.

Your Committee finds that studies indicate that residential treatment programs are most effective for patients suffering from chronic and severe substance use disorders and that there are rare alternative interventions that could meet this special population's needs. Your Committee also finds that substance abuse treatment programs in schools can offer the expertise for providing special interventions for youths, strengthening families, and empowering communities. Your Committee further finds that, due to a loss of funding, many successful treatment programs have had to limit access to their needed services.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 213, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3805 Ways and Means on S.R. No. 206

The purpose and intent of this measure is to request the Department of Health to restore funding to certain substance use disorder treatment organizations that provide services for residential, outpatient, and adult and adolescent school-based programs in fiscal years 2022-2023 and 2023-2024.

More specifically, this measure requests that funding be restored for:

- (1) Adult and adolescent school-based treatment services offered by Hina Mauka (The Alcoholic Rehabilitation Services of Hawaii);
- (2) Adult services offered by The Salvation Army Addiction Treatment Services;
- (3) Adult and children services provided by The Salvation Army Family Treatment Services;
- (4) Subsidization of reduced rates for services provided by Poailani, Inc., and the above-mentioned agencies; and
- (5) School-based services provided by Aloha House, Malama Family Recovery Center, and Maui Youth and Family Services.

Your Committee received written comments in support of this measure from Poailani, Inc.

Your Committee finds that studies indicate that residential treatment programs are most effective for patients suffering from chronic and severe substance use disorders and that there are rare alternative interventions that could meet this special population's needs. Your Committee also finds that substance abuse treatment programs in schools can offer the expertise for providing special interventions for youths, strengthening families, and empowering communities. Your Committee further finds that, due to a loss of funding, many successful treatment programs have had to limit access to their needed services.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 206, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3806 (Joint) Public Safety, Intergovernmental, and Military Affairs and Water and Land on S.C.R. No. 19

The purpose and intent of this measure is to request that the joint base Pearl Harbor-Hickam and the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources collaborate to establish a recreational area in the east loch of Pearl Harbor.

Your Committees received testimony in support of this measure from one member of the Pearl City Neighborhood Board and one individual. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that Pearl Harbor's east loch is a major visual feature and potential recreational asset for the Aiea-Pearl City region. Your Committees believe that having a recreational area at Pearl Harbor's east loch for the public to enjoy boating and other watercraft activities will benefit the well-being of Hawaii residents. This measure will support the Aiea-Pearl City region and the general public by requesting that the joint base Pearl Harbor-Hickam and the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources collaborate to establish a recreational area in the east loch of Pearl Harbor.

Your Committees have amended this measure by 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, Intergovernmental, and Military Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 19, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 19, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 3807 (Joint) Public Safety, Intergovernmental, and Military Affairs and Water and Land on S.R. No. 13

The purpose and intent of this measure is to request that the joint base Pearl Harbor-Hickam and the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources collaborate to establish a recreational area in the east loch of Pearl Harbor.

Your Committees received testimony in support of this measure from two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that Pearl Harbor's east loch is a major visual feature and potential recreational asset for the Aiea-Pearl City region. Your Committees believe that having a recreational area at Pearl Harbor's east loch for the public to enjoy boating and other watercraft activities will benefit the well-being of Hawaii residents. This measure will support the Aiea-Pearl City region and the general public by requesting that the joint base Pearl Harbor-Hickam and the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources collaborate to establish a recreational area in the east loch of Pearl Harbor.

Your Committees have amended this measure by 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, Intergovernmental, and Military Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 13, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 13, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

SCRep. 3808 (Joint) Public Safety, Intergovernmental, and Military Affairs and Water and Land and Agriculture and Environment on S.C.R. No. 201

The purpose and intent of this measure is to urge the United States Army Corps of Engineers to work with the Department of Land and Natural Resources to mitigate negative impacts to corals and other important coral reef resources while dredging in state waters.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition and two individuals. Your Committees received testimony in opposition to this measure from American Marine Corporation.

Your Committees find that coral reefs are vital to the health of the fragile coastal ecosystem that has sustained the people of Hawaii from time immemorial. In order to ensure that important coastal resources such as coral reefs can continue to support the people of Hawaii, the Department of Land and Natural Resources has set up extensive preventative and mitigating measures in the form of administrative, criminal, and civil penalties for the destruction of corals and live rock. This measure will recognize the importance the State of Hawaii has placed on its coastal resources, especially its coral reefs, by urging the United States Army Corps of Engineers to work with the Department of Land and Natural Resources to mitigate negative impacts to corals and other important coral reef resources while dredging in state waters.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs, Water and Land, and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 201 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3809 (Joint) Public Safety, Intergovernmental, and Military Affairs and Water and Land and Agriculture and Environment on S.R. No. 194

The purpose and intent of this measure is to urge the United States Army Corps of Engineers to work with the Department of Land and Natural Resources to mitigate negative impacts to corals and other important coral reef resources while dredging in state waters.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Reef and Ocean Coalition, and For the Fishes. Your Committees received testimony in opposition to this measure from American Marine Corporation.

Your Committees find that coral reefs are vital to the health of the fragile coastal ecosystem that has sustained the people of Hawaii from time immemorial. In order to ensure that important coastal resources such as coral reefs can continue to support the people of Hawaii, the Department of Land and Natural Resources has set up extensive preventative and mitigating measures in the form of administrative, criminal, and civil penalties for the destruction of corals and live rock. This measure will recognize the importance the State of Hawaii has placed on its coastal resources, especially its coral reefs, by urging the United States Army Corps of Engineers to

work with the Department of Land and Natural Resources to mitigate negative impacts to corals and other important coral reef resources while dredging in state waters.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs, Water and Land, and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 194 and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 5. Noes, none. Excused, none.

Water and Land: Ayes, 5. Noes, none. Excused, none.

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3810 Labor, Culture and the Arts on S.C.R. No. 24

The purpose and intent of this measure is to recognize April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii.

Your Committee received testimony in support of this measure from Kanu Hawaii and one individual.

Your Committee finds that many public agencies and private organizations in small towns, rural counties, and even the largest cities, would not be able to function without the services provided by volunteers. Volunteers not only provide valuable support to communities in times of need, but also strengthen the foundation of neighborhoods and communities, as volunteerism magnifies one's ability to contribute to the greater good and creates social momentum that increases their desire to engage fully with the community. Your Committee also acknowledges that the selfless dedication of services by volunteers in the country has been essential, especially while the nation confronted and continues to recover from the disturbances caused by the coronavirus disease 2019 pandemic.

Your Committee further finds that in 1974, the United States, through presidential proclamation, designated the third week of April as National Volunteer Week to support, extend, and enhance the vital and valuable services offered by volunteers, and that the State of Hawaii recognized and participated in National Volunteer Week in 2020 and 2021. This measure recognizes April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii, to honor volunteers in the community and encourage participation in service projects and community engagement throughout the week.

Your Committee has amended this measure by:

- (1) Amending its title to read "Recognizing April 17 through April 23, 2022, as Volunteer Week Hawaii throughout the State";
- (2) Including the mayors of the four counties of the State of Hawaii as additional recipients of its certified copies; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 24, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 24, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3811 Labor, Culture and the Arts on S.R. No. 18

The purpose and intent of this measure is to recognize April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii.

Your Committee received testimony in support of this measure from Kanu Hawaii and one individual.

Your Committee finds that many public agencies and private organizations in small towns, rural counties, and even the largest cities, would not be able to function without the services provided by volunteers. Volunteers not only provide valuable support to communities in times of need, but also strengthen the foundation of neighborhoods and communities, as volunteerism magnifies one's ability to contribute to the greater good and creates social momentum that increases their desire to engage fully with the community. Your Committee also acknowledges that the selfless dedication of services by volunteers in the country has been essential, especially while the nation confronted and continues to recover from the disturbances caused by the coronavirus disease 2019 pandemic.

Your Committee further finds that in 1974, the United States, through presidential proclamation, designated the third week of April as National Volunteer Week to support, extend, and enhance the vital and valuable services offered by volunteers, and that the State of Hawaii recognized and participated in National Volunteer Week in 2020 and 2021. This measure recognizes April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii, to honor volunteers in the community and encourage participation in service projects and community engagement throughout the week.

Your Committee has amended this measure by:

- (1) Amending its title to read "Recognizing April 17 through April 23, 2022, as Volunteer Week Hawaii throughout the State";
- (2) Including the mayors of the four counties of the State of Hawaii as additional recipients of its certified copies; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 18, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 18, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3812 Labor, Culture and the Arts on S.C.R. No. 25

The purpose and intent of this measure is to recognize October 3 through October 7, 2022, as Digital Inclusion Week in the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Broadband Hui.

Your Committee finds that the disruptions caused by the coronavirus disease 2019 pandemic shifted the means by which people perform work and receive education and essential services from in-person to online, thereby emphasizing the importance of having reliable, affordable internet connectivity. Your Committee further finds that many rural, agricultural, and lower-income communities in the State lack access to reliable and affordable broadband due to the lack of infrastructure; discrimination in investment in delivering technology and technology-related services to specific areas or populations; or barriers derived from socioeconomic status, education, literacy, language, or disabilities. This measure recognizes October 3 through October 7, 2022, as Digital Inclusion Week in the State to raise awareness of the need for digital equity and to promote digital inclusion.

Your Committee has amended this measure by:

- (1) Including the Strategic Broadband Coordinator of the Hawaii Broadband and Digital Equity Office as an additional recipient of its certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 25, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 25, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3813 Labor, Culture and the Arts on S.R. No. 19

The purpose and intent of this measure is to recognize October 3 through October 7, 2022, as Digital Inclusion Week in the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Broadband Hui.

Your Committee finds that the disruptions caused by the coronavirus disease 2019 pandemic shifted the means by which people perform work and receive education and essential services from in-person to online, thereby emphasizing the importance of having reliable, affordable internet connectivity. Your Committee further finds that many rural, agricultural, and lower-income communities in the State lack access to reliable and affordable broadband due to the lack of infrastructure; discrimination in investment in delivering technology and technology-related services to specific areas or populations; or barriers derived from socioeconomic status, education, literacy, language, or disabilities. This measure recognizes October 3 through October 7, 2022, as Digital Inclusion Week in the State to raise awareness of the need for digital equity and to promote digital inclusion.

Your Committee has amended this measure by:

- (1) Including the Strategic Broadband Coordinator of the Hawaii Broadband and Digital Equity Office as an additional recipient of its certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 19, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 19, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3814 Labor, Culture and the Arts on S.C.R. No. 53

The purpose and intent of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Rainbow Family 808, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, and three individuals.

Your Committee finds that early childhood is a critical development period for an individual, and therefore, it is critical that young children receive consistent care and nurturing from early childhood educators who are skilled, educated, competent, and appropriately compensated. Your Committee finds however, due to racist and sexist beliefs that child care services do not deserve appropriate compensation because the work is largely performed by women of color, the average wage of child care workers in Hawaii is currently less than \$30,000 a year. By designating the month of September 2022 as Child Care Provider Appreciation Month, this measure acknowledges the importance of child care, especially during early childhood, and the critical role child care providers play in the development of children in Hawaii, and encourages all policy makers, community organizations, and residents in Hawaii to do the same.

Your Committee has amended this measure by:

- (1) Including the Director of Health and Superintendent of Education as additional recipients of its certified copies; and

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

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 53, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 53, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3815 Labor, Culture and the Arts on S.R. No. 48

The purpose and intent of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, and two individuals.

Your Committee finds that early childhood is a critical development period for an individual, and therefore, it is critical that young children receive consistent care and nurturing from early childhood educators who are skilled, educated, competent, and appropriately compensated. Your Committee finds however, due to racist and sexist beliefs that child care services do not deserve appropriate compensation because the work is largely performed by women of color, the average wage of child care workers in Hawaii is currently less than \$30,000 a year. By designating the month of September 2022 as Child Care Provider Appreciation Month, this measure acknowledges the importance of child care, especially during early childhood, and the critical role child care providers play in the development of children in Hawaii, and encourages all policy makers, community organizations, and residents in Hawaii to do the same.

Your Committee has amended this measure by:

- (1) Including the Director of Health and Superintendent of Education as additional recipients of its certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 48, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 48, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3816 Labor, Culture and the Arts on S.C.R. No. 72

The purpose and intent of this measure is to establish a sister-state relationship between the State of Hawaii and the Autonomous Region of Madeira, Portugal.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Região Autónoma da Madeira, Governo Regional, Direção Regional das Comunidades e Cooperação Externa; Região Autónoma da Madeira, Governo Regional, Secretaria Regional de Turismo e Cultura; Honorary Consul of Portugal in Hawaii; The Municipal Assembly of Funchal; Luso-American Development Foundation; Funchal Commercial and Industrial Association – Madeira Chamber of Commerce and Industry; Engnho Novo da Madeira; Pukiki Bar; and eighty-eight individuals.

Your Committee finds that Hawaii has developed and maintained a rich heritage of international relations and cultural exchanges since the days of the Hawaiian monarchy in the nineteenth century. Hawaii has an abiding interest in developing goodwill, friendship, and economic relations between the people of Hawaii and the people of many nations and continues to actively seek opportunities to expand its international ties. Since establishing its first sister-state relationship in 1981, Hawaii has formed sister-state relationships with nineteen various states and provinces throughout the globe as a means of asserting and promoting the State's active participation in international matters. As of today, the State maintains sister-state relationships with nineteen states and provinces.

Your Committee recognizes that most successful sister-state relationships are established when there is commonality between Hawaii and the sister state, primarily from geographical, historical, cultural, or economic standpoints, and there is a clear, strong governmental interest in not only forming, but maintaining the relationship.

Your Committee finds that Hawaii and the Autonomous Region of Madeira share a long history and strong bond, beginning with the arrival of one hundred eighty Madeiran contract laborers in Honolulu Harbor on September 30, 1878, followed by approximately eight thousand Madeiran immigrants during the subsequent three decades. Madeira's culture, introduced to Hawaii by the Madeiran immigrants, became integral parts of the lives, tradition, and culture of the people in Hawaii, including braguinha, which became the 'ukulele; linguica, which became known as Portuguese sausage; and their skills as cattlemen, whose traditions shaped Hawaii's paniolo. In terms of geographic and economic standpoints, Hawaii and Madeira share the fact that they are both archipelagos of volcanic origin with tourism being one of their main economic drivers. Furthermore, according to Madeira's Regional Director of the Communities and External Cooperation, Madeira is at times called the "Atlantic Hawaii", due to its fabulous surf spots and big waves. Your Committee also notes multiple testimonies of government officials, private businesses, and individuals in Hawaii and Madeira, expressing excitement and strong support for the establishment and maintenance of this sister-state relationship.

Your Committee finds that the sister-state relationship proposed by this measure will be highly beneficial in expanding tourism, strengthening cultural bonds, and advancing common goals of international peace and fellowship. Your Committee further finds that the Hawaii Sister-State Committee met on November 16, 2021, and approved a formal recommendation that a sister-state relationship be established with the Autonomous Region of Madeira.

Your Committee notes that Hawaii currently has a sister-state relationship with the Autonomous Region of the Azores in Portugal that was established in 1982, which, according to the Department of Business, Economic Development, and Tourism, has not been

active in recent years. Your Committee hopes that the establishment of the Hawaii-Madeira sister-state relationship will reinvigorate Hawaii's relationship with the Azores, leading to a strengthened bond among all three states.

Your Committee has amended this measure by:

- (1) Inserting additional information pertaining to the Autonomous Region of Madeira; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 72, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 72, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3817 Labor, Culture and the Arts on S.C.R. No. 83

The purpose and intent of this measure is to request the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and the Hawaii State Public Library System to collaborate to establish a Hawaii State Poet Laureate Program.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Hawai'i Council for the Humanities, and eight individuals.

Your Committee finds that the State of Hawaii is committed to the preservation and advancement of culture, the arts, history, and the humanities, especially literature and music. Your Committee further finds that poetry and storytelling are rich cultural traditions built into the everyday lives of the people of Hawaii. Your Committee believes that poetry brings heart and soul to all sectors of society--it promotes the love of writing in children, brings peace and respite for the ill and wounded, can be used to commemorate and honor significant life events, and instills pride and connection to cultures and places. The power of poetry, through the blending of multicultural voices, languages, and traditions in a manner that encourages dialogue, pride, and understanding, also builds and strengthens connections within and among our diverse communities and with the world. The Hawaii State Poet Laureate Program that is requested to be established under this measure will encourage the people of Hawaii to further value, embrace, and promote its tradition of poetry and contribute to Hawaii's vibrant, multicultural creative community through the power of writing, reading, and spoken words.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 83 and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3818 Labor, Culture and the Arts on S.R. No. 75

The purpose and intent of this measure is to request the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and the Hawaii State Public Library System to collaborate to establish a Hawaii State Poet Laureate Program.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and one individual.

Your Committee finds that the State of Hawaii is committed to the preservation and advancement of culture, the arts, history, and the humanities, especially literature and music. Your Committee further finds that poetry and storytelling are rich cultural traditions built into the everyday lives of the people of Hawaii. Your Committee believes that poetry brings heart and soul to all sectors of society--it promotes the love of writing in children, brings peace and respite for the ill and wounded, can be used to commemorate and honor significant life events, and instills pride and connection to cultures and places. The power of poetry, through the blending of multicultural voices, languages, and traditions in a manner that encourages dialogue, pride, and understanding, also builds and strengthens connections within and among our diverse communities and with the world. The Hawaii State Poet Laureate Program that is requested to be established under this measure will encourage the people of Hawaii to further value, embrace, and promote its tradition of poetry and contribute to Hawaii's vibrant, multicultural creative community through the power of writing, reading, and spoken words.

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

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3819 Labor, Culture and the Arts on S.C.R. No. 118

The purpose and intent of this measure is to extend the requested dissolution date of the Creative Resurgence Task Force that was convened pursuant to Senate Concurrent Resolution No. 242, S.D. 1, H.D. 1, Regular Session of 2021, from June 30, 2022, to the date the task force submits its report to the Legislature or June 30, 2024, whichever occurs later.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and State Foundation on Culture and the Arts.

Your Committee finds that in response to the coronavirus disease 2019 (COVID-19) pandemic's disproportionately devastating impact on Hawaii's creative economy, the Legislature in 2021 adopted Senate Concurrent Resolution No. 242, S.D. 1, H.D. 1, Regular Session of 2021, which requested the convening of a Creative Resurgence Task Force to build and foster creativity and innovation through the arts, culture, and humanities in the State. Specifically, the task force was requested to:

- (1) Examine and determine measures that can be implemented to:
 - (A) Protect the tax-exempt status of creative and cultural nonprofit organizations;
 - (B) Support tax policies that increase charitable support for the creative sector;
 - (C) Repeal the monetary cap on charitable donation deductions from the state income tax;
 - (D) Increase the people's access to the arts, creative sector, and humanities through education, training, and workforce opportunities; and
 - (E) Advance and diversify the creative economy;
- (2) Identify policies that specifically support and enable the creative economy to thrive;
- (3) Establish policies and programs that can be implemented by the Department of Labor and Industrial Relations to assist qualified creative sector workers in obtaining employment opportunities, training, and unemployment insurance benefits;
- (4) Submit a report describing the progress made by the task force and its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022; and
- (5) Dissolve on June 30, 2022.

Your Committee further finds that due to unforeseen circumstances, the task force, although being able to convene and meet, has not been able to complete these requests. This measure will allow the task force to continue its work of examining and determining measures and establishing policies and programs to build and foster creativity and innovation through the arts, culture, and humanities in the State.

Your Committee has amended this measure by:

- (1) Changing the requested dissolution date of the Creative Resurgence Task Force to June 30, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 118, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 118, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3820 Labor, Culture and the Arts on S.R. No. 105

The purpose and intent of this measure is to extend the requested dissolution date of the Creative Resurgence Task Force that was convened pursuant to Senate Concurrent Resolution No. 242, S.D. 1, H.D. 1, Regular Session of 2021, from June 30, 2022, to the date the task force submits its report to the Legislature or June 30, 2024, whichever occurs later.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and State Foundation on Culture and the Arts.

Your Committee finds that in response to the coronavirus disease 2019 (COVID-19) pandemic's disproportionately devastating impact on Hawaii's creative economy, the Legislature in 2021 adopted Senate Concurrent Resolution No. 242, S.D. 1, H.D. 1, Regular Session of 2021, which requested the convening of a Creative Resurgence Task Force to build and foster creativity and innovation through the arts, culture, and humanities in the State. Specifically, the task force was requested to:

- (1) Examine and determine measures that can be implemented to:
 - (A) Protect the tax-exempt status of creative and cultural nonprofit organizations;
 - (B) Support tax policies that increase charitable support for the creative sector;
 - (C) Repeal the monetary cap on charitable donation deductions from the state income tax;
 - (D) Increase the people's access to the arts, creative sector, and humanities through education, training, and workforce opportunities; and
 - (E) Advance and diversify the creative economy;
- (2) Identify policies that specifically support and enable the creative economy to thrive;
- (3) Establish policies and programs that can be implemented by the Department of Labor and Industrial Relations to assist qualified creative sector workers in obtaining employment opportunities, training, and unemployment insurance benefits;
- (4) Submit a report describing the progress made by the task force and its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022; and
- (5) Dissolve on June 30, 2022.

Your Committee further finds that due to unforeseen circumstances, the task force, although being able to convene and meet, has not been able to complete these requests. This measure will allow the task force to continue its work of examining and determining measures and establishing policies and programs to build and foster creativity and innovation through the arts, culture, and humanities in the State.

Your Committee has amended this measure by:

- (1) Changing the requested dissolution date of the Creative Resurgence Task Force to June 30, 2023; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 105, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 105, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3821 Labor, Culture and the Arts on S.C.R. No. 179

The purpose and intent of this measure is to designate March 10 as Enewetak Atoll (Marshall Islands) Liberation Day.

Your Committee received testimony in support of this measure from the Mani im Ejmour Alliance.

Your Committee finds that Enewetak Atoll is a large coral atoll in the Marshall Islands, now known as the Republic of the Marshall Islands. Your Committee further finds that the people of the Marshall Islands, including Enewetak Atoll, experience numerous challenges today connected to the nuclear testing conducted by the United States government in and above the islands from 1946 to 1958, such as being displaced from their ancestral lands because of lingering contamination. Your Committee also finds that many displaced citizens of Enewetak Atoll moved to and settled in Hawaiian Ocean View Estates on the island of Hawaii.

Your Committee finds that the people of Enewetak Atoll, which had been mandated to the Empire of Japan by the League of Nations after World War I, celebrate March 10, 1944, as Liberation Day, commemorating the defeat of Japanese forces by the United States military during World War II, and that the festivities of Liberation Day have become one of the most important and enjoyable events on Enewetak Atoll. This measure designates March 10 as Enewetak Atoll (Marshall Islands) Liberation Day in honor and remembrance of the people of Enewetak Atoll and the community of their descendants in Hawaii.

Your Committee has amended this measure by:

- (1) Deleting detailed explanations of the nuclear testing performed by the United States government in the Marshall Islands;
- (2) Clarifying that the designation of March 10 as Enewetak Atoll (Marshall Islands) Liberation Day is in honor and remembrance of the people of Enewetak Atoll and the community of their descendants in Hawaii; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 179, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 179, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3822 Labor, Culture and the Arts on S.R. No. 172

The purpose and intent of this measure is to designate March 10 as Enewetak Atoll (Marshall Islands) Liberation Day.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Enewetak Atoll is a large coral atoll in the Marshall Islands, now known as the Republic of the Marshall Islands. Your Committee further finds that the people of the Marshall Islands, including Enewetak Atoll, experience numerous challenges today connected to the nuclear testing conducted by the United States government in and above the islands from 1946 to 1958, such as being displaced from their ancestral lands because of lingering contamination. Your Committee also finds that many displaced citizens of Enewetak Atoll moved to and settled in Hawaiian Ocean View Estates on the island of Hawaii.

Your Committee finds that the people of Enewetak Atoll, which had been mandated to the Empire of Japan by the League of Nations after World War I, celebrate March 10, 1944, as Liberation Day, commemorating the defeat of Japanese forces by the United States military during World War II, and that the festivities of Liberation Day have become one of the most important and enjoyable events on Enewetak Atoll. This measure designates March 10 as Enewetak Atoll (Marshall Islands) Liberation Day in honor and remembrance of the people of Enewetak Atoll and the community of their descendants in Hawaii.

Your Committee has amended this measure by:

- (1) Deleting detailed explanations of the nuclear testing performed by the United States government in the Marshall Islands;
- (2) Clarifying that the designation of March 10 as Enewetak Atoll (Marshall Islands) Liberation Day is in honor and remembrance of the people of Enewetak Atoll and the community of their descendants in Hawaii; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 172, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 172, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3823 Labor, Culture and the Arts on S.C.R. No. 212

The purpose and intent of this measure is to request the Governor to establish a Hawaii Commission on the United States Semiquincentennial by Executive Order.

Your Committee received testimony in support of this measure from the United States Semiquincentennial Commission; Hawaii Society, Sons of the American Revolution; Association of the United States Army Hawaii Chapter; and three individuals.

Your Committee finds that July 4, 2026, marks the 250th Anniversary of the signing of the Declaration of Independence and the founding of the United States of America. Your Committee further finds that the United States Semiquincentennial Commission Act of 2016, P.L. 114-196, created the United States Semiquincentennial Commission to provide for the observance and commemoration of this momentous occasion and that eighteen states have created their own commissions to join in the United States Semiquincentennial Commission's efforts to mark this historical milestone. Your Committee believes that it is appropriate for the State to create a Hawaii Commission on the United States Semiquincentennial to plan and coordinate commemorations and observances of this nationwide celebration.

Your Committee has amended this measure by:

- (1) Including the Chairman of the United States Semiquincentennial Commission and Executive Director of the United States Semiquincentennial Commission as additional recipients of its certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 212, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 212, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3824 Labor, Culture and the Arts on S.R. No. 205

The purpose and intent of this measure is to request the Governor to establish a Hawaii Commission on the United States Semiquincentennial by Executive Order.

Your Committee received testimony in support of this measure from the United States Semiquincentennial Commission; Hawaii Society, Sons of the American Revolution; Association of the United States Army Hawaii Chapter; and five individuals.

Your Committee finds that July 4, 2026, marks the 250th Anniversary of the signing of the Declaration of Independence and the founding of the United States of America. Your Committee further finds that the United States Semiquincentennial Commission Act of 2016, P.L. 114-196, created the United States Semiquincentennial Commission to provide for the observance and commemoration of this momentous occasion and that eighteen states have created their own commissions to join in the United States Semiquincentennial Commission's efforts to mark this historical milestone. Your Committee believes that it is appropriate for the State to create a Hawaii Commission on the United States Semiquincentennial to plan and coordinate commemorations and observances of this nationwide celebration.

Your Committee has amended this measure by:

- (1) Including the Chairman of the United States Semiquincentennial Commission and Executive Director of the United States Semiquincentennial Commission as additional recipients of its certified copies; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 205, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 205, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

SCRep. 3825 (Joint) Human Services and Judiciary on S.C.R. No. 225

The purpose and intent of this measure is to:

- (1) Request the Department of Human Services to develop lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) specific training guidelines for state agencies that serve and assist survivors of intimate partner violence;
- (2) Request the Department of Human Services to obtain input for the training guidelines from relevant advocates and professionals; and
- (3) Request state agencies that serve and assist survivors of intimate partner violence to receive and implement the training guidelines developed by the Department of Human Services to better address the needs of LGBTQ+ survivors.

Your Committees received testimony in support of this measure from Rainbow Family 808 and four individuals. Your Committees received comments on this measure from the Department of Human Services and Department of Health.

Your Committees find that LGBTQ+ individuals experience intimate partner violence at a higher rate than heterosexual individuals. According to the "Hawai'i Sexual and Gender Minority Health Report" issued in 2017, lesbian, gay, bisexual, and questioning youth were approximately twice as likely to have experienced dating violence as their heterosexual peers. According to the "Hawai'i Sexual and Gender Minority Health Report" issued in 2018, fifty percent of transgender youth in Hawaii had reported "being raped or

assaulted by a romantic partner". Furthermore, LGBTQ+ individuals may have fewer resources to escape the harmful relationship due to families and communities who reject them. In addition, LGBTQ+ individuals are less likely to report the violence or seek assistance due to barriers that are LGBTQ+ specific, such as social stigma that comes with being a sexual and gender minority and well-meaning but misinformed service providers who try to assist them in heterosexist ways that are harmful to LGBTQ+ individuals. This measure will help state agencies that serve and assist survivors of intimate partner violence to better understand and attend to the unique circumstances and needs of LGBTQ+ individuals.

Your Committees have amended this measure by:

- (1) Amending its title for clarity; 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 Human Services and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 225, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 225, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Kim).

SCRep. 3826 (Joint) Human Services and Judiciary on S.R. No. 218

The purpose and intent of this measure is to:

- (1) Request the Department of Human Services to develop lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) specific training guidelines for state agencies that serve and assist survivors of intimate partner violence;
- (2) Request the Department of Human Services to obtain input for the training guidelines from relevant advocates and professionals; and
- (3) Request state agencies that serve and assist survivors of intimate partner violence to receive and implement the training guidelines developed by the Department of Human Services to better address the needs of LGBTQ+ survivors.

Your Committees received testimony in support of this measure from one individual. Your Committees received comments on this measure from the Department of Human Services and Department of Health.

Your Committees find that LGBTQ+ individuals experience intimate partner violence at a higher rate than heterosexual individuals. According to the "Hawai'i Sexual and Gender Minority Health Report" issued in 2017, lesbian, gay, bisexual, and questioning youth were approximately twice as likely to have experienced dating violence as their heterosexual peers. According to the "Hawai'i Sexual and Gender Minority Health Report" issued in 2018, fifty percent of transgender youth in Hawaii had reported "being raped or assaulted by a romantic partner". Furthermore, LGBTQ+ individuals may have fewer resources to escape the harmful relationship due to families and communities who reject them. In addition, LGBTQ+ individuals are less likely to report the violence or seek assistance due to barriers that are LGBTQ+ specific, such as social stigma that comes with being a sexual and gender minority and well-meaning but misinformed service providers who try to assist them in heterosexist ways that are harmful to LGBTQ+ individuals. This measure will help state agencies that serve and assist survivors of intimate partner violence to better understand and attend to the unique circumstances and needs of LGBTQ+ individuals.

Your Committees have amended this measure by:

- (1) Amending its title for clarity; 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 Human Services and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 218, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 218, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Kim).

SCRep. 3827 (Joint) Human Services and Judiciary on S.C.R. No. 133

The purpose and intent of this measure is to:

- (1) Urge the State Commission on the Status of Women to work with the Domestic Violence Action Center, the Filipino Chamber of Commerce Hawai'i, and other chambers of commerce of Hawaii, as appropriate, to develop and implement an outreach program aimed at informing domestic violence victims of various sources of assistance; and
- (2) Request the State Commission on the Status of Women to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committees received testimony in support of this measure from the State Commission on the Status of Women, Domestic Violence Action Center, Hawai'i Friends of Civil Rights, Filipino Association of University Women, Hawai'i Coalition for Immigrant Rights, Hawai'i State Coalition Against Domestic Violence, and nine individuals.

Your Committees find that Filipino women are much more likely to be fatal victims of domestic violence compared to Native Hawaiian and Japanese women relative to their proportions in the population, and comprise nearly one-third (28.9%) of all fatal

domestic violence victims in Hawai'i. Your Committees also find that nearly ten percent of domestic violence victims in Hawaii speak Filipino as their first language. This measure seeks to address the issue of domestic abuse by urging the State Commission on the Status of Women to work with other entities to develop and implement an outreach program to notify domestic violence victims on various sources by which they can receive help, including placement of posters and signage in various languages in discreet areas.

Your Committees note the testimony of the Hawai'i State Commission on the Status of Women indicating the possibility of socio-cultural factors in the Filipino community, in particular, that contribute to the overrepresentation of Filipino women in domestic abuse victims.

Your Committees also note the testimony of the Hawai'i State Coalition Against Domestic Violence requesting that this measure be amended to allow the establishment of a task force that includes the Department of Health, Hawaii Immigrant Justice Center, The Legal Clinic, and the Hawaii State Coalition Against Domestic Violence, in addition to the State Commission on the Status of Women, Domestic Violence Action Center, and the Filipino Chamber of Commerce.

Accordingly, your Committees have amended this measure by:

- (1) Urging the State Commission on the Status of Women to establish a task force with representatives from the Domestic Violence Action Center, Filipino Chamber of Commerce, Department of Health, Hawaii Immigrant Justice Center – Legal Aid Society of Hawai'i, The Legal Clinic, and Hawai'i State Coalition Against Domestic Violence, to develop and implement an outreach program aimed at informing domestic violence victims of available sources of assistance, including placement of posters and signage in various languages in discreet areas;
- (2) Requesting the State Commission on the Status of Women to submit a report of the task force's progress in the development and implementation of the outreach program, findings and recommendations, and proposed legislation if any, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (3) Amending the list of recipients of certified copies of this measure;
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees further note the testimony of the Hawaii State Coalition Against Domestic Violence raising concerns over the lack of resources to implement the outreach program requested under this measure. Your Committees request that the outreach program be implemented within the resources that are available.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 133, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 133, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Kim).

SCRep. 3828 (Joint) Human Services and Judiciary on S.R. No. 117

The purpose and intent of this measure is to:

- (1) Urge the State Commission on the Status of Women to work with the Domestic Violence Action Center, the Filipino Chamber of Commerce Hawai'i, and other chambers of commerce of Hawaii, as appropriate, to develop and implement an outreach program aimed at informing domestic violence victims of various sources of assistance; and
- (2) Request the State Commission on the Status of Women to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committees received testimony in support of this measure from the State Commission on the Status of Women, Hawai'i Friends of Civil Rights, Filipino Association of University Women, and five individuals.

Your Committees find that Filipino women are much more likely to be fatal victims of domestic violence compared to Native Hawaiian and Japanese women relative to their proportions in the population, and comprise nearly one-third (28.9%) of all fatal domestic violence victims in Hawai'i. Your Committees also find that nearly ten percent of domestic violence victims in Hawaii speak Filipino as their first language. This measure seeks to address the issue of domestic abuse by urging the State Commission on the Status of Women to work with other entities to develop and implement an outreach program to notify domestic violence victims on various sources by which they can receive help, including placement of posters and signage in various languages in discreet areas.

Your Committees note the testimony of the Hawai'i State Commission on the Status of Women indicating the possibility of socio-cultural factors in the Filipino community, in particular, that contribute to the overrepresentation of Filipino women in domestic abuse victims.

Your Committees also note the testimony of the Hawai'i State Coalition Against Domestic Violence requesting that this measure be amended to allow the establishment of a task force that includes the Department of Health, Hawaii Immigrant Justice Center, The Legal Clinic, and the Hawaii State Coalition Against Domestic Violence, in addition to the State Commission on the Status of Women, Domestic Violence Action Center, and the Filipino Chamber of Commerce.

Accordingly, your Committees have amended this measure by:

- (1) Urging the State Commission on the Status of Women to establish a task force with representatives from the Domestic Violence Action Center, Filipino Chamber of Commerce, Department of Health, Hawaii Immigrant Justice Center – Legal Aid Society of Hawai'i, The Legal Clinic, and Hawai'i State Coalition Against Domestic Violence, to develop and implement an

outreach program aimed at informing domestic violence victims of available sources of assistance, including placement of posters and signage in various languages in discreet areas;

- (2) Requesting the State Commission on the Status of Women to submit a report of the task force's progress in the development and implementation of the outreach program, findings and recommendations, and proposed legislation if any, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (3) Amending the list of recipients of certified copies of this measure;
- (4) Amending its title to reflect its amended purpose; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees further note the testimony of the Hawaii State Coalition Against Domestic Violence raising concerns over the lack of resources to implement the outreach program requested under this measure. Your Committees request that the outreach program be implemented within the resources that are available.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 117, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 117, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Human Services: Ayes, 5. Noes, none. Excused, none.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Kim).

SCRep. 3829 Transportation on S.C.R. No. 148

The purpose and intent of this measure is to request the convening of a task force to address how the State can lower the cost of transportation in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Ulupono Initiative, Hawaii Bicycling League, and Hawaii Children's Action Networks Speaks!. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that Hawaii transportation costs have risen twenty-three percent in the last twelve months, ranging from \$8,000-\$13,000 per individual. Insurance, maintenance, and gas prices contribute to these amounts and the lack of sufficient safe pedestrian and bike infrastructure means that many families require a separate motor vehicle per person. Therefore, this measure requests the convening of a task force to evaluate how the State can lower the cost of transportation.

Your Committee has amended this measure by:

- (1) Updating findings relating to the Bureau of Labor Statistics report;
- (2) Clarifying that the focus of the task force should be on issues within the jurisdiction of the Department of Transportation;
- (3) Adding the Chief Energy Officer and representatives of the Hawaii Appleseed Center for Law and Economic Justice, AlohaCare, and the Hawaii Children's Action Network Speaks! to the membership of the task force;
- (4) Replacing mention of statistics regarding non-drivers with language describing the economic benefits of electric vehicles and electric public transportation;
- (5) Adding the evaluation of current Department of Transportation priorities, processes, and outcomes as a task force requested duty;
- (6) Amending its title accordingly; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 148, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 148, S.D. 1.

Signed by the Chair on behalf of the Committee.
 Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3830 Transportation on S.R. No. 132

The purpose and intent of this measure is to request the convening of a task force to address how the State can lower the cost of transportation in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Bicycling League, and Hawaii Children's Action Networks Speaks! Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that Hawaii transportation costs have risen twenty-three percent in the last twelve months, ranging from \$8,000-\$13,000 per individual. Insurance, maintenance, and gas prices contribute to these amounts and the lack of sufficient safe pedestrian and bike infrastructure means that many families require a separate motor vehicle per person. Therefore, this measure requests the convening of a task force to evaluate how the State can lower the cost of transportation.

Your Committee has amended this measure by:

- (1) Updating findings relating to the Bureau of Labor Statistics report;
- (2) Clarifying that the focus of the task force should be on issues within the jurisdiction of the Department of Transportation;
- (3) Adding the Chief Energy Officer and representatives of the Hawaii Appleseed Center for Law and Economic Justice, AlohaCare, and the Hawaii Children's Action Network Speaks! to the membership of the task force;
- (4) Removing a member of the House of Representatives from the membership of the task force;
- (5) Replacing mention of statistics regarding non-drivers with language describing the economic benefits of electric vehicles and electric public transportation;
- (6) Adding the evaluation of current Department of Transportation priorities, processes, and outcomes as a task force requested duty;
- (7) Amending its title accordingly; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 132, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 132, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (DeCoite, Fevella).

SCRep. 3831 Transportation on S.C.R. No. 138

The purpose and intent of this measure is to request that the Department of Transportation establish a zero emissions ground transportation working group.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 urges the City and County of Honolulu to celebrate the fiftieth anniversary of the Lanikai Bikeway and recognize the efforts of Ted Rodgers and Cynthia Thielen who led the efforts to establish it.

Your Committee received testimony in support of the Proposed S.D. 1 from the Lanikai Association and three individuals.

Your Committee finds that the Lanikai Bikeway was created in response to a near-fatal incident when the tire of a student's bicycle hit a rock which caused her to fall into the roadway, nearly being hit by an oncoming vehicle. At the time, two-way vehicle traffic along Lanikai's narrow roadways left inadequate space for the growing number of bikers in the area. Cynthia Thielen led a group of concerned parents to propose a dedicated bikeway and new traffic configurations in Lanikai. With the support of the Lanikai Association's President, Ted Rodgers, and two-hundred and sixty-two petition signers, plans to build the Lanikai Bikeway were approved. The purpose of this measure is to request the honoring of Cynthia Thielen and Ted Rodgers on the fiftieth anniversary of the Lanikai Bikeway.

Your Committee has amended this measure by adopting the Proposed S.D. 1 and further amending this measure by:

- (1) Amending its title accordingly; and
- (2) Making a technical, nonsubstantive amendment for the purposes of 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 concurs with the intent and purpose of S.C.R. No. 138, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 138, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 3832 Transportation on S.R. No. 122

The purpose and intent of this measure is to request that the Department of Transportation establish a zero emissions ground transportation working group.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1 urges the City and County of Honolulu to celebrate the fiftieth anniversary of the Lanikai Bikeway and recognize the efforts of Ted Rodgers and Cynthia Thielen who led the efforts to establish it.

Your Committee received testimony in support of the Proposed S.D. 1 from the Lanikai Association and two individuals.

Your Committee finds that the Lanikai Bikeway was created in response to a near-fatal incident when the tire of a student's bicycle hit a rock which caused her to fall into the roadway, nearly being hit by an oncoming vehicle. At the time, two-way vehicle traffic along Lanikai's narrow roadways left inadequate space for the growing number of bikers in the area. Cynthia Thielen led a group of concerned parents to propose a dedicated bikeway and new traffic configurations in Lanikai. With the support of the Lanikai Association's President, Ted Rodgers, and two-hundred and sixty-two petition signers, plans to build the Lanikai Bikeway were approved. The purpose of this measure is to request the honoring of Cynthia Thielen and Ted Rodgers on the fiftieth anniversary of the Lanikai Bikeway.

Your Committee has amended this measure by adopting the Proposed S.D. 1 and further amending this measure by:

- (1) Amending its title accordingly; and

(2) Making a technical, nonsubstantive amendment for the purposes of 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 concurs with the intent and purpose of S.R. No. 122, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 122, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Inouye).

SCRep. 3833 Higher Education on Gov. Msg. No. 588

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I MEDICAL EDUCATION COUNCIL

G.M. No. 588 COLLEEN INOUYE BAUM, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Colleen Inouye Baum for service on the Hawai'i Medical Education Council.

Your Committee received testimony in support of the nomination for the appointment of Colleen Inouye Baum from the University of Hawai'i System.

Upon review of the testimony, your Committee finds that Dr. Inouye Baum's experience, knowledge, and dedication qualify her for appointment to the Hawai'i Medical Education Council. Dr. Inouye Baum holds a medical degree with a specialization in obstetrics and gynecology, and she has operated a solo private medical practice since 1985. In addition, Dr. Inouye Baum has been board certified since 1988, and she has also been certified for focused practice in pediatric and adolescent gynecology. Your Committee notes that Dr. Inouye Baum has been an active member of the medical community, serving as active staff in obstetrics and gynecology at Maui Memorial Medical Center for over thirty-five years and as an assistant clinical professor at the University of Hawaii John A. Burns School of Medicine. Your Committee further finds that Dr. Inouye Baum currently serves as a member of the American Association for Physician Leadership Board and has previously served on the Maui County Healthcare Partnership Leadership Committee for Hawaii Medical Service Association, Maui Memorial Medical Center Foundation Board of Directors, and Maui Childbirth Education Association Board of Directors. Your Committee additionally finds that Dr. Inouye Baum has extensive experience in medical education through her service as Co-Director of John A. Burns School of Medicine Maui Memorial Medical Center rotations and Director of Maui Memorial Medical Center's OB/GYN residencies. Your Committee notes that Dr. Inouye Baum's appointment would fulfill the requirement that a member of the Council be a representative of the health professions community, pursuant to section 304A-1703, Hawaii Revised Statutes. Your Committee therefore recommends that Colleen Inouye Baum be appointed to the Hawai'i Medical Education Council based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3834 Higher Education on Gov. Msg. No. 589

Recommending that the Senate advise and consent to the nomination of the following:

WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION (WICHE)

G.M. No. 589 DAVID LASSNER, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by David Lassner for service on the Western Interstate Commission for Higher Education (WICHE).

Your Committee received testimony in support of the nomination for the reappointment of David Lassner from the Western Interstate Commission for Higher Education and one individual.

Upon review of the testimony, your Committee finds that Dr. Lassner's experience, knowledge, and dedication in serving on the Western Interstate Commission for Higher Education qualify him for reappointment to the Western Interstate Commission for Higher Education as a commissioner for Hawaii. Your Committee finds that Dr. Lassner has served Hawaii's higher education community for over forty years, serving in multiple roles within the University of Hawaii's information technology department, including as the University's Director of Information Technology, Chief Information Officer, and Vice President for Information Technology. Dr. Lassner currently serves as President of the University of Hawaii System, a role he has held since 2013, leading all public higher education in Hawaii, including seven community colleges and three universities located across the State. Your Committee notes that Dr. Lassner is a current commissioner of the Western Interstate Commission for Higher Education and serves as the vice chairperson of the Commission. Additionally, Dr. Lassner currently serves as a member of the East-West Center Board of Governors and as board chairperson of the National Association of System Heads. Dr. Lassner's experience and knowledge will continue to be assets to the Western Interstate Commission for Higher Education. Your Committee therefore recommends that David Lassner be reappointed to the Western Interstate Commission for Higher Education based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3835 Higher Education on Gov. Msg. Nos. 648, 649, 650, and 651

Recommending that the Senate advise and consent to the nominations of the following:

CENTER FOR NURSING ADVISORY BOARD

G.M. No. 648 GLORIA FERNANDEZ, for a term to expire 06-30-2026;

G.M. No. 649 ANNE SCHARNHORST, for a term to expire 06-30-2025;

G.M. No. 650 RHOBERTA HALEY, for a term to expire 06-30-2024; and

G.M. No. 651 LINDA BEECHINOR, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Gloria Fernandez, Anne Scharnhorst, Rhoberta Haley, and Linda Beechinor.

GLORIA FERNANDEZ

Your Committee received testimony in support of the nomination for the appointment of Gloria Fernandez from the Department of Health, University of Hawai'i System, Hawai'i State Center for Nursing, and seven individuals.

Upon review of the testimony, your Committee finds that Dr. Fernandez's experience, knowledge, and desire to serve as a member of the Center for Nursing Advisory Board qualify her for appointment to the Center for Nursing Advisory Board as a nurse affiliated with a nurse collective bargaining organization, pursuant to section 304A-1404, Hawaii Revised Statutes. Your Committee finds that Dr. Fernandez has served the State in the field of public health nursing for twenty years, and she currently serves as Quality Assurance Coordinator for the Department of Health and as a board certified advanced public health nurse. Dr. Fernandez holds a Doctorate of Nursing Practice, and her research and professional goals focus on reducing health inequities in Hawaii's communities and expansion of evidence-based practices for public health nurses in the State. Your Committee notes that Dr. Fernandez currently serves as a board member for the Waianae Coast Early Childhood Services Board of Directors and the Academy of Health and Sciences Advisory Board for the Academy of Health and Sciences within Waipahu High School. Your Committee notes that Dr. Fernandez has an understanding of the roles and responsibilities of board members and that her experience and knowledge in public health nursing will be assets to the Center for Nursing Advisory Board. Your Committee therefore recommends that Gloria Fernandez be appointed to the Center for Nursing Advisory Board based on her experience, knowledge, and willingness to serve the public.

ANNE SCHARNHORST

Your Committee received testimony in support of the nomination for the reappointment of Anne Scharnhorst from the University of Hawai'i System and Hawai'i State Center for Nursing.

Upon review of the testimony, your Committee finds that Dr. Scharnhorst's experience, knowledge, and desire to continue her service to the Center for Nursing Advisory Board qualify her for reappointment to the Center for Nursing Advisory Board as a doctorally-prepared nurse educator or researcher, pursuant to section 304A-1404, Hawaii Revised Statutes. Your Committee finds that Dr. Scharnhorst has served as a nursing educator at the University of Hawaii for fifteen years, and she currently serves as a Professor and Department Chair within the Allied Health Department of the University of Hawaii – Maui College. In her role as a faculty member at the University of Hawaii – Maui College, Dr. Scharnhorst was instrumental in establishing a licensed practicing nurse pathway to meet community health needs. Dr. Scharnhorst holds a Doctorate of Nursing Practice and is a registered nurse. Your Committee additionally finds that Dr. Scharnhorst also serves as a board member of Maui Nurses Scholarship Foundation and as a member of the Academic Council for the State of Hawaii Academic Progression in Nursing and the University of Hawaii – Maui College's Budget Committee and Community Needs and Workforce Development Committee. Your Committee further finds that Dr. Scharnhorst was nominated to the Center for Nursing Advisory Board as a doctorally-prepared nurse educator in 2017. Her experience and knowledge will continue to be assets to the Center for Nursing Advisory Board. Your Committee therefore recommends Anne Scharnhorst be reappointed to the Center for Nursing Advisory Board based on her experience, knowledge, and commitment to public service.

RHOBERTA HALEY

Your Committee received testimony in support of the nomination for the appointment of Rhoberta Haley from the University of Hawai'i System, Hawai'i State Center for Nursing, and three individuals.

Upon review of the testimony, your Committee finds that Dr. Haley's experience, knowledge, and desire to serve the Center for Nursing Advisory Board qualify her for appointment to the Center for Nursing Advisory Board as a doctorally-prepared nurse educator or researcher, pursuant to section 304A-1404, Hawaii Revised Statutes. Dr. Haley has served in the field of nursing education for thirty years, and she currently serves as Dean and Professor of the School of Nursing and Health Professions at Chaminade University. Dr. Haley holds a Doctorate in Nursing, is a licensed registered nurse, and has extensive experience in nursing education, curriculum development, consulting, and clinical practice experience. Your Committee further finds that Dr. Haley has held key roles in the development and administration of nursing education from undergraduate bachelor's of nursing programs to doctor of nursing practice, educating a generation of nurses across the United States. Dr. Haley also serves the nursing community as a member of the Commission on Collegiate Nursing Education and has previously served as a member of the Finance Committee of the American Association of Colleges of Nursing and as a member of the Nursing Knowledge International Board of Directors for Sigma Theta Tau International Nursing Honor Society. Your Committee further finds that Dr. Haley's experience and knowledge in nursing education will be assets to the Center for Nursing Advisory Board. Your Committee therefore recommends Rhoberta Haley be appointed to the Center for Nursing Advisory Board based on her experience, knowledge, and commitment to public service.

LINDA BEECHINOR

Your Committee received testimony in support of the nomination for the appointment of Linda Beechinor from the University of Hawai'i System and Hawai'i State Center for Nursing.

Upon review of the testimony, your Committee finds that Dr. Beechinor's experience, knowledge, and desire to serve the Center for Nursing Advisory Board qualify her for appointment to the Center for Nursing Advisory Board as member with a background in finance, pursuant to section 304A-1404, Hawaii Revised Statutes. Dr. Beechinor has served as an advanced practice registered nurse and nursing educator for over forty years. She holds a Doctorate of Nursing Practice, and holds credentials as an advanced practice registered nurse and family nurse practitioner under the American Nurses Credentialing Center. Your Committee notes that Dr. Beechinor led the efforts to re-establish the American Nurses Association chapter in Hawaii. To re-establish the chapter, Dr. Beechinor was involved with increasing Hawaii nurse membership in the national professional nursing association, developed a board, and facilitated a commitment from Hawaii nurses to subsequently join a Hawaii chapter. In addition to her role in re-establishing the Hawaii chapter, Dr. Beechinor also served her community during the coronavirus disease 2019 pandemic as a contact tracer for the Department of Health and as a nursing educator through a solo consulting service for foreign-educated nurses who wish to serve in American health care institutions. Your Committee further finds that Dr. Beechinor's experience and knowledge in nursing education will be assets to the Center for Nursing Advisory Board. Your Committee therefore recommends Linda Beechinor be appointed to the Center for Nursing Advisory Board based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Higher Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3836 Hawaiian Affairs on H.C.R. No. 130

The purpose and intent of this measure is to offer an apology to the Native Hawaiian people for the effective prohibition in Hawaii schools of the instructional use of the Hawaiian language from 1896 to 1986.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Ke One O Kākuhihewa, 'Aha Kauleo, and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that 'Ōlelo Hawaii has been the native language of Hawaii's indigenous people for more than two thousand years. Especially from 1795 to 1893, during the time of the Hawaiian Kingdom, the Hawaiian language thrived. By 1834, indigenous Hawaiians obtained a ninety-five percent literacy rate. By the 1840s, the Hawaiian language was advanced enough to support judiciary law, law enforcement, health systems, public systems for education, science, trade, and the arts. However, three years after the overthrow of the Kingdom of Hawaii in 1893, laws were enacted that suppressed 'Ōlelo Hawaii resulting in its effective exclusion from Hawaii's public schools for ninety years. The purpose of this measure is to offer an apology to the Native Hawaiian people for the effective prohibition in Hawaii schools of the instructional use of 'Ōlelo Hawaii from 1896 to 1986.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 130, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Ihara).

SCRep. 3837 Judiciary on H.B. No. 1475

The purpose and intent of this measure is to require state legislators and employees to complete mandatory ethics training courses every four years, subject to certain requirements.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Common Cause Hawaii, Green Party Hawai'i, Hawai'i Alliance for Progressive Action, and five individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that requiring all state legislators and employees to be aware of and knowledgeable about the state ethics code is in the best interests of the State. State legislators and employees need strong and uncompromising ethics to ensure trust in the state government. This measure will ensure that state legislators and employees are aware of current ethics laws and will increase the public's confidence in state government.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1475, H.D. 1, S.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. 3838 Judiciary on H.B. No. 2113

The purpose and intent of this measure is to minimize regulatory burden and eliminate redundancy by permitting money transmitter applicants to submit to either a state or federal criminal history record check, rather than both.

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 existing law requires each key individual of a money transmitter to submit to a state and federal criminal background review. Hawai'i became a reporter to the national criminal background database approximately seven years ago and since then, in the State's review of parallel state and federal criminal background checks, no discrepancies on disqualifying crimes have been found. The Nationwide Multistate Licensing System and Registry provides information-sharing among state regulators to enhance consumer protection and is a cloud-based system that gives state agencies up-to-date criminal history records from the Federal Bureau of Investigations. Accordingly, this measure will allow an applicant to only submit to a federal criminal background check, which will eliminate unnecessary regulatory burden and streamline the review of applicants.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2113, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3839 Ways and Means on H.B. No. 1806

The purpose and intent of this measure is to amend the statutory requirement for the upgrade or conversion of certain cesspools before January 1, 2050.

Specifically, the measure replaces the requirement that cesspools be upgraded or converted to septic systems or aerobic treatment unit systems with a requirement that cesspools be upgraded or converted to wastewater systems approved by the Director of Health.

Your Committee received written comments in support of this measure from the Department of Health, a member of the Hawaii County Council, Hawaii Reef and Ocean Coalition, WAI: Wastewater Alternatives and Innovations, CORAL (Coral Reef Alliance), Elemental Excelerator, and one individual.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that this measure will clarify the requirement to convert or upgrade cesspools to a wastewater system approved by the Director of Health instead of a "septic system or aerobic treatment unit system," and thus facilitate the conversion or upgrade of cesspools statewide by January 1, 2050.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1806, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 9; Ayes with Reservations (Fevella). Noes, none. Excused, 2 (Misalucha, Wakai).

SCRep. 3840 Ways and Means on H.B. No. 2466

The purpose and intent of this measure is to establish a new general excise tax exemption to support taro production and consumption.

More specifically, the measure exempts from the general excise tax, with certain exceptions, the gross proceeds or income arising from the sale of any:

- (1) Product derived from the cultivation and production of unprocessed taro; or
- (2) Value-added product whose primary ingredient is taro or taro leaf.

Your Committee received written comments in support of this measure from Food+Policy Internship, Hawaii Alliance for Progressive Action, Hawaii Farm Bureau, Ka Ohana O Na Pua, Malu Aina, Na Kupuna Moku O Keawe, and numerous individuals.

Your Committee received written comments in opposition to this measure from the Department of Taxation.

Your Committee received written comments on this measure from the Department of Agriculture, Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that by reducing the tax burden on taro farmers, the general excise tax exemption created by this measure will help to create stronger economic incentives for new taro farmers, improve the livelihoods of existing taro farmers, and reduce the cost of poi for consumers in the State.

Your Committee notes that in its written comments in opposition to this measure, the Department of Taxation requested that, if a functional effective date is inserted into the measure, the new general excise tax exemption be made effective on January 1, 2023, rather than for taxable years beginning after December 31, 2021. The Department explained that using a specific date instead of a taxable year will both ensure that no taxpayer has a competitive advantage based on the taxpayer's tax year and provide the Department with sufficient time to complete the form and system changes that are necessary to properly administer this new general excise tax exemption.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3841 Ways and Means on H.B. No. 1953

The purpose and intent of this measure is to provide the Department of Transportation with the flexibility to provide relief to concessionaires facing hardships due to a reduction in business volume.

Your Committee received written comments in support of this measure from the Department of Transportation and Airport Concessionaires Committee.

Your Committee received written comments on this measure from the Airlines Committee of Hawaii.

Your Committee finds that this measure provides the Department of Transportation with the flexibility and discretion to provide relief to concessionaires, including concessionaires on a holdover or revocable permit, who are struggling during an economic crisis.

Your Committee has amended this measure by making the measure effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1953, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1953, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Misalucha, Wakai).

SCRep. 3842 Ways and Means on H.B. No. 2119

The purpose and intent of this measure is to replace the existing Emergency Management Assistance Compact with a new Emergency Management Assistance Compact.

Your Committee received written comments in support of this measure from the Hawaii Emergency Management Agency and Hawaii State Energy Office.

Your Committee received written comments in opposition to this measure from Hawaii Association for Justice.

Your Committee finds that this measure will update and better align the State's emergency management practices with those of other jurisdictions throughout the United States.

Your Committee has amended this measure by:

- (1) Deleting provisions that designate the Adjutant General as:
 - (A) The legally designated state official having assigned responsibility for emergency management for the State; and
 - (B) The authorized representative of the State who may request assistance of another party state; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2119, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2119, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Misalucha, Wakai).

SCRep. 3843 Ways and Means on H.B. No. 2240

The purpose and intent of this measure is to establish a financing option to help address and manage the unfunded actuarial accrued liabilities of the Hawaii Employer-Union Health Benefits Trust Fund.

Specifically, this measure:

- (1) Authorizes the Director of Finance to issue general obligation bonds to pay or prepay the State's other post-employment benefits liability; and
- (2) Requires that the outstanding debt created by the issuance of the general obligation bonds to pay or prepay the State's other post-employment benefits liability be considered when calculating the annual required contribution by the public employer.

Your Committee received written comments in support of this measure from the Department of Budget and Finance, Hawaii Government Employees Association, and one individual.

Your Committee finds that authorizing the State to issue general obligation bonds at a low interest rate and then invest the revenues from those bonds to earn interest at a higher rate will help to generate revenue to reduce future funding requirements and taxpayer burdens associated with the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee has amended this measure by:

- (1) Specifying that the annual required contribution amount shall be the greater of the new calculation added by the measure or the existing method of calculation;
- (2) Making sections 1, 3, and 4 of the measure effective upon its approval; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2240, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2240, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3844 Judiciary on H.B. No. 1903

The purpose and intent of this measure is to require first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

Your Committee received testimony in support of this measure from Mālama Pūpūkea-Waimea, Maui Adventure Group Inc., Friends of Hanauma Bay, and forty-six individuals.

Your Committee finds that full-face masks may pose a greater risk of drowning than traditional two-piece masks and snorkels. Furthermore, often, in the moment of an in-water emergency, whatever mask a victim was wearing is tossed aside as resuscitation measures are taking place and there is no documentation of gear type. This lack of data hinders the State's ability to accurately evaluate the dangers different types of snorkels and masks pose. This measure will allow the State to assess the risk of certain equipment and ultimately take action to inform and protect the thousands of people who snorkel throughout Hawai'i each day by requiring first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1903, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1903, H.D. 1, S.D. 2.

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

SCRep. 3845 Agriculture and Environment on H.B. No. 2147

The purpose and intent of this measure is to reinstate the Department of Health's authority to permit federal municipal solid waste landfills.

Your Committee received testimony in support of this measure from the Department of Health and County of Hawai'i Department of Environmental Management.

Your Committee finds that Act 73, Session Laws of Hawaii 2020 (Act 73), removed the Department of Health's authority to permit federal municipal solid waste landfills, which placed the State in non-compliance with federal regulations regarding the permitting of solid waste management facilities. Additionally, without a state permitting program, landfills in the State may be subject to federal regulations that do not take the soil conditions in Hawaii into consideration. This measure reinstates the Department of Health's authority to permit federal municipal solid waste landfills.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2147, H.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, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3846 Judiciary on H.B. No. 2337

The purpose and intent of this measure is to clarify the definitions of "drug", "substance", and "substance abuse" for the purposes of violations for 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, Mothers Against Drunk Driving Hawaii, and AAA Hawai'i. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the current definition of "drug" in chapter 291E, Hawaii Revised Statutes, is defined as any controlled substance listed in schedules I through IV in chapter 329, Hawaii Revised Statutes. This definition limits law enforcement and prosecutors from keeping roads safe from impaired drivers because many substances that are being abused are not listed as schedules I through IV drugs, such as kava, kratom, toluene, certain muscle relaxants, and over-the-counter cough syrup. These substances all have the capability to impair drivers, despite not being listed as schedules I through IV in chapter 329, Hawaii Revised Statutes. This measure will protect the public from impaired drivers by clarifying the definitions of "drug", "substance", and "substance abuse" for the purposes of operating a vehicle under the influence of an intoxicant violations.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2337, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3847 Judiciary on H.B. No. 2197

The purpose and intent of this measure is to:

- (1) Amend the offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively; and

- (2) Exclude the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i and two individuals. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that violent activity in and around illegal gambling houses has increased in recent years, with reports of armed robberies, stabbings, and shootings becoming more common place. Your Committee further finds that in addition to violent crimes, illegal gambling houses are known for being drug and sex trafficking establishments. This measure will guard the safety and welfare of the State's citizens, particularly in residential neighborhoods, by strengthening existing laws relating to the promotion of gambling.

Your Committee has amended this measure by:

- (1) Changing the requisite state of mind for promoting gambling in the first degree to recklessness;
- (2) Changing the requisite state of mind for promoting gambling in the second degree to criminal negligence;
- (3) Removing language that would have excluded the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea;
- (4) Excluding simple gambling from the definition of advance gambling activity;
- (5) Amending section 1 to reflect its amended purpose; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2197, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2197, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Acasio). Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3848 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1575

The purpose and intent of this measure is to:

- (1) Expand the scope of practice for physician assistants; and
- (2) Require a sampling of medical records that includes certain amounts of controlled substance prescriptions, rather than all medical records, to be reviewed when physician assistants prescribe controlled substances.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Disability and Communication Access Board, Hawaii Medical Board, Hawai'i Academy of Physician Assistants, Hawai'i Pacific Health, Occupational Therapy Association of Hawaii, Kaiser Permanente, The Queen's Health Systems, Hawaii Medical Association, and three individuals.

Your Committees find that there is a shortage of licensed physicians in the State. Your Committees further find that physician assistants are highly trained health care professionals authorized to serve as primary care providers and that broadening the scope of practice for physician assistants can therefore help address the State's shortage of licensed physicians. This measure lowers restrictions on physician assistants' practice and better aligns the scope of practice for state-licensed physician assistants with national practices.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2022; 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1575, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1575, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3849 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1980

The purpose and intent of this measure is to:

- (1) Require Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover services provided through telehealth by way of an interactive telecommunications system; and
- (2) Define "interactive telecommunications system" to match the 2022 Medicare Physician Fee Schedule final rule.

Your Committees received testimony in support of this measure from the Hawai'i State Council on Developmental Disabilities, University of Hawai'i System, Disability and Communication Access Board, Hawai'i Medical Association, Hawai'i Pacific Health, The Queen's Health Systems, AARP Hawai'i, Hawai'i Primary Care Association, Hawai'i Family Caregiver Coalition, Hawai'i Psychological Association, National Association of Social Workers – Hawai'i, Hawaiian Islands Association for Marriage and Family

Therapy, Healthcare Association of Hawai'i, Hawai'i Psychiatric Medical Association, Hawai'i Self Advocacy Advisory Council, and three individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Hawai'i Medical Service Association, and Hawai'i Association of Health Plans.

Your Committees find that the use and expansion of telehealth services and technology in the State has increased access to and reduced delays in receiving health care, particularly in rural and federally designed health professional shortage areas. Patients with behavioral health issues are especially vulnerable and frequently require immediate attention. The inability of behavioral health and other patients to access the Internet presents an even greater barrier to much needed health care. Your Committees further note that Medicare and Medicaid pay equally for telephonic and telehealth services. This measure recognizes the importance of telephonic services, especially in rural areas, and conforms state laws concerning telehealth to recent Medicaid rule changes permitting audio-only communication technology in certain circumstances for the purposes of diagnosis, evaluation, or treatment of a mental health disorder to a patient at their home.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2022, and a repeal date of July 1, 2027; 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1980, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1980, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3850 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1644

The purpose and intent of this measure is to ban the manufacture, sale, or distribution for sale or use of wraps and liners, plates, food boats, pizza boxes, and firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances.

Your Committees received testimony in support of this measure from Climate Protectors Hawai'i and four individuals. Your Committees received testimony in opposition to this measure from Par Hawaii and one individual. Your Committees received comments on this measure from the Department of Health, Hawai'i Restaurant Association, Island Energy, and American Chemistry Council.

Your Committees find that perfluoroalkyl and polyfluoroalkyl substances, or "PFAS", are "forever chemicals" that persist in the environment and have even been detected in drinking water. PFAS are commonly used in food packaging materials to repel water and grease. When humans ingest foods packaged in materials containing PFAS, PFAS can accumulate in the body, leading to adverse health outcomes. Because other effective and safer options have become affordable, the use of PFAS has become unnecessary. This measure bans PFAS to protect the environment and human health from their detrimental and toxic effects.

Your Committees note the concerns raised in testimony that a complete ban on the use of PFAS would restrict the ability to utilize highly effective firefighting foams containing PFAS in exigent circumstances and may compromise public health and safety in the event certain fires cannot otherwise be extinguished effectively and in a timely manner using other products. Therefore, amendments to this measure are necessary to limit the prohibition on the use of firefighting foams containing PFAS specifically for testing and training purposes to reduce the unnecessary release and exposure to PFAS, but allow for the continued use of these foams in the event they are necessary for the effective suppression of certain fires, such as petroleum fires.

Your Committees have amended this measure by:

- (1) Clarifying that, beginning July 1, 2024, it shall be unlawful for any person or state or county department or agency to discharge or otherwise use for training or testing purposes class B firefighting foam that contains intentionally introduced PFAS chemicals;
- (2) Clarifying that, beginning July 1, 2024, it shall be unlawful to manufacture, sell, offer for sale, distribute for sale, or distribute for training or testing purposes in the State any class B firefighting foam that contains intentionally introduced PFAS chemicals; and
- (3) 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1644, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1644, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3851 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1635

The purpose and intent of this measure is to:

- (1) Establish the Rural Health Task Force within the Department of Health to prepare and develop solutions and make recommendations on registered nurse recruitment and retention in rural areas of Maui, Molokai, and Lanai; and
- (2) Require the Rural Health Task Force to submit a report of its findings, recommendations, and any proposed legislation to the Legislature prior to the Regular Session of 2023.

Your Committees received testimony in support of this measure from Hana Health; Lana'i Community Health Center; The Queens Health Systems; Hawai'i Primary Care Association; Molokai Ohana Health Care, Inc., dba Molokai Community Health Center; Maui Chamber of Commerce; and Liberty Dialysis – Hawai'i. Your Committees received testimony in opposition to this measure from the Department of Health.

Your Committees find that, since 2019, the State has experienced more than nine hundred nurses leaving the workforce due to the pandemic, costs of living, and the lack of affordable housing. This shortage has especially impacted rural communities. Depending on traveling nurses is not always practical and can result in over-working an already small pool of nurses. Maui's rural areas in particular are faced with unique challenges in attracting and retaining registered nurses, yet these places are often ones that require consistent and well-skilled nurses the most. Nurses for clinics, hospitals, and specialty settings are critically needed to maintain public health in rural communities. This measure will help develop tangible action steps to assist with recruitment and retention of registered nurses in East Maui, Lanai, and Molokai.

Your Committees note the concerns raised by the Department of Health in its testimony that it is not the appropriate department to house the Rural Health Task Force established by this measure. Accordingly, amendments to this measure are necessary to address this concern.

Your Committees have amended this measure by:

- (1) Requiring the Rural Health Task Force to be established within the Center for Nursing for administrative purposes, rather than the Department of Health;
- (2) Replacing the Director of Health with the Chairperson of the Advisory Board for the Center for Nursing to serve as chairperson of the Rural Health Task Force;
- (3) Requiring that, to inform the assessment required by this measure, the Center for Nursing engage professionals from the University of Hawaii Maui College nursing program, as well as Maui Health Systems and Kaiser Permanente, for input on the plans, solutions, and recommendations developed by the Rural Health Task Force;
- (4) Clarifying that the Rural Health Task Force shall submit a preliminary report of its findings and recommendations, including any proposed legislation, to the Legislature prior to the Regular Session of 2023, and a final report to the Legislature prior to the Regular Session of 2024;
- (5) Clarifying that the Rural Health Task Force shall cease to exist on July 1, 2024;
- (6) Making it effective upon its approval; and
- (7) 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 Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1635, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1635, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3852 Judiciary on H.B. No. 2169

The purpose and intent of this measure is to clarify that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than issue civil identification cards.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, and seven individuals. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i and eleven individuals. Your Committee received comments on this measure from Common Cause Hawaii and one individual.

Your Committee finds that identification cards are an essential part of reentry to access need services because many services are not possible without proper identification, including medical and behavioral health services, employment, and even housing. People leaving prisons and jails with government identification may be able to more quickly access vital services and support, while those without such identification will likely face significant barriers to successful reentry. This measure will aid inmates reentering the community by clarifying that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than issue civil identification cards.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2169, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2169, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3853 Judiciary on H.B. No. 2422

The purpose and intent of this measure is to clarify that a family court is required to impose a sentence for domestic violence intervention, with or without probation, for violations of restraining orders, orders for protection, and abuse of family or household members.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the Hawaii Supreme Court erred when it misinterpreted section 586-4(e), Hawaii Revised Statutes, and held that domestic violence intervention may only be ordered as a condition of probation. Your Committee believes that domestic violence intervention is an important part of addressing the root causes of domestic violence, as it includes both anger management and domestic violence treatment. This measure highlights the importance of domestic violence intervention and clarifies legislative intent by specifying that a family court is required to impose a sentence for domestic violence intervention, with or without probation, for violations of restraining orders, orders for protection, and abuse of family or household members.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2422, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2422, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Gabbard). Noes, none. Excused, none.

SCRep. 3854 Judiciary on H.B. No. 1991

The purpose and intent of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported as stolen and listed on a publicly available online stolen item database;
- (2) Require the police department in counties with a population of five hundred thousand or more to establish the publicly available online stolen bicycle database; and
- (3) Update the recordkeeping and retention requirements for businesses that purchase previously owned articles.

Your Committee received testimony in support of this measure from two individuals.

Your Committee finds that the theft of a bicycle is the loss of valuable property and the loss of an important means of transportation. Additionally, bicycle thefts further impact the State's sustainability goals of reducing carbon emissions and utilizing low carbon transportation as residents are inhibited in investing in and using bicycles for transportation. Your Committee further finds that reducing resale opportunities for stolen items is one way to decrease the motivation to steal them. Your Committee believes that the creation of a publicly available database of stolen bicycle serial and emblem numbers would help deter the theft of bicycles and the resale of stolen bicycles. This measure will deter the theft of personal items.

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1991, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1991, H.D. 2, S.D. 2.

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

SCRep. 3855 (Joint/Majority) Commerce and Consumer Protection and Judiciary on H.B. No. 1823

The purpose and intent of this measure is to:

- (1) Authorize advanced practice registered nurses and physician assistants to practice medical aid in dying or provide counseling to a qualified patient;
- (2) Require a prescribing provider to conduct an initial visit in-person;
- (3) Amend the mandatory waiting period between oral requests and the provision of a prescription; and
- (4) Prohibit the disclosure, discovery, or compelled production of information collected or retained pursuant to incidental or routine communication between the Department of Health and qualified patients or providers.

Your Committees received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Compassion & Choices, Hawai'i Pacific Health, Aloha Care, Hawai'i Society of Clinical Oncology, Hawai'i Association of Professional Nurses, Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers – Hawai'i, and twenty-nine individuals. Your Committees received testimony in opposition to this measure from St. Michael the Archangel Church, Hawai'i Family Forum, and five individuals. Your Committees received comments on this measure from the Department of Health, Hawai'i Medical Board, Board of Nursing, Hawai'i State Center for Nursing, Hawai'i Association for Justice, Hawai'i Medical Association, Hawai'i Association of Nurse Anesthetists, Hawai'i Psychiatric Medical Association, and four individuals.

Your Committees find that the Our Care, Our Choice Act was implemented to provide peace of mind to terminally ill patients in the State. However, a subsequent report to the Legislature found that, while compassionately implemented, some of the well-intentioned regulatory requirements outlined in the Act have created unintended barriers and unnecessary burdens. Coupled with the State's ongoing physician shortage, these barriers have made it difficult for terminally ill patients seeking access to medical aid in dying. This measure will allow more providers to voluntarily participate in providing assistance to medical aid in dying patients, especially to those patients in rural areas.

Your Committees further note the concerns raised in testimony that this measure, as currently drafted, requires attending providers to make an in-person, initial determination of eligibility for medical aid in dying. This amendment would place an additional burden on patients, particularly those in rural areas, to secure an in-person visit to fulfill the requirements of an initial request, even if the provider and patient have a long-standing relationship. Existing state law already requires that providers have an in-person consultation with a patient prior to prescribing controlled substances. Accordingly, amendments to this measure are necessary to address this concern.

Your Committees have amended this measure by:

- (1) Clarifying that the attending provider shall make the initial determination of whether a patient has a terminal disease, is capable of medical decision-making, and has made the request for the prescription voluntarily, provided that this initial determination may be made in-person or via telehealth;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1823, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1823, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, 1 (Riviere). Excused, 1 (Fevella).

Judiciary: Ayes, 5; Ayes with Reservations (Kim). Noes, 1 (Gabbard). Excused, 1 (Fevella).

SCRep. 3856 Ways and Means on H.B. No. 1841

The purpose and intent of this measure is to increase the compensation rates and maximum allowable amounts per case for court-appointed counsel and guardians ad litem.

Your Committee received written comments in support of this measure from the Judiciary, Hawaii Family Advocacy Team, Legal Aid Society of Hawaii, Hawaii State Bar Association, and Hawaii Access to Justice Commission.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the increased compensation rates authorized by this measure will help ensure that the State's courts can attract and retain competent attorneys and guardians ad litem to advocate for some of the community's most vulnerable members.

Your Committee has amended this measure by:

- (1) Changing the authorized compensation rates and maximum allowable amounts per case to unspecified sums;
- (2) Changing the appropriation amount from \$2,300,000 to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1841, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1841, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3857 Ways and Means on H.B. No. 1872

The purpose and intent of this measure is to require state agencies to integrate hunting and fishing into the agencies' food security and sustainability strategies and to balance game management with conservation and habitat protection.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Cattlemen's Council, Good Shepherd Foundation, Game Management Advisory Commission for the County of Hawaii, Hawaii Sportsmen's Alliance, Hawaii Farm Bureau, Hawaii Forest Industry Association, Hawaii Firearms Coalition, and numerous individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that this measure will help the State further its food sustainability goals, conserve natural resources, and protect traditional native Hawaiian hunting and fishing practices.

Your Committee has amended this measure by:

- (1) Clarifying that the rules and policies of each applicable department, office, or agency should be updated in a manner consistent with the statutory material added by the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1872, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1872, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3858 Ways and Means on H.B. No. 1885

The purpose and intent of this measure is to establish within the Office of Enterprise Technology Services a chief data officer and data task force to develop, implement, and manage statewide data policies, procedures, and standards.

Your Committee received written comments in support of this measure from the Office of Enterprise Technology Services; Office of Information Practices; State Council on Developmental Disabilities; Office of Hawaiian Affairs; Civil Beat Law Center for the Public Interest; Ulupono Initiative; Hawaii Chapter of the Society of Professional Journalists; Transform Hawaii Government; Native Hawaiian and Pacific Islander Hawaii COVID-19 Response, Recovery, and Resilience Team; and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure will help promote government transparency by making the data held by state agencies more accessible to other agencies and the general public.

Your Committee has amended this measure by:

- (1) Deleting the appropriation section and the associated effective date;
- (2) Clarifying that representatives from nonprofit organization stakeholders and for-profit business stakeholders should be invited to serve on the data task force; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1885, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1885, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3859 Ways and Means on H.B. No. 1932

The purpose and intent of this measure is to require the development of, appropriate moneys for, and require legislative reports regarding a modern case management software solution for the Child Welfare Services Branch of the Department of Human Services.

Your Committee received written comments in support of this measure from the Department of Human Services and Binti, Inc.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that new case management software will modernize the Child Welfare Services Branch's data systems and provide business functionalities, including the ability to track caseloads, create case plans, facilitate monthly face-to-face visits, and allow families secured online access to their case information.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1932, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1932, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3860 Ways and Means on H.B. No. 2020

The purpose and intent of this measure is to provide funding for affordable homeownership housing projects.

More specifically, this measure:

- (1) Requires that moneys appropriated pursuant to Act 227, Session Laws of Hawaii 2021, lapse on June 30, 2024; and
- (2) Appropriates moneys into and out of the affordable homeownership revolving fund.

Your Committee received written comments in support of this measure from the Hawaii Housing Finance and Development Corporation; Habitat for Humanity Maui, Inc.; Hawaii Appleseed Center for Law and Economic Justice; Hawaii Habitat for Humanity; and three individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure will help to expand access to affordable homeownership opportunities for numerous residents of the State.

Your Committee has amended this measure by:

- (1) Deleting the appropriations into and out of the affordable homeownership revolving fund;
- (2) Changing the effective date to upon approval; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2020, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2020, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3861 Ways and Means on H.B. No. 2061

The purpose and intent of this measure is to allow the Department of Agriculture Animal Industry Division to deposit revenues from the Veterinary Laboratory and Animal Disease Control branch into the Animal Industry Special Fund to assist with the Division's operations.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau, and one individual.

Your Committee finds that this measure will help ensure that the Animal Industry Division has adequate funding to effectively carry out the Division's many responsibilities and improve the Division's operational capacity in support of the State's farming community.

Your Committee has amended this measure by changing the effective date to July 1, 2051, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2061, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3862 Ways and Means on H.B. No. 2062

The purpose and intent of this measure is to provide emergency relief and rehabilitation to eligible farmers throughout the State.

More specifically, this measure:

- (1) Establishes the agricultural emergency loan revolving fund to provide class D emergency loans made pursuant to section 155-9(e), Hawaii Revised Statutes;
- (2) Allows for payments received on account of principal from loans made by the agricultural emergency loan revolving fund to be credited to the revolving fund; and
- (3) Appropriates moneys into and out of the agricultural emergency loan revolving fund.

Your Committee received written comments in support of this measure from the Department of Agriculture, Hawaii Cattlemen's Council, Hawaii Farm Bureau, Ulupono Initiative, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that because environmental and economic disasters and emergencies are occurring with greater frequency, the demand for emergency relief during times of hardship caused by unforeseen crises has increased. Accordingly, your Committee believes that the establishment of an agricultural emergency loan revolving fund to serve as a dedicated source of funding for agricultural emergency loans will help to support farmers throughout the State during and following disasters and emergencies.

Your Committee has amended this measure by changing the effective date to July 1, 2051, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means 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 pass Third Reading in the form attached hereto as H.B. No. 2062, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3863 Ways and Means on H.B. No. 2098

The purpose and intent of this measure is to appropriate or authorize funds for fiscal year 2022-2023 for collective bargaining cost items for the members of collective bargaining unit (10), which consists of institutional, health, and correctional workers, along with their excluded counterparts.

Your Committee received written comments in support of this measure from the Hawaii Health Systems Corporation, Department of Budget and Finance, University of Hawaii, and United Public Workers, AFSCME Local 646.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (10) have reached an agreement, which was later ratified by the unit's members. Your Committee further finds that pursuant to section 89-10(b), Hawaii Revised Statutes, the Governor submitted the cost items, and this measure serves as the corresponding legislative approval of those cost items.

Your Committee has amended this measure by:

- (1) Inserting the amounts for the cost items agreed upon between the State and the exclusive representative of collective bargaining unit (10) for fiscal biennium 2021-2023, along with the corresponding adjustments for the excluded counterparts of the members of collective bargaining unit (10);
- (2) Changing the effective date to July 1, 2022; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2098, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2098, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3864 Ways and Means on H.B. No. 2233

The purpose and intent of this measure is to authorize and appropriate funds for the Department of Human Services to provide additional housing assistance subsidies to eligible needy families.

More specifically, the measure:

- (1) Authorizes the Department of Human Services to provide additional housing assistance subsidies of up to \$500 per month to Temporary Assistance for Needy Families (TANF) and Temporary Assistance for Other Needy Families (TAONF) program participants who are participating in the First-To-Work program; and
- (2) Appropriates funds to the Department of Human Services for the housing assistance subsidies and for system modifications for the TANF program.

Your Committee received written comments in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Office of Hawaiian Affairs, Hawaii Children's Action Network Speaks!, Zonta Club of Hilo, American Association of University Women of Hawaii, Catholic Charities Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Partners In Care, Hawaii Habitat for Humanity Association, and three individuals.

Your Committee received written comments on this measure from the State Procurement Office, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that additional housing assistance subsidies to recipients of the TANF and TAONF programs who participate in the First-To-Work program will help these households cope with the high cost of rental housing in the State.

Your Committee has amended this measure by:

- (1) Deleting the appropriations to the Department of Human Services; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2233, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2233, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3865 Ways and Means on H.B. No. 2288

The purpose and intent of this measure is to transfer and appropriate necessary moneys related to the transfer of certain land from the University of Hawaii to the Department of Hawaiian Home Lands.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands and Council for Native Hawaiian Advancement.

Your Committee received written comments in opposition to this measure from the University of Hawaii system.

Your Committee received written comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that the proposed land transfer will help to address a shortage of available Hawaiian home lands lots and is an important step toward meeting the long-term needs of the Department of Hawaiian Home Lands and its beneficiaries.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2288, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2288, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3866 Ways and Means on H.B. No. 2421

The purpose and intent of this measure is to establish and appropriate moneys for a three-year women's court pilot program within the Judiciary's First Circuit.

Your Committee received written comments in support of this measure from the Judiciary, Department of Health, Department of the Prosecuting Attorney for the City and County of Honolulu, Hawaii State Bar Association, Women's Prison Project, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the pilot program supported by this measure will help improve outcomes and decrease the risk of re-imprisonment for incarcerated women by providing them with mental health services, substance abuse treatment, trauma-informed care, and educational opportunities.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$695,236 to an unspecified sum;
- (2) Changing the amounts allocated for each position within the pilot program to unspecified sums; and
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2421, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2421, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3867 Ways and Means on H.B. No. 2471

The purpose and intent of this measure is to provide employer relief under the State's employment security law by temporarily amending the employer contribution amounts that are required to be paid into the Unemployment Compensation Trust Fund.

Specifically, the measure amends the statutory definition of "adequate reserve fund" to exclude the benefit cost rate from June 2020 through August 2021, for calendar years 2023 through 2030.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations.

Your Committee received written comments on this measure from Tax Foundation of Hawaii.

Your Committee finds that this measure will allow contributory employers to replenish the Unemployment Compensation Trust Fund and help re-establish the fund's integrity while the State's economy continues to recover from the effects of the coronavirus disease 2019 pandemic.

Your Committee has amended this measure by making the measure effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2471, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2471, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3868 Ways and Means on H.B. No. 2512

The purpose and intent of this measure is to address the issue of homelessness in the State.

Specifically, this measure:

- (1) Expands the statutory exemptions granted to the Ohana Zones Pilot Program contracts;
- (2) Extends the sunset date for the Ohana Zones Pilot Program by three years, to June 30, 2026;
- (3) Establishes a five-year Homeless Triage Center Pilot Program to be administered by the Department of Human Services; and
- (4) Appropriates moneys for the Ohana Zones Pilot Program and Homeless Triage Center Pilot Program.

Your Committee received written comments in support of this measure from the City and County of Honolulu Office of Housing; AARP Hawaii; Catholic Charities Hawaii; Hawaii Appleseed Center for Law and Economic Justice; Partners in Care; Institute for Human Services; Hawaii Habitat for Humanity; Planning for Community, LLC; and four individuals.

Your Committee received written comments in opposition to this measure from the Department of Land and Natural Resources.

Your Committee received written comments on this measure from the Attorney General, Department of Budget and Finance, Department of Human Services, Governor's Coordinator on Homelessness, Office of Planning and Sustainable Development, and one individual.

Your Committee finds that continuing the Ohana Zones Pilot Program will sustain effective services that are essential to meet the needs of those who are experiencing housing instability or homelessness.

Your Committee notes that Senate Bill No. 3168, Senate Draft 2, which was previously passed by the Senate, is a substantially similar measure that:

- (1) Extends the Ohana Zones Pilot Program until June 30, 2028;
- (2) Establishes an Ohana Zones Program within the Hawaii Public Housing Authority as part of its rental assistance programs, to continue to address homelessness following the expiration of the Ohana Zones Pilot Program; and
- (3) Appropriates moneys for the Ohana Zones Pilot Program.

Your Committee has amended this measure by deleting its contents and inserting the contents of Senate Bill No. 3168, Senate Draft 2, and further amending the measure by:

- (1) Removing the appropriation; and
- (2) Changing the effective date to make the measure effective upon its approval.

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

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3869 Judiciary on H.B. No. 980

The purpose and intent of this measure is to broaden the Department of Human Services' right of entry into a vulnerable adult's premises in situations where there is probable cause to believe a vulnerable adult is subject to any type of abuse, regardless of whether there is physical injury.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaii Family Advocacy Team and one individual.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 2 of this measure. The proposed S.D. 2 more narrowly tailored the situations where the Department of Human Services' right to entry without a warrant into a vulnerable adult's premises when there is probable cause to believe that the vulnerable adult will be injured through caregiver neglect, self-neglect, or by physical abuse.

Your Committee received testimony in support of the proposed S.D. 2 from the Department of Human Services and one individual.

Your Committee finds that reports of abuse against vulnerable adults continue to rise as Hawai'i's population ages. Your Committee also finds that the Department of Human Services is authorized to enter premises without a warrant for purposes of investigating the abuse of vulnerable adults, pursuant to section 346-229, Hawaii Revised Statutes. Your Committee further finds that existing law limits that right of warrantless entry only to situations in which there is probable cause to believe that a vulnerable adult will be physically injured. However, your Committee also finds that abuse includes not only physical abuse, but also psychological abuse, sexual abuse, financial exploitation, caregiver neglect, or self-neglect. Accordingly, this measure will better serve vulnerable adults who may be victims of abuse.

Your Committee has amended this measure by adopting the proposed S.D. 2.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 980, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 980, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3870 (Joint) Ways and Means and Judiciary on H.B. No. 1658

The purpose and intent of this measure is to facilitate the transfer of non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture.

Specifically, this measure:

- (1) Authorizes the Department of Agriculture, prior to the transfer of certain qualifying non-agricultural park lands, to request from the Department of Land and Natural Resources any information related to the establishment of necessary and reasonable easements upon the lands;
- (2) Requires the Department of Agriculture to accept the transfer of and manage certain encumbered non-agricultural park lands;
- (3) Requires the Department of Agriculture, prior to offering a lease, to inquire with the Department of Land and Natural Resources regarding any easements required for access to landlocked forest reserves or other assets on the lands subject to the lease;

- (4) Exempts from formal county subdivision process and approval requirements the granting of easements over public lands that affect the transfer of undeveloped public lands between the Department of Land and Natural Resources and the Department of Agriculture;
- (5) Requires a lessee to develop a conservation program and plan if conservation resources exist on lands subject to the lease; and
- (6) Requires approval from the Board of Land and Natural Resources and Board of Agriculture before removing pasture lands for reforestation or other public purposes.

Your Committees received written comments in support of this measure from Ponoholo Ranch Limited; Larry Jeffs Farms, LLC; Hawaii Cattlemen's Council; Ulupono Initiative; Hawaii Farm Bureau; Kapapala Ranch; Local Food Coalition; and thirteen individuals.

Your Committees received written comments in opposition to this measure from the Department of Land and Natural Resources, The Nature Conservancy of Hawaii and Palmyra, and Sierra Club of Hawaii.

Your Committees received written comments on this measure from the Department of the Attorney General, Department of Agriculture, and Land Use Research Foundation of Hawaii.

Your Committees find that although Act 90, Session Laws of Hawaii 2003, was enacted to facilitate the transfer of certain non-agricultural park lands to the Department of Agriculture, lengthy transfer processes have stalled the transfer of many parcels of land that are primarily used for agricultural production.

Your Committees have amended this measure by:

- (1) Requiring, rather than authorizing, that the granting of easements over public lands that affect the transfer of public lands between the Department of Land and Natural Resources and Department of Agriculture be exempted from formal county subdivision processes and approval requirements;
- (2) Removing the requirement that the public lands being transferred be undeveloped in order to be eligible for the exemption described in paragraph (1);
- (3) Amending legislative findings relating to non-agricultural park lands;
- (4) Providing for the Department of Agriculture to accept the transfer and management of certain qualifying non-agricultural park lands, rather than encumbered non-agricultural park lands;
- (5) Codifying in section 166E-3, Hawaii Revised Statutes, provisions of the measure that establish requirements that must be met before pasture leases are removed for reforestation or other public purposes; and
- (6) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1658, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1658, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Kidani).

Judiciary: Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3871 Ways and Means on H.B. No. 1497

The purpose and intent of this measure is to require the Department of Land and Natural Resources to establish a two-year pilot program to remove invasive species, including albizia, from the area in and around Waiahole Stream on the island of Oahu.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Hawaii Housing Finance and Development Corporation, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the invasive species pilot program supported by this measure will help the State mitigate the risk of downstream flooding, improve forest health, and reduce the impact of invasive species in and around Waiahole Stream.

Your Committee has amended this measure by:

- (1) Specifying that the moneys appropriated by the measure shall not lapse at the end of the fiscal biennium;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1497, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1497, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3872 Ways and Means on H.B. No. 1550

The purpose and intent of this measure is to address the State's shortage of health care providers.

Specifically, this measure:

- (1) Reestablishes the Hawaii medical education special fund; and
- (2) Authorizes the John A. Burns School of Medicine to expend moneys from the Hawaii medical education special fund to support graduate medical education and training programs.

Your Committee received written comments in support of this measure from the Department of Health, University of Hawaii, Hawaii Health Systems Corporation, Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Medical Association, and Hawaii Psychiatric Medical Association.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that continuously and adequately funding graduate medical education is vital to address the State's ongoing physician shortage.

Your Committee has amended this measure by:

- (1) Moving the new statutory section created by section 2 of the measure to subpart C, part V, of Chapter 304A, Hawaii Revised Statutes, which includes most other University of Hawaii special funds; and
- (2) Making a technical nonsubstantive amendment for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1550, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1550, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3873 Ways and Means on H.B. No. 1568

The purpose and intent of this measure is to encourage the production and use of local agricultural products.

More specifically, the measure:

- (1) Requires the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System to ensure that a certain percentage of the food purchased by these entities is locally grown; and
- (2) Requires each of these entities to submit to the Legislature annual reports describing progress made toward meeting specified benchmarks.

Your Committee received written comments in support of this measure from the University of Hawaii System, Department of Education, Hawaii Cattlemen's Council, Hawaii Primary Care Association, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Alliance for Progressive Action, Hawaii Food Industry Association, and numerous individuals.

Your Committee received written comments on this measure from Ka Ohana O Na Pua.

Your Committee finds that requiring state entities that purchase significant amounts of agricultural products to ensure that a certain percentage of the food purchased is locally grown will help to ensure the continued production of local food, support local farmers and ranchers, and guarantee that revenue derived from locally-grown food remains in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Education's annual report to the Legislature shall include the required information from the school year preceding the regular session and not the calendar year; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1568, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1568, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3874 Ways and Means on H.B. No. 1579

The purpose and intent of this measure is to amend Act 212, Session Laws of Hawaii 2021, relating to the transfer of the Oahu Regional Health Care System from the Hawaii Health Systems Corporation to the Department of Health, to ensure that the intent of Act 212 is properly achieved.

Specifically, this measure:

- (1) Sets the proper manner by which the Oahu Regional Health Care System should seek operational funding during the pendency of the transition process;
- (2) Extends the date by which the transfer is to be completed from December 31, 2022, to December 31, 2025;
- (3) Requires the transition working group to submit an additional report to the Legislature prior to the convening of the Regular Session of 2025;

- (4) Clarifies the procedure for the working group to discuss matters concerning patient privacy and prospective bidders; and
- (5) Appropriates moneys for the creation of a comprehensive business and transition plan.

Your Committee received written comments in support of this measure from the Oahu Region of the Hawaii Health Systems Corporation; University of Hawaii; and United Public Workers, AFSCME Local 646.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Health, and Hawaii Health Systems Corporation.

Your Committee finds that, due to the complexity of the transition and the Department of Health's recent focus on other pressing issues, additional time is required to ensure that the transfer of the Oahu Regional Health Care System is properly effectuated.

Your Committee has amended this measure by:

- (1) Deleting the appropriation for the creation of a comprehensive business and transition plan; and
- (2) Making the measure effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1579, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1579, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3875 Ways and Means on H.B. No. 1682

The purpose and intent of this measure is to authorize the Department of Budget and Finance, with the approval of the Governor, to issue special purpose revenue bonds for the purpose of assisting Next Level Solutions Group, Inc., in the development of a waste-to-energy facility.

Your Committee received written comments in support of this measure from Next Level Solutions Group, Inc.

Your Committee received written comments in opposition to this measure from Climate Protectors Hawaii, Zero Waste Oahu, Zero Waste Hawaii Island, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that Next Level Solutions Group, Inc.'s development of waste-to-energy technology will benefit Hawaii by reducing the amount of waste that enters landfills, operating in a manner that does not release toxins and other harmful emissions into the air, and providing residents with new, well-compensated jobs in the clean-energy sector.

Your Committee has amended this measure by making a technical nonsubstantive change for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1682, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1682, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3876 Ways and Means on H.B. No. 1688

The purpose and intent of this measure is to amend the assessment and permitted uses of the additional motor vehicle registration fee.

More specifically, this measure:

- (1) Subjects U-drive motor vehicles to the same additional motor vehicle registration fee as all other motor vehicles;
- (2) Authorizes each county to use this additional motor vehicle registration fee revenue to, among other things, mitigate and address the impacts of tourism-related traffic congestion; and
- (3) Renames the highway beautification and disposal of abandoned or derelict vehicles revolving fund as the highway beautification, abandoned vehicle, and tourism-related traffic congestion revolving fund.

Your Committee received written comments in support of this measure from the County of Kauai, Department of Finance of the County of Kauai, Enterprise Holdings, Hawaii Council of Mayors, Hawaii State Association of Counties, Hertz, and one individual.

Your Committee received written comments on this measure from Maui Chamber of Commerce and Tax Foundation of Hawaii.

Your Committee finds that by providing an additional source of revenue and authorizing targeted expenditures, this measure will assist the counties' efforts to more effectively address the issues of abandoned and derelict motor vehicles and tourism-related traffic congestion.

Your Committee has amended this measure by changing to an unspecified amount the maximum amount that a county, by ordinance, may increase the additional motor vehicle registration fee.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1688, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1688, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3877 Ways and Means on H.B. No. 1711

The purpose and intent of this measure is to appropriate moneys for the College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa to establish three full-time equivalent (3.0 FTE) positions at the Kauai Research and Extension Station, including one livestock extension agent position.

Your Committee received written comments in support of this measure from the University of Hawaii System, Land Use Research Foundation of Hawaii, Hawaii Cattlemen's Council, Ulupono Initiative, Hawaii Farm Bureau, Hawaii Crop Improvement Association, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure's funding for additional staffing at the College of Tropical Agriculture and Human Resources' Kauai Research and Extension Station will facilitate efforts to provide continued outreach, education, and other valuable supports for Kauai's agricultural industry.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1711, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1711, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3878 Ways and Means on H.B. No. 1741

The purpose and intent of this measure is to improve the well-being of children and families of incarcerated parents.

More specifically, the measure:

- (1) Requires the Department of Human Services to continue leading a working group to address visitation and support needs of children and families of incarcerated individuals;
- (2) Requires the working group to submit a report to the Legislature that includes the estimated costs of operating a sustainable pilot Visitation and Family Resource Center at Waiawa Correctional Facility on Oahu;
- (3) Requires the Department of Human Services to work with the Department of Public Safety, Family Reunification Working Group, and other entities serving children and families affected by parental incarceration to establish a pilot Visitation and Family Resource Center at Waiawa Correctional Facility; and
- (4) Appropriates moneys to establish the pilot Visitation and Family Resource Center.

Your Committee received written comments in support of this measure from the Department of Human Services, Hawaii Substance Abuse Coalition, Hawaii Youth Services Network, Hawaii Association of School Psychologists, Community Alliance on Prisons, Women's Prison Project, Hawaii Children's Action Network Speaks!, Blueprint for Change, Ohana Support Network, ACLU of Hawaii, Early Childhood Action Strategy, and eight individuals.

Your Committee received written comments on this measure from the Office of Information Practices and Department of Budget and Finance.

Your Committee finds that the pilot Visitation and Family Resource Center to be established at Waiawa Correctional Facility pursuant to this measure will provide a more suitable environment for visitation to occur among children and their incarcerated parents and help to minimize the trauma often experienced by families affected by incarceration.

Your Committee has amended this measure by:

- (1) Deleting a redundant reference to the Department of Human Services;
- (2) Changing the appropriations to unspecified amounts;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1741, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1741, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3879 Ways and Means on H.B. No. 1759

The purpose and intent of this measure is to appropriate moneys to the Judiciary to contract with nonprofit organizations to provide legal counsel and assistance to low-income immigrants and non-citizen residents from nations that have signed compacts of free association with the United States.

Your Committee received written comments in support of this measure from the Judiciary, Department of Human Services, Americans for Democratic Action, Hawaii Friends of Civil Rights, Hawaii Coalition for Immigrant Rights, Catholic Charities Hawaii, The Legal Clinic, and four individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the legal services supported by this measure will help address a gap in the State's low-income legal services and provide low-income immigrants and certain non-citizen residents in immigration proceedings greater access to justice.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount from \$250,000 to an unspecified sum;
- (2) Changing the effective date to July 1, 2088, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1759, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1759, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3880 Ways and Means on H.B. No. 1762

The purpose and intent of this measure is to strengthen efforts to improve access to government services by persons having limited English proficiency.

More specifically, the measure:

- (1) Requires the Office of Language Access to submit an annual report to the Governor and Legislature regarding the compliance of state agencies and certain other entities with state and federal language access laws; and
- (2) Appropriates moneys for the:
 - (A) Establishment of one full-time equivalent (1.0 FTE) limited English proficiency language coordinator position in the Office of Language Access;
 - (B) Operating expenses of the Office of Language Access to ensure compliance with language access laws; and
 - (C) Development by the Office of Language Access of a comprehensive statewide plan to increase language access.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Department of Human Services, Common Cause Hawaii, Hawaii Friends of Civil Rights, Hawaii Coalition for Immigrant Rights, Catholic Charities Hawaii, The Legal Clinic, Hawaii Children's Action Network Speaks!, Hawaii Public Health Institute, Waipahu Safe Haven Center, and four individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Office of Language Access, Hawaii Emergency Management Agency, and Department of Budget and Finance.

Your Committee finds that the comprehensive statewide plan and annual report required by this measure, along with the measure's funding and staffing support for the Office of Language Access, represent a multifaceted approach to improving language access in the State.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1762, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1762, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3881 Ways and Means on H.B. No. 1798

The purpose and intent of this measure is to authorize the Department of Budget and Finance, with the approval of the Governor, to issue special purpose revenue bonds for the purpose of assisting The Queen's Health Systems in the financing of costs related to the construction, improvement, and equipping of health care facilities.

Your Committee received written comments in support of this measure from The Queen's Health Systems.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the construction, improvement, and equipping of health care facilities of The Queen's Health Systems, a not-for-profit corporation that provides health care facilities to the general public, is a project that qualifies for financing pursuant to part II, chapter 39A, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Changing the appropriation from \$750,000,000 to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1798, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1798, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3882 Ways and Means on H.B. No. 1828

The purpose and intent of this measure is to facilitate the administration of the Taxation Board of Review.

Specifically, the measure:

- (1) Replaces the ten-member Board of part-time volunteer members with a three-member Board of full-time salaried members;
- (2) Requires the Chairperson of the new Board to be an experienced attorney or certified public accountant;
- (3) Provides that the Vice Chairperson of the Board, among other matters, shall serve as the Chairperson when the Chairperson is temporarily unable to act due to recusal;
- (4) Requires the Board to submit to the Governor and Director of Taxation annual reports on the Board's activities;
- (5) Establishes that the presence of at least two members at any Board meeting or proceeding shall constitute a quorum;
- (6) Provides that a concurrence of the majority of members who hear an appeal shall validate an action of the Board;
- (7) Establishes hearings by the Board as contested case hearings;
- (8) Clarifies the legal and evidentiary framework for the Board's decisions; and
- (9) Appropriates moneys for the salaries of Board members and staff.

Your Committee received written comments in support of this measure from the Department of Taxation.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that establishing a paid, professional Taxation Board of Review and providing the Board with robust institutional support will help the Department of Taxation resolve its significant backlog of appeals and ensure that those appeals are resolved in a fair and expeditious manner.

Your Committee has amended this measure by:

- (1) Clarifying that the existing members of the Taxation Board of Review shall continue to serve until their successors are appointed and confirmed;
- (2) Changing the appropriation from \$518,452 to an unspecified amount;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1828, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1828, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3883 Judiciary on H.B. No. 1848

The purpose and intent of this measure is to:

- (1) Establish freedom of speech and freedom of the press protections for student journalists producing school-sponsored media or university-sponsored media unless subject to certain exceptions; and
- (2) Provide legal immunity for state agencies, officers, and employees for students' exercise of these freedoms.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Ka Leo O Hawai'i, Student Press Law Center, Hawaii Publishers Association, and twenty-three individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that student journalists attending Hawai'i public schools and the University of Hawai'i need additional protection against censorship, and that advisors need additional protections against retaliation for refusing to illegally censor student journalists. Pursuant to the exclusive jurisdiction of the Legislature to identify laws of statewide concern granted under article X, section 6, of the Hawaii State Constitution, your Committee further finds that allowing student journalists at the University of Hawai'i to exercise freedom of speech and freedom of the press in school-sponsored media and protecting their advisors from retaliation for refusing to censor their students is a matter of statewide concern. This measure will establish protections for student journalists in Hawai'i's public schools and the University of Hawai'i.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1848, H.D. 2, S.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. 3884 Judiciary on H.B. No. 1883

The purpose and intent of this measure is to:

- (1) Require the exterior of the envelope containing the ballot package for elections by mail to include instructions on how to obtain language translation services in Hawaiian and certain other non-English languages; and
- (2) Apply to all elections beginning with the 2024 primary election.

Your Committee received testimony in support of this measure from the Office of Elections, Office of Language Access, University of Hawai'i at Hilo, Hawai'i Coalition for Immigrant Rights, Common Cause Hawaii, Hawai'i Friends of Civil Rights, League of Women Voters of Hawaii, Hawai'i Public Health Institute, Hawai'i Alliance for Progressive 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 Honolulu Elections Division.

Your Committee finds that Hawai'i is the most diverse state in the country with a diversity index of seventy-six percent. The April 2016 Department of Business, Economic Development, and Tourism Research and Economic Analysis Division report on the non-English speaking population in Hawai'i indicated that the number of non-English speakers at home increased by forty-four percent from 1980 to 2014, and that Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home, comprising approximately half of the non-English speakers. Your Committee further finds that language translation services are already required and used by the State and counties for in-person voting. This measure will ensure that limited English proficient voters are informed about how to obtain language translation services when voting by mail.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1883, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

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

SCRep. 3885 Ways and Means on H.B. No. 2510

The purpose and intent of this measure is to incrementally increase the State's minimum wage.

More specifically, the measure:

- (1) Increases the State's minimum wage to \$12.00 per hour beginning October 1, 2022; \$15.00 per hour beginning January 1, 2024; and \$18.00 per hour beginning January 1, 2026; and
- (2) Reduces the tip credit to \$.35 per hour beginning October 1, 2022; and zero cents per hour beginning January 1, 2026.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations; Department of Human Services; Hawaii County Council; Hawaii State Association of Counties; Hawaii State American Federation of Labor and Congress of Industrial Organizations; American Association of University Women of Hawaii; Hawaii Alliance of Nonprofit Organizations; Rainbow Family 808; Stonewall Caucus of the Democratic Party of Hawaii; Pride @ Work Hawaii; Hawaii Alliance for Community-Based Economic Development; Hawaii Workers Center; Chamber of Sustainable Commerce; League of Women Voters Hawaii; Hawaii Association of School Psychologists; International Alliance of Theatrical Stage Employees 665; Hawaii State Teachers Association; Hawaii Children's Action Network Speaks!; Church of the Crossroads; Hawaii Alliance for Progressive Action; United Public Workers, American Federation of State, County, and Municipal Employees Local 646; Democratic Party of Hawaii Education Caucus; Musicians' Association of Hawaii; Catholic Charities Hawaii; Imua Alliance; Hawaii Health and Harm Reduction Center; Hawaii Public Health Institute; Hawaii Ironworkers Stabilization Fund; Democratic Party of Hawaii Labor Caucus; Living Wage Hawaii; Hawaii Government Employees Association; Pono Hawaii Initiative; Democratic Party of Hawaii; International Union of Bricklayers and Allied Craftworkers, Local 1 of Hawaii; Puakalehua Early Learning Consortium; Raise Up Hawaii Kauai; Faith Action for Community Equity, Hawaii Workers Center, Raise Up Hawaii; Hawaii Clubhouse Advocacy Coalition; and numerous individuals.

Your Committee received written comments in opposition to this measure from the National Federation of Independent Business; Magics Beach Grill; Hawaii Food Manufacturers Association; Society of Human Resource Management Hawaii; Kona-Kohala Chamber of Commerce; Tiki's Grill and Bar; Hawaiian Chip Company; Hawaii Lodging and Tourism Association; Hawaiian Candies and Nuts, Ltd; Island Business Management, LLC; Gyotaku Japanese Restaurants; Il Gelato Hawaii; L&L Hawaiian Barbecue; and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance; Hawaii Restaurant Association; Hawaii Food Industry Association; Retail Merchants of Hawaii; Hawaii Farm Bureau; Hawaii Petroleum Marketers Association; Kohala Coast Resort Association; Hawaii Appleseed Center for Law and Economic Justice; Chamber of Commerce Hawaii; Grassroot Institute of Hawaii; Maui Chamber of Commerce; KYD, Inc.; and two individuals.

Your Committee finds that incrementally increasing the minimum wage will help provide more economic stability for the State's low-income working residents without unduly burdening employers in the State.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2510, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Wakai). Noes, none. Excused, none.

SCRep. 3886 Ways and Means on H.B. No. 1539

The purpose and intent of this measure is to ensure the security of Judiciary personnel.

Specifically, the measure:

- (1) Prohibits a person or organization from posting on the Internet personal information about federal and state judges and other judicial staff with the intent to intimidate or threaten; and
- (2) Establishes a Judicial Security Task Force to examine, evaluate, and determine optimal methods for securing online personal information of certain Judiciary personnel.

Your Committee received written comments in support of this measure from the Judiciary and Hawaii State Bar Association.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee finds that, due to the availability of personal information about judges and judicial staff on the Internet, appropriate deterrents, as well as collaboration and cooperation among various governmental and nongovernmental entities, are necessary to ensure the safety of judges and judicial staff.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1539, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3887 Ways and Means on H.B. No. 1548

The purpose and intent of this measure is to appropriate funds to the University of Hawaii John A. Burns School of Medicine to expand medical school and residency training through the United States Department of Veterans Affairs graduate medical education programs.

Your Committee received written comments in support of this measure from the University of Hawaii, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hawaii Primary Care Association, Hawaii Pacific Health, Hawaii Psychiatric Medical Association, and The Queen's Health Systems.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that additional funding to the University of Hawaii John A. Burns School of Medicine will help to increase the number of physician educators who can deliver health care for veterans in Hawaii and expand the medical school's capacity to train and supervise medical students and residents.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1548, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3888 (Joint) Ways and Means and Judiciary on H.B. No. 598

The purpose and intent of this measure is to enhance public health protections against tobacco products.

Specifically, the measure:

- (1) Establishes the offense of unlawful shipment of tobacco products;
- (2) Includes electronic smoking devices among the tobacco products that are regulated in the State;
- (3) Increases the license fee for persons or entities engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (4) Increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products; and
- (5) On an annual basis, deposits \$750,000 of certain tax revenues to the credit of the Hawaii Tobacco Prevention and Control Trust Fund to support health education and prevention programs concerning the risks and danger of the use of electronic smoking devices by youth.

Your Committees received written comments in support of this measure from the Department of the Attorney General; Department of Health; We Are One, Inc.; Hawaii Association of School Psychologists; Get Fit Kauai; Hawaii COPD Coalition; American Lung

Association in Hawaii; Hawaii Primary Care Association; Hawaii State Teachers Association; Hawaii Children's Action Network Speaks!; AlohaCare; Americans for Democratic Action; Hawaii Public Health Institute; Hawaii Dental Association; American Heart Association; American Cancer Society Cancer Action Network; Pop Warner Hamakua Coast Cougars; Hawaii Chapter of the American Academy of Pediatrics; Coalition for a Drug-Free Hawaii; Hawaii Substance Abuse Coalition; Hawaii Public Health Association; Coalition for a Tobacco-Free Hawaii - Youth Council; and numerous individuals.

Your Committees received written comments in opposition to this measure from Retail Merchants of Hawaii; Cigar Association of America, Inc.; Hawaii Smokers Alliance; and four individuals.

Your Committees received written comments on this measure from the Department of Taxation, Hawaii Petroleum Marketers Association, Tax Foundation of Hawaii, and Hawaii Food Industry Association.

Your Committees find that the use of tobacco products, including electronic smoking devices, continues to impose health risks on Hawaii's residents and, consequently, believe that further regulation of those products is necessary.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 598, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
 Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).
 Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3889 Higher Education on Gov. Msg. Nos. 737, 738, 739, 740, 741, 742, and 743

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE

- G.M. No. 737 KAREN MUKAI, for a term to expire 06-30-2024;
- G.M. No. 738 ANNE NAKAKURA, for a term to expire 06-30-2022;
- G.M. No. 739 ANNE NAKAKURA, for a term to expire 06-30-2025;
- G.M. No. 740 DIANE PETERS-NGUYEN, for a term to expire 06-30-2022;
- G.M. No. 741 DIANE PETERS-NGUYEN, for a term to expire 06-30-2025;
- G.M. No. 742 FRANK HAAS, for a term to expire 06-30-2022; and
- G.M. No. 743 FRANK HAAS, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Karen Mukai, Anne Nakakura, Diane Peters-Nguyen, and Frank Haas for service on the Hawaii Commission for National and Community Service.

KAREN MUKAI

Your Committee did not receive any testimony on this measure.

Your Committee finds that Ms. Mukai's experience, knowledge, and willingness to serve on the Hawaii Commission for National and Community Service qualify her for appointment as a member representing community-based agencies or organizations within the State. Your Committee finds that Ms. Mukai has extensive experience in business as an owner and operator of the largest Kumon franchise on Oahu and TK Wedding Services. In her previous professional experience, Ms. Mukai co-founded Best Bridal Hawaii, serving as its sole American officer and director. Following her experience with Best Bridal Hawaii, Ms. Mukai became a Japanese wedding consultant to serve the Japan-Hawaii wedding industry while also focusing on service to her community through non-profit organizations. Ms. Mukai is an active member of her community, serving as a board member of March of Dimes Hawaii Chapter, Manoa Valley Theatre, Women's Fund Hawaii, and Susan G. Komen Hawaii. In her experience as a board member, Ms. Mukai chaired the 2020 virtual Manoa Marquee for Manoa Valley Theatre, the 2021 hybrid Susan G. Komen Hawaii Pink Tie Lei Day Celebration, and the virtual Women's Fund Hawaii 2021 Tea and Champagne Fundraiser. Her experience and knowledge in finance and accounting will be an asset to the Hawaii Commission for National and Community Service. Your Committee therefore recommends that Karen Mukai be appointed to the Hawaii Commission for National and Community Service based on her experience, knowledge, and desire to serve the public.

ANNE NAKAKURA

Your Committee received testimony in support of the nominations for the appointment and reappointment of Anne Nakakura from one individual.

Upon review of the testimony, your Committee finds that Ms. Nakakura's experience, knowledge, and willingness to serve on the Hawaii Commission for National and Community Service qualify her for appointment and reappointment as a member representing community-based agencies or organizations within the State. Your Committee finds that Ms. Nakakura has held numerous executive-level positions within the fields of accounting and business finance. Ms. Nakakura is also a certified public accountant, and she has served major businesses in Hawaii such as Roberts Hawaii and educational institutions such as Hawaii Baptist Academy. Presently, Ms. Nakakura serves as Business Manager for La Pietra – Hawaii School for Girls, where she oversees finances and operations, including campus technology and facilities for the school, which serves girls in grades six through twelve. Ms. Nakakura has extensive experience managing daily operations and financial management, including oversight of annual operating budgets and risk management. Her experience and knowledge in finance and accounting will be an asset to the Hawaii Commission for National and

Community Service. Your Committee therefore recommends that Anne Nakakura be appointed and reappointed to the Hawaii Commission for National and Community Service based on her experience, knowledge, and desire to serve the public.

DIANE PETERS-NGUYEN

Your Committee received testimony in support of the nominations for the appointment and reappointment of Diane Peters-Nguyen from one individual.

Upon review of the testimony, your Committee finds that Ms. Peters-Nguyen's experience, knowledge, and willingness to serve on the Hawaii Commission for National and Community Service qualify her for appointment and reappointment as a member. Ms. Peters-Nguyen currently serves as the Chief Executive Officer of the American Red Cross, Pacific Islands Region. Ms. Peters-Nguyen previously held executive-level management positions for educational institutions and organizations, including Chaminade University, Oceanic Institute, and Pacific Rim Foundation. She has served as president and board member of Hui Hānai Advisory Board and past president of Hawaii Society of Business Professionals. Ms. Peters-Nguyen has also been an active member of the community, serving as a board member for Kamehameha Scholars Advisory Board, Pacific Arts Foundation, Friends of East-West Center, 'Ōlelo Community Media, Native Hawaiian Hospitality Association, Prince Kūhio Hawaiian Civic Club, and Native Hawaiian Chamber of Commerce. Ms. Peters-Nguyen also served as a peer grant reviewer for the United States Department of Education, Native Hawaiian Education Grant Competition and the Office of Hawaiian Affairs. Her experience and knowledge at all levels of education and extensive community serve will be an asset to the Hawaii Commission for National and Community Service. Your Committee therefore recommends that Diane Peters-Nguyen be appointed and reappointed to the Hawaii Commission for National and Community Service based on her experience, knowledge, and desire to serve the public.

FRANK HAAS

Your Committee received testimony in support of the nominations for the appointment and reappointment of Frank Haas from Historic Hawaii Foundation and twenty-seven individuals.

Upon review of the testimony, your Committee finds that Mr. Haas' experience, knowledge, and willingness to serve on the Hawaii Commission for National and Community Service qualify him for appointment and reappointment as a member. Mr. Haas has decades of experience in the field of marketing, serving in various sectors such as hospitality and tourism, technology, marketing, and business. He currently serves as the President and Chief Executive Officer of Marketing Management, Inc. He has previously served as Dean of the Hospitality, Culinary, and Business programs for Kapiolani Community College and as Vice President of Marketing for the Hawaii Tourism Authority. Mr. Haas has also served as a member of numerous nonprofit boards supporting culture and the arts, including Friends of Hawaii State Art Museum, Hawaii Public Radio, Chamber Music Hawaii, Historic Hawaii Foundation, Hawaii Book and Music Festival, Honolulu Theatre for Youth, and the Honolulu Symphony Marketing Committee. His experience and knowledge in hospitality, marketing, and business and extensive community serve will be an asset to the Hawaii Commission for National and Community Service. Your Committee therefore recommends that Frank Haas be appointed and reappointed to the Hawaii Commission for National and Community Service based on his experience, knowledge, and desire to serve the public.

As affirmed by the records of votes of the members of your Committee on Higher Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3890 Judiciary on H.B. No. 1888

The purpose and intent of this measure is to:

- (1) Increase the threshold amount that requires disclosure of electioneering communications;
- (2) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed;
- (3) Specify the disclosure date for subsequent public distribution of electioneering communications;
- (4) Exempt communications in news stories or editorials published by electronic means from being considered electioneering communications;
- (5) Repeal the actual expenditures exception from the definition of "electioneering communication"; and
- (6) Apply these requirements to all elections beginning with the 2022 primary election.

Your Committee received testimony in support of this measure from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that Act 3, Special Session Laws of Hawaii 2021, received criticism for seeming to limit the expenditure reporting requirement by parties for electioneering communications. Electioneering communications reporting is required for noncandidate committees whose expenditures are not the result of direct contributions to any candidate and represents an unchecked resource that can be used to unduly influence the results of candidate and issue elections. Because of the unchecked and unknown sources of these funds, additional scrutiny for their expenditures is warranted. Amending the disclosure date of electioneering communications to occur on the date the electioneering communications are publicly distributed is timelier and provides more transparency.

Your Committee has amended this measure by clarifying that the disclosure date for mailers is the date the mailers are mailed.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1888, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1888, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

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

SCRep. 3891 (Majority) Judiciary on H.B. No. 2075

The purpose and intent of this measure is to:

- (1) Increase the time frame that a permit to acquire a firearm can be used to thirty days; and
- (2) Eliminate physical inspection of firearms generally, except under certain circumstances.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, and Hawai'i Police Department. Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition, Pu'uloa Rifle and Pistol Club, and twelve individuals.

Your Committee finds that in *Yukutake v. Connors*, the United States District Court for the District of Hawaii held that the requirement in section 134-2(e), Hawaii Revised Statutes, that a permit to acquire a handgun be used within ten days of issuance of the permit, and the requirement in section 134-3(c), Hawaii Revised Statutes, that firearms be physically inspected at the time of registration are both unconstitutional. Your Committee further finds that the State has a substantial interest in public safety, and accurate information protects public safety both by preventing people who are disqualified from owning firearms from acquiring them and by facilitating the tracing of firearms. Your Committee believes that the correlation between strong permitting laws and the reduction of gun violence supports imposing a reasonable expiration date on firearm permits. This measure will help Hawai'i's firearm permitting laws survive legal challenges while continuing to protect public safety by increasing the time frame that a permit to acquire can be used to thirty days and eliminating the physical inspection of firearms generally, except under certain circumstances.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2075, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2075, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, 1 (Gabbard). Excused, 2 (Keohokalole, Fevella).

SCRep. 3892 Ways and Means on H.B. No. 510

The purpose and intent of this measure is to provide relief to low-income persons from taxes and fees associated with vehicles.

More specifically, this measure establishes a refundable income tax credit to offset vehicle registration fees for persons who are eligible to receive a refundable food/excise tax credit in an amount greater than \$0.

Prior to a public hearing on this measure, your Committee made available for public review a Proposed S.D. 1 of this measure. The Proposed S.D. 1 amends the measure by adding a provision to extend the availability of the state earned income tax credit.

Your Committee received testimony in support of this measure from Catholic Charities Hawaii, Hawaii Health and Harm Reduction Center, and Stonewall Caucus of the Democratic Party of Hawaii.

Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Americans for Democratic Action, Early Childhood Action Strategy, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Children's Action Network Speaks!, Hawaii Public Health Institute, and nine individuals.

Your Committee finds that the state earned income tax credit, codified as section 235-55.75, Hawaii Revised Statutes, provides an incentive for taxpayers to work, while also reducing the tax burden on low- and moderate-income families. Your Committee also finds that, under present law, the state earned income tax credit shall not apply to taxable years beginning after December 31, 2022. Your Committee further finds that the Proposed S.D. 1 would extend the availability of the state earned income tax credit by an additional six years.

Your Committee has amended this measure by adopting the Proposed S.D. 1 and further amending the Proposed S.D. 1 by:

- (1) Removing the provisions related to the vehicle registration fee income tax credit;
- (2) Making the earned income tax credit refundable; and
- (3) Changing the effective date to upon approval and applying the measure to taxable years beginning after December 31, 2021.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 510, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 510, H.D. 1, S.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, none.

SCRep. 3893 Ways and Means on H.B. No. 1147

The purpose and intent of this measure is to appropriate moneys for the capital improvement project costs of the State for the fiscal biennium 2021-2023.

Your Committee received no written comments on this measure.

Your Committee finds that by appropriating moneys for the State's capital improvement project costs, this measure provides an opportunity to invest in the State's infrastructure while remaining fiscally prudent.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1147, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1147, S.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, 2 (Keith-Agaran, Kidani).

SCRep. 3894 Ways and Means on H.B. No. 1540

The purpose and intent of this measure is to authorize the issuance of general obligation bonds and make findings pursuant to the Hawaii State Constitution that the bond issuance will not cause the State's 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 Hawaii State Constitution requires the Legislature to include in every general law authorizing the issuance of general obligation bonds a declaration of findings that the total amount of principal and interest will not cause the State's debt limit to be exceeded at the time of issuance.

Your Committee has amended this measure by inserting the respective Act numbers for the General Appropriations Act of 2021 and the Judiciary Appropriations Act of 2021 where those two Acts are referenced in the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1540, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1540, S.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, none.

SCRep. 3895 (Joint) Judiciary and Ways and Means on H.B. No. 2179

The purpose and intent of this measure is to authorize the Director of Taxation, under certain circumstances, to apply to the circuit court to convert certain tax liens into enforceable civil judgments.

Your Committees received testimony in support of this measure from the Department of Taxation. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that there are several current delinquent tax cases that are essentially uncollectible despite the existence of tax liens. When a delinquent taxpayer deliberately ignores the Department of Taxation's communications and the lien remains uncontested, the collection process cannot move forward. This measure will lead to increased tax compliance by authorizing the Director of Taxation to apply to the circuit court to convert certain tax liens into enforceable civil judgments.

Your Committees have amended this measure by making it effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2179, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2179, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Kanuha, Kidani, Moriwaki).

SCRep. 3896 Ways and Means on H.B. No. 1600

The purpose and intent of this measure is to appropriate funds for the operating costs of the executive branch for the supplemental budget period beginning July 1, 2022, and ending June 30, 2023.

Your Committee received testimony in support of this measure from the Department of Budget and Finance; Department of Hawaiian Home Lands; State Council on Developmental Disabilities; Executive Office on Early Learning; Department of Labor and Industrial Relations; Department of Business, Economic Development, and Tourism; Kaho'olawe Island Reserve Commission; Department of Transportation; City and County of Honolulu Department of the Prosecuting Attorney; Hawaii Pacific Health; University of Hawaii; Department of Human Resources Development; Department of Commerce and Consumer Affairs; Department of Public Safety; Office of Planning and Sustainable Development; Executive Office on Aging; Hawaii Technology Development Corporation; Hawaii Health Systems Corporation; Department of the Attorney General; State Foundation on Culture and the Arts; Department of Education; Hawaii Green Infrastructure Authority; Department of Health; Hawaii Public Housing Authority; Hawaii Community Development Authority; Office of the Governor; Hawaii Health Systems Corporation Oahu Regional Health Care System;

Hawaii State Public Library System; State Public Charter School Commission; Department of Human Services; Partners In Care; Local Food Coalition; Catholic Charities Hawai'i; Kahoolawe Island Reserve Commission; Board of Trustees at the Office of Hawaiian Affairs; Hawaii Early Intervention Coordinating Council; State Procurement Office; Policy Advisory Board for Elder Affairs; Early Learning Board; Special Education Advisory Council; Office of Language Access; Hawaii Public Utilities Commission; Disability and Communication Access Board; Healthcare Association of Hawaii; Hawaii Disability Rights Center; AlohaCare; Hui for Excellence in Education Coalition; Hawaiian Humane Society; Hawaii Children's Action Network Speaks!; Health Committee, Democratic Party of Hawaii; Kupuna Caucus of the Democratic Party of Hawaii; Kaiser Permanente; Hunt Companies; Bishop Museum; Kapolei Chamber of Commerce; Historic Hawaii Foundation; Queen's Health Systems; Hawaii Primary Care Association; Hawaii Friends of Civil Rights; Ke Kai O Kuloloi'a; County of Maui; American College of Obstetricians and Gynecologists, Hawaii Section; Kokuia Kalihi Valley Comprehensive Family Services; and numerous individuals.

Your Committee received testimony in opposition to this measure from Mauna Kahalawai Watershed Partnership.

Your Committee received comments on this measure from Department of Accounting and General Services, Department of Agriculture, Department of Budget and Finance, Office of Enterprise Technology Services, Hawaii Tourism Authority, Hawaii State Energy Office, Department of Land and Natural Resources, Department of Land and Natural Resources, Department of Taxation, Department of Defense, Community Alliance on Prisons, Hawai'i Reef and Ocean Coalition, Maui Health System, Waimea Middle Public Conversion Charter School, Department of Defense, Ala Moana-Kakaako Neighborhood Board No. 11, County of Kauai Office of the Prosecuting Attorney, The Nature Conservancy Hawaii, Early Childhood Action Strategy, Climate Protectors Hawaii, Hawaii Oral Health Coalition, Haleakala Ranch, Sierra Club of Hawai'i, Conservation Council of Hawai'i, The Trust for Public Land, Hawai'i Conservation Alliance Foundation, The Nature Conservancy Hawai'i and Palmyra, Surfrider Foundation Hawai'i Region, Center for Biological Diversity, Climate Protectors Hawai'i, Hawai'i's Thousand Friends, Hawai'i Reef & Ocean Coalition, Ko'olau Waialua Alliance, Friends of Lana'i, Ma'alaea Village Association, American Civil Liberties Union of Hawai'i, and three individuals.

PART I. OVERVIEW

This measure, as received, includes:

- (1) The base budget from Act 88, Session Laws of Hawaii (SLH) 2021;
- (2) The addition of previously appropriated collective bargaining amounts in prior Acts;
- (3) The adjustment amounts necessary to fulfill the Employees' Retirement System, Employer-Union Health Benefits Trust Fund, debt service, and Medicaid requirements for the 2021-2023 biennium; and
- (4) The reduction of non-recurring amounts identified in the fiscal year 2021 and 2022 executive budget worksheets issued by the Legislature.

Your Committee has amended this measure to include:

- (1) The approved executive requests for trade-offs, transfers, changes to means of financing, conversions of positions from temporary to permanent, expenditure ceiling increases or decreases, and reductions;
- (2) Additional funding for priority budget requests;
- (3) The remaining balance of the \$1,600,000,000 in American Rescue Plan Act of 2021 funds; and
- (4) The State of Hawaii fund allocation to meet the federal Maintenance of Effort requirement.

	Fiscal Year 2022-2023	
	All Funds	General Funds
Executive Budget Act 88, SLH 2021	\$15,123,214,229	\$7,517,912,761
Executive Budget Request	\$16,685,756,283	\$8,460,113,579
Net Change in Senate Draft	\$5,029,606,599	\$4,210,765,077
Total Appropriation	\$20,152,820,828	\$11,728,587,838

PART II. GENERAL FUND REVENUES AND ECONOMY

The Council on Revenues increased its general fund tax revenue projection at both its January 2022 and March 2022 meetings.

When the Council met, it was determined that, due to the rebounding of the economy and increased tax collections, the State could expect a 6.0 percent increase in the fiscal year 2022 general fund tax revenues. Strong revenue collections were attributed to a high number of visitors to the islands, increased consumer spending, additional tax collections due to inflation, and the benefit of having a larger share of the transient accommodations tax remain in the general fund. Individual and corporate income tax payments also increased as the result of a deferred 2019 tax filing deadline from April 2020 to July 2020, due to the coronavirus disease 2019 (COVID-19) pandemic, resulting in a shift of tax collections from fiscal year 2020 into fiscal year 2021. The State also experienced positive economic growth due to the infusion of Hawaii's portion of the \$1.9 trillion American Rescue Plan Act funds into the state coffers.

The new forecasts for the state general fund tax revenues in fiscal year 2022 through fiscal year 2028 are shown in the table below.

General Fund Tax Revenues

Fiscal Year	Amount (in Thousands of Dollars)	Growth From Previous Year
2022	\$8,772,816	21.0%
2023	\$9,299,185	6.0%
2024	\$9,671,152	4.0%
2025	\$10,009,642	3.5%
2026	\$10,359,979	3.5%
2027	\$10,722,578	3.5%
2028	\$11,097,868	3.5%

PART III. COMMITTEE'S PRIORITIES

Your Committee has worked diligently to create a responsible financial plan that includes a budget that incorporates strategies to improve the State's credit rating and borrowing power and the restoration of and increases to funding for critical services and programs. The Senate's approach to balancing the budget included considering the Council on Revenues' General Fund Forecast, allocating federal funds received from the American Rescue Plan Act, restoring critical defunded positions, restoring programs and services that were reduced during the COVID-19 pandemic, funding non-recurring one-time costs, implementing vacancy reductions to limit the growth of government, meeting the federal maintenance of effort requirements, and, finally, covering costs for Senate priorities.

Your Committee continued to manage the daunting task of balancing the state budget with the remainder of the \$1,600,000,000 allocated to the State through the American Rescue Plan Act of 2021 (ARPA). Numerous federal requirements, restrictions, and limitations were placed on how ARPA funds could be spent by the states. With limited guidance from the Department of Budget and Finance and the federal government, determining the most appropriate use of the money was very difficult. The maintenance of effort requirement presented the greatest challenge for drafting a balanced budget.

Your Committee worked diligently to meet the proportional maintenance of effort funding requirements established under ARPA. Many hours were spent to ascertain accurate appropriations to the University of Hawaii, Department of Education, and all other state departments. The federal maintenance of effort requirements mandate the State to provide proportional funding in fiscal years 2022 and 2023 to elementary and secondary education, and higher education, as compared to the overall state budget averaged over fiscal years 2017, 2018, and 2019. According to the Department of Budget and Finance, this averaged proportional allocation is 6.5 percent and 23.00 percent for higher education and lower education, respectively. Higher education encompasses the University of Hawaii, while lower education comprises the Department of Education minus libraries and early learning programs. Your Committee presents a budget that ensures economic stabilization and meets the federal requirements of the maintenance of effort.

Your Committee understands that there are many competing needs that the State must address. Your Committee recognizes the State's role in overseeing and managing a range of services for our most vulnerable populations, such as kupuna, children, and those with disabilities; addressing issues surrounding homelessness; investing in the development of affordable housing; funding kindergarten through grade twelve education, funding workforce training and the development of industry-recognized certifications and credentials, and protecting our cultural and natural resources; increasing our State's renewable energy capabilities; growing Hawaii's agricultural and value-added product industry; scaling alternative education; and coordinating trauma-informed care programs and services statewide.

PART IV. OPERATING BUDGETAccounting and General Services

The Senate Draft of the executive budget for the Department of Accounting and General Services appropriates \$102,406,900 in fiscal year 2022 and \$608,244,209 in fiscal year 2023 in general funds. The Senate Draft also appropriates \$87,391,066 in fiscal year 2022 and \$106,365,761 in fiscal year 2023 in non-general funds, of which \$3,786,000 in fiscal year 2022 and \$1,769,625 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$805,000 in general funds for the Enterprise Financial System project in fiscal year 2023;
- ❖ Add \$14,768,429 in general funds and \$1,408,095 in federal funds in fiscal year 2023 for state department information technology software and equipment requests from various state departments;
- ❖ Add \$144,000 for a Chief Data Officer;
- ❖ Add \$28,051,654 in general funds and \$2,225,394 in special funds in fiscal year 2023 to centralize digitization and archiving of records for eleven state departments;
- ❖ Add \$284,000 in general funds and a 1.00 FTE Procurement Attorney position to assist with contracts and protests and a 1.00 FTE Purchasing Specialist position to assist with construction contracts in fiscal year 2023;
- ❖ Add \$17,000,000 in general funds for insurance cost increases in fiscal year 2023;

- ❖ Add \$28,000,000 in general funds for infrastructure and warehouses in fiscal year 2023;
- ❖ Add \$1,991,932 in general funds for energy savings performance contracts in fiscal year 2023;
- ❖ Add \$200,000 in ARPA funds for the Artist Fellowship Program in fiscal year 2023;
- ❖ Add \$10,000,000 in general funds for the Bernice Pauahi Bishop Museum in fiscal year 2023;
- ❖ Add \$2,000,000 in general funds for Iolani Palace in fiscal year 2023;
- ❖ Add \$500,000 in ARPA funds for the Creative Grant Program in fiscal year 2023;
- ❖ Reduction of 14.00 FTE general funded vacant positions in fiscal year 2023;
- ❖ Add \$50,000,000 in general funds in fiscal year 2023 for the Stadium Authority's New Aloha Stadium Entertainment District liquidity reserve, which is to reside in the stadium development special fund established by Act 146, SLH 2021, and codified in section 109-3.5, Hawaii Revised Statutes;
- ❖ Add \$350,000,000 in general funds in fiscal year 2023 for the Stadium District redevelopment; and
- ❖ Add \$725,625 in ARPA funds in fiscal year 2023 for State Capitol Security.

Agriculture

The Senate Draft of the executive budget for the Department of Agriculture appropriates \$13,647,499 in fiscal year 2022 and \$51,439,169 in fiscal year 2023 in general funds and \$38,742,443 in fiscal year 2022 and \$37,149,259 in fiscal year 2023 in non-general funds, of which \$100,000 in fiscal year 2022 are ARPA funds.

Highlights are as follows:

- ❖ Add \$165,700 in general funds in fiscal year 2023 for the Agricultural Loan Division;
- ❖ Change means of financing for \$1,825,885 special funds to \$1,407,252 in general funds for 23.00 FTE positions in fiscal year 2023 for the Plant Quarantine Branch, due to special fund insolvency;
- ❖ Add \$425,000 in general funds for the Agricultural Subsidy Program for farmers affected by coffee berry borer and coffee leaf rust and ranchers affected by the spittlebug;
- ❖ Restore \$593,281 in special funds for 5.00 FTE positions and fringe benefits in the Animal Quarantine Branch;
- ❖ Add \$1,600,000 in general funds for the Kapaa litigation settlement;
- ❖ Add \$500,000 in general funds for the management of the Hawi well;
- ❖ Add \$26,000,000 for dam and spillway improvements and purchase of fee simple lands;
- ❖ Add \$658,480 in general funds and 4.00 FTE positions in fiscal year 2023 for Aquaculture Development;
- ❖ Add \$2,000,000 in general funds in fiscal year 2023 for security on Agribusiness Development Corporation lands;
- ❖ Add \$350,000 in general funds in fiscal year 2023 to update the Hawaii Agribusiness Plan and accounting services for the Agribusiness Development Corporation;
- ❖ Add \$4,451,000 in general funds in fiscal year 2023 for irrigation projects on Kauai;
- ❖ Add \$800,000 for irrigation system management;
- ❖ Add \$1,300,000 in general funds in fiscal year 2023, of which \$800,000 is appropriated for axis deer and ungulate fencing for local farmers; and
- ❖ Add \$800,000 in general funds in fiscal year 2023 for a temporary Pesticide Disposal Program.

Attorney General

The Senate Draft of the executive budget for the Office of the Attorney General appropriates \$32,976,791 in fiscal year 2022 and \$47,728,690 in fiscal year 2023 in general funds and \$69,308,262 in fiscal year 2022 and \$74,607,873 in fiscal year 2023 in non-general funds.

Highlights are as follows:

- ❖ Add \$205,380 in federal funds and 2.00 FTE Investigator positions in fiscal year 2023;
- ❖ Add \$3,360,000 in general funds in fiscal year 2023 for Deputy Attorney General salary increases to remain competitive with federal and county agencies;
- ❖ Add \$105,950 in special funds and a 1.00 FTE position in fiscal year 2023 for an Auditor for the Tobacco Enforcement Unit;
- ❖ Add \$2,295,000 in general funds and \$4,455,000 in federal funds in fiscal year 2023 for the Keiki System modernization project to improve the processing of child support payments;
- ❖ Add \$754,000 in general funds and 9.00 FTE positions in fiscal year 2023 for sex and human trafficking prevention;
- ❖ Add \$834,000 in general funds and 9.00 FTE positions in fiscal year 2023 to assist in the control of fraud, white collar crime, and public corruption;

- ❖ Add \$483,000 in general funds and 2.00 FTE positions in fiscal year 2023 for the Law Enforcement Standards Board; and
- ❖ Add \$4,000,000 in general funds in fiscal year 2023 for major litigation and potential lawsuits against the State.

Business, Economic Development, and Tourism

The Senate Draft of the executive budget for the Department of Business, Economic Development, and Tourism appropriates \$17,027,230 in fiscal year 2022 and \$333,149,467 in fiscal year 2023 in general funds. The Senate Draft also appropriates \$147,358,766 in fiscal year 2022 and \$254,779,970 in fiscal year 2023 in non-general funds, of which \$15,350,000 in fiscal year 2022 and \$82,522,490 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$17,972,490 in ARPA funds in fiscal year 2023 for infrastructure upgrades at Kalaeloa;
- ❖ Add \$60,000,000 in ARPA funds in fiscal year 2023 for the Hawaii Tourism Authority;
- ❖ Increase the Convention Center Special Fund expenditure ceiling by \$28,500,000 in fiscal year 2023;
- ❖ Add \$200,000 in general funds in fiscal year 2023 for Sister State Relations;
- ❖ Add \$315,000,000 in general funds in fiscal year 2023 for affordable housing;
- ❖ Add \$3,500,000 in general funds in fiscal year 2022 for Hawaii Technology Development Corporation grants to include funding for Accelerator Programs, Manufacturing grants, and Small Business Loans;
- ❖ Add \$2,000,000 in general funds in fiscal year 2023 for the Council of State Governments;
- ❖ Add \$1,000,000 in general funds in fiscal year 2023 for matching Office of Naval Research grants;
- ❖ Add \$300,000 in general funds in fiscal year 2023 for the Carbon Smart Incentive Program;
- ❖ Add \$2,000,000 in federal funds in fiscal year 2023 for the Air Noise and Safety Task Force; and
- ❖ Redescribed two vacant positions within the Hawaii State Energy Office for 2.00 FTE Hydrogen Program positions.

Budget and Finance

The Senate Draft of the executive budget for the Department of Budget and Finance appropriates \$2,727,042,164 in fiscal year 2022 and \$4,001,311,187 in fiscal year 2023 in general funds. The Senate Draft also appropriates \$421,371,285 in fiscal year 2022 and \$422,864,265 in fiscal year 2023 in non-general funds.

Highlights are as follows:

- ❖ Change Means of Finance from ARPA funds to general funds in the amount of \$9,700,000 for vacation payout;
- ❖ Add \$200,000 in fiscal year 2023 for investment analytic software that has earned the State \$20,000,000 in fiscal year 2021;
- ❖ Reduction of \$23,485,639 in fiscal year 2023 for debt service;
- ❖ Add \$19,015,061 in fiscal year 2023 for retirement benefits for the Department of Education;
- ❖ Add \$335,068,000 in fiscal year 2023 for health premium payments for the Annual Required Contribution;
- ❖ Add \$23,105,000 in fiscal year 2022 for Other Post-Employment Benefits Prefunding;
- ❖ Add \$185,000,000 in general funds in fiscal year 2023 for debt service; and
- ❖ Add \$350,000,000 in general funds in fiscal year 2023 for retirement benefits.

Commerce and Consumer Affairs

The Senate Draft of the executive budget for the Department of Commerce and Consumer Affairs appropriates \$93,821,564 in fiscal year 2022 and \$93,897,084 in fiscal year 2023 in non-general funds.

Highlights are as follows:

- ❖ Add \$243,888 in special funds and 2.00 FTE positions in fiscal year 2023 for small dollar licensure;
- ❖ Add \$242,881 in special funds and 4.00 FTE positions in fiscal year 2023 for the professional vocational licensing division; and
- ❖ Add \$450,000 in special funds in fiscal year 2023 for information technology system improvements.

Defense

The Senate Draft of the executive budget for the Department of Defense appropriates \$19,442,287 in fiscal year 2022 and \$81,090,306 in fiscal year 2023 in general funds and \$84,028,504 in fiscal year 2022 and \$114,778,202 in fiscal year 2023 in non-general funds, of which \$5,000,000 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$289,618 in federal funds and 4.00 FTE positions in fiscal year 2023 for the new Star Base on Kauai;
- ❖ Add \$7,233,000 in general funds to match the \$24,700,000 in federal funds for Hawaii Emergency Management Agency projects;

- ❖ Add \$5,000,000 in ARPA funds in general funds in fiscal year 2023 for the Major Disaster Fund;
- ❖ Add \$17,800,000 in general funds in fiscal year 2023 for land acquisition; and
- ❖ Add \$35,000,000 in general funds in fiscal year 2023 for Hawaii Emergency Management Agency infrastructure construction and site plans.

Education

The Senate Draft of the executive budget for the Department of Education appropriates \$1,920,342,241 in fiscal year 2022 and \$2,769,439,595 in fiscal year 2023 in general funds and \$408,426,911 in fiscal year 2022 and \$427,511,089 in fiscal year 2023 in non-general funds.

Highlights are as follows:

- ❖ Add \$200,000 in general funds and 2.00 FTE positions in fiscal year 2023 for adult workforce programs;
- ❖ Add \$2,000,000 in general funds in fiscal year 2022 for early learning classrooms;
- ❖ Add \$1,000,000 in general funds in fiscal year 2023 to provide menstrual equity across the State;
- ❖ Add \$94,000,000 in general funds in fiscal year 2023 for a pilot teacher salary modernization project;
- ❖ Add \$34,500,000 in general funds in fiscal year 2023 for teacher salary differentials;
- ❖ Add \$5,525,566 in general funds in fiscal year 2023 for a new virtual learning center;
- ❖ Add \$104,000,000 in general funds in fiscal year 2023 to expand the academy education model to middle and high schools across the State;
- ❖ Add \$6,000,000 in general funds in fiscal year 2022 for an Agriculture Innovation Center in Kekaha;
- ❖ Add \$15,000,000 in general funds in fiscal year 2022 for a Centralized Maintenance Baseyard;
- ❖ Add \$97,202 in general funds and a 1.00 FTE Equity Specialist for Charter Schools civil rights compliance;
- ❖ Add \$2,500,000 in general funds for land acquisition for the Papahana o Kaiona Alternative Learning Center;
- ❖ Add \$1,933,365 in general funds in fiscal year 2022 for library renovations across the State;
- ❖ Add \$45,500,000 in general funds in fiscal year 2022 for centralized kitchens for the Farm-to-School program;
- ❖ Add \$6,364,830 in general funds for automated greenhouses across the State;
- ❖ Add \$100,200,000 in general funds to restore one hundred percent of COVID-19 pandemic budget cuts;
- ❖ Add \$158,868 in general funds and 3.00 FTE Athletic Care Trainers in fiscal year 2023 for Waiialua, Waimea, Molokai, and Nanakuli High Schools;
- ❖ Add \$180,000 in general funds and 2.00 FTE Reserve Officers' Training Corps Instructors in fiscal year 2023 for Waipahu and Moanalua High Schools;
- ❖ Add \$50,160 in general funds in fiscal year 2023 for Registered Behavioral Technician workforce pathways;
- ❖ Add \$855,000 in general funds in fiscal year 2023 for a fish hatchery pilot program;
- ❖ Add \$250,000 in general funds in fiscal year 2023 for adult workforce programs for incarcerated women;
- ❖ Add \$300,000 in general funds in fiscal year 2023 to provide educational services in residential programs; and
- ❖ Add \$1,022,499 and 17.00 FTE Teachers to provide a Statewide Special Education teacher mentor program.

Governor

The Senate Draft of the executive budget for the Office of the Governor appropriates \$3,550,536 in fiscal year 2022 and \$3,635,928 in fiscal year 2023 in general funds.

Highlights are as follows:

- ❖ Add \$1,000 in general funds in fiscal year 2023 for gubernatorial transition costs per section 30-6, Hawaii Revised Statutes; and
- ❖ Add \$84,392 in general funds and a 1.00 FTE position in fiscal year 2023 for board and commission nominee management.

Hawaiian Home Lands

The Senate Draft of the executive budget for the Department of Hawaiian Home Lands appropriates \$14,751,668 in fiscal year 2022 and \$615,753,471 in fiscal year 2023 in general funds and \$38,883,770 in fiscal year 2022 and \$73,883,770 in fiscal year 2023 in non-general funds.

Highlights are as follows:

- ❖ Add \$35,000,000 for a federal funds expenditure ceiling increase in fiscal year 2023;
- ❖ Reduction of \$49,260 in general funds in fiscal year 2023 for training costs;

- ❖ Add \$49,260 in general funds and a 1.00 FTE Water Systems Maintenance Helper in fiscal year 2023;
- ❖ Add \$1,043,548 in general funds in fiscal year 2023 for 20.00 FTE defunded vacant positions;
- ❖ Add \$600,000,000 in general funds in fiscal year 2023 for homestead housing;
- ❖ Add \$487,614,000 in fiscal year 2022 for plans, design, construction, land acquisition, and equipment for infrastructure for the following projects:
 - East Kapolei IIC, Oahu, a project for one hundred thirty new lots for \$20,000,000;
 - East Kapolei IID, Oahu, a project for one hundred sixty-seven new lots for \$22,444,800;
 - East Kapolei IIE, Oahu, a project for one hundred fifty-eight new lots for \$24,460,800;
 - East Kapolei IIF, Oahu, a project for two hundred fifty new lots for \$30,374,400;
 - East Kapolei IIA, Oahu, a project for three hundred new lots for \$5,000,000;
 - East Kapolei LDA3, Oahu, a project for two hundred fifty new lots for \$5,000,000;
 - Waimanalo, Oahu, a project for one hundred fifty new agricultural and residential lots for \$25,000,000;
 - Puunani Homestead Subdivision, Maui, a project for one hundred sixty-one new lots for \$13,200,000;
 - Puunani Homestead Phase 2, Maui, a project for one hundred forty new lots for \$37,000,000;
 - Keokea-Waiohuli Phase 2B and Phase 3, Maui, a project for seventy-six new lots for \$27,834,000;
 - West Maui Development – Leialii 1B, Maui, a project for highway and parkway improvements, water development, and two hundred fifty new lots for \$60,000,000;
 - Hoolehua – Naiwa Agricultural Subdivision, Molokai, Maui, a project for fifty-eight new agricultural lots for \$30,000,000;
 - Hanapepe Phase 2, Kauai, a project for seventy-five new residential lots for \$20,000,000;
 - Laiopua Villages 1 and 2, Hawaii, a project for four hundred new lots for \$70,000,000;
 - Kau Phase 3, Hawaii, a project for a water system and twenty-five new pasture lots for \$40,000,000; and
 - Honomu Phase 2, Hawaii, a project for forty new subsistence agricultural lots for \$2,000,000; and
- ❖ Add \$112,386,000 in fiscal year 2023 for down payment assistance and mortgage payment assistance to beneficiaries of the Hawaiian Homes Commission Act, 1920.

Health

The Senate Draft of the executive budget for the Department of Health appropriates \$623,683,733 in fiscal year 2022 and \$640,310,276 in fiscal year 2023 in general funds. The Senate Draft also appropriates \$1,278,000,802 in fiscal year 2022 and \$1,302,192,519 in fiscal year 2023 in non-general funds, of which \$54,264,764 in fiscal year 2022 and \$81,293,804 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$99,433,565 in general funds in fiscal year 2022 and \$71,000,000 in general funds in fiscal year 2023 for COVID-19 pandemic mitigation;
- ❖ Retain Hawaii Health Systems Corporation - Oahu Region \$35,000,000 in special funds and 440.00 FTE positions in fiscal year 2023 within the Hawaii Health Systems Corporation - Regions operating subsidy;
- ❖ Add \$8,923,000 in general funds in fiscal year 2023 for a Maui Health Systems operating subsidy;
- ❖ Provide \$3,487,633 in general funds in fiscal year 2023 for supplies and staffing of the new forensic building at the Hawaii State Hospital;
- ❖ Add \$9,668,664 in fiscal year 2023 for home and community-based services surplus funds (ARPA);
- ❖ Add \$206,807 in special funds and 2.00 FTE Investigator V positions and a 1.00 FTE Office Assistant IV position for equipment and transportation costs for the Office of Medical Cannabis Control and Regulation;
- ❖ Add \$62,136 in general funds and a 1.00 FTE position in fiscal year 2023 for a permanent Environmental Engineer IV in the Clean Water Branch;
- ❖ Add \$276,000 in general funds and 5.00 FTE positions in fiscal year 2023 for long-term care ombudsman across the State;
- ❖ Add \$1,500,000 for Kupuna Caregivers across the State (ARPA);
- ❖ Add \$9,000,000 for the Kupuna Care Program (ARPA);
- ❖ Add \$67,200 and a 1.00 FTE Administrative Rules Drafter in fiscal year 2023;
- ❖ Add \$14,000,000 in general funds for the modernization of state laboratories;
- ❖ Add \$67,200 in general funds and a 1.00 FTE Climate Change and Human Health Specialist in fiscal year 2023; and

- ❖ Add \$69,876 in general funds for a 1.0 FTE English proficiency language coordinator and \$135,000 in general funds for other current expenses.

Human Resources Development

The Senate Draft of the executive budget for the Department of Human Resources Development appropriates \$19,583,703 in fiscal year 2022 and \$19,614,558 in fiscal year 2023 in general funds and \$6,448,909 in fiscal year 2022 and \$6,501,484 in fiscal year 2023 in non-general funds, of which \$582,775 in fiscal year 2022 and \$635,350 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$127,272 in general funds and 2.00 FTE Human Resource Specialist V positions in fiscal year 2023 to expedite hiring and to re-evaluate and revise outdated position description minimum qualifications.

Human Services

The Senate Draft of the executive budget for the Department of Human Services appropriates \$1,281,959,947 in fiscal year 2022 and \$1,363,613,692 in fiscal year 2023 in general funds. The Senate also appropriates \$2,447,754,583 in fiscal year 2022 and \$2,527,779,706 in fiscal year 2023 in non-general funds, of which \$12,729,564 in fiscal year 2022 and \$22,189,564 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$3,925,980 in general funds and \$19,168,020 in federal funds in fiscal year 2023 for Temporary Assistance for Needy Families and Temporary Assistance to Other Needy Families benefit allotment;
- ❖ Add \$10,196,861 in federal funds in fiscal year 2023 to raise the federal fund expenditure ceiling for rental assistance services;
- ❖ Add \$2,500,000 in general funds and a 1.00 FTE position in fiscal year 2023 for a Program Specialist for the Homeless Triage Center Pilot Program;
- ❖ Add \$5,000,000 in special funds in fiscal year 2023 to raise the expenditure ceiling for the Spouse and Child Abuse Special Fund;
- ❖ Add \$1,200,000 in general funds for salary differentials for 250.00 FTE Social Workers to promote recruitment and retainment within the division;
- ❖ Add \$1,066,860 in general funds, \$1,820,438 in federal funds, and 25.00 FTE positions in fiscal year 2023 for general support for childcare;
- ❖ Add \$2,449,040 in general funds and \$3,448,465 in federal funds in fiscal year 2023 to extend the Medicaid Post-partum Benefit from two months to twelve months;
- ❖ Add \$8,823,781 in general funds and \$17,128,516 in federal funds in fiscal year 2023 to implement the 2nd Option of Adult Dental Benefits to the Medicaid Program;
- ❖ Add \$450,000 in general funds for mental health and transition services for the Oahu Youth Correctional Facility;
- ❖ Add \$300,000 in general funds and \$5,700,000 in federal funds in fiscal year 2023 for afterschool summer programs;
- ❖ Add \$300,000 in ARPA funds for a Social Assistance Crisis Hotline;
- ❖ Add \$2,500,000 in ARPA funds in fiscal year 2023 for COVID-19 response;
- ❖ Add \$25,000,000 in general funds in fiscal year 2023 for the Hawaii Public Housing Authority; and
- ❖ Add \$15,000,000 in general funds in fiscal year 2023 for the implementation of the Ohana Zones Pilot Program.

Labor and Industrial Relations

The Senate Draft of the executive budget for the Department of Labor and Industrial Relations appropriates \$15,986,927 in fiscal year 2022 and \$21,660,011 in fiscal year 2023 in general funds. The Senate Draft also appropriates \$1,229,152,089 in fiscal year 2022 and \$814,496,745 in fiscal year 2023 in non-general funds, of which \$773,541,937 in fiscal year 2022 and \$40,541,937 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$5,293,416 and 7.00 FTE positions in fiscal year 2023 for a statewide internship program that will place three hundred interns and thirty Department of Education students across state departments;
- ❖ Add \$235,338 in revolving funds for 2.00 FTE Elevator II inspector positions, which are expected to generate \$1,000,000 in revenues annually;
- ❖ Add \$13,999 in federal funds for the Fair Housing Assistance Program to administer fair housing laws certified by the United States Department of Housing and Urban Development;
- ❖ Add \$285,000 in general funds for 3.00 FTE Program Specialists, a 1.00 FTE Program Administrator, and a 1.00 FTE Fiscal Clerk for Community Services;
- ❖ Add \$2,000,000 in funds in fiscal year 2023 for:
 - \$1,220,000 in ARPA funds for the Emergency Food Assistance Program – City and County of Honolulu;

- \$400,000 in ARPA funds for the Emergency Food Assistance Program – County of Hawaii;
- \$260,000 in ARPA funds for the Emergency Food Assistance Program – County of Maui; and
- \$120,000 in ARPA funds for the Emergency Food Assistance Program – County of Kauai.

Land and Natural Resources

The Senate Draft of the executive budget for the Department of Land and Natural Resources appropriates \$66,208,602 in fiscal year 2022 and \$79,967,024 in fiscal year 2023 in general funds and \$119,361,897 in fiscal year 2022 and \$128,782,704 in fiscal year 2023 in non-general funds, of which \$5,271,370 in fiscal year 2022 and \$848,080 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$267,876 in general funds in fiscal year 2023 for 3.00 FTE Engineer V positions for Water and Land Development to restore staffing levels for project implementation;
- ❖ Add \$1,700,000 in general funds in fiscal year 2023 for animal removal, applied research, surveys, and public outreach and education;
- ❖ Add \$1,500,000 in general funds in fiscal year 2023 for the Hawaii Invasive Species Council;
- ❖ Add \$2,000,000 in general funds in fiscal year 2023 for state parks security;
- ❖ Add \$1,000,000 in general funds in fiscal year 2023 for axis deer mitigation;
- ❖ Add \$60,864 in general funds in fiscal year 2023 for a 1.00 FTE Program Specialist for watershed management;
- ❖ Add \$4,000,000 in general funds in fiscal year 2023 for Honokohau Small Boat Harbor wastewater infrastructure;
- ❖ Add \$88,320 in general funds and a 1.00 FTE General Professional IV position in fiscal year 2023 for the Ocean Based Recreation Branch;
- ❖ Add \$3,000,000 for a special fund expenditure ceiling increase in fiscal year 2023 to pay for additional expenses and repair and maintenance for the Ocean Based Recreation Branch;
- ❖ Add \$60,480 in special funds for 2.00 FTE Office Assistant III positions in the Ocean Based Recreation Branch;
- ❖ Add \$382,852 in special funds in fiscal year 2023 to increase the expenditure ceiling for the State of Hawaii Historic Preservation Division;
- ❖ Add \$454,318 in general funds in fiscal year 2023 to increase compensation for 22.00 FTE positions within the Historic Preservation Division. These increases in compensation will accurately reflect the average salary for commensurate positions, resulting in higher retention;
- ❖ Add \$1,141,660 in general funds for 15.00 FTE positions in fiscal year 2023 for Archeologists, Architectural Historians, and Burial Site Specialists for Historic Preservation;
- ❖ Add \$11,906,688 for a Parks Administration special fund ceiling increase in fiscal year 2023 needed for expected increases in revenue;
- ❖ Add \$144,000 in general funds for 2.00 FTE Cultural Resource Specialists in fiscal year 2023 for the Natural and Physical Environment Branch; and
- ❖ Add \$200,000 in special funds in fiscal year 2023 for the Aha Moku Advisory Committee.

Lieutenant Governor

The Senate Draft of the executive budget for the Office of the Lieutenant Governor appropriates \$955,793 in fiscal year 2022 and \$1,009,793 in fiscal year 2023 in general funds.

Highlights are as follows:

- ❖ Add \$54,000 in general funds and a 1.00 FTE position in fiscal year 2023 for a Senior Advisor.

Public Safety

The Senate Draft of the executive budget for the Department of Public Safety appropriates \$269,412,039 in fiscal year 2022 and \$284,725,556 in fiscal year 2023 in general funds and \$28,128,400 in fiscal year 2022 and \$48,429,997 in fiscal year 2023 in non-general funds, of which \$18,601,597 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$17,633,345 in general funds in fiscal year 2023 to restore one hundred percent of unfunded positions;
- ❖ Add \$18,036,511 in ARPA funds in fiscal year 2023 for equipment, supplies, and personnel for new facilities;
- ❖ Add \$500,000 in general funds in fiscal year 2023 for pre-entry and post-entry programs for inmates;
- ❖ Add \$200,000 in ARPA funds in fiscal year 2023 for the Hawaii Paroling Authority for community housing;
- ❖ Add \$570,156 in general funds in fiscal year 2023 for 6.00 FTE Clinical Psychologists to expand suicide prevention services;

- ❖ Add \$1,740,672 in general funds in fiscal year 2023 for 16.00 FTE Registered Nurses to provide twenty-four hour health care services at neighbor island facilities; and
- ❖ Add \$365,086 in ARPA funds in fiscal year 2023 for the Crime Victim Compensation Commission.

Subsidies

The Senate Draft of the executive budget for State Subsidies appropriates \$300,000 in fiscal year 2023 in non-general funds.

Highlights are as follows:

- ❖ Add \$300,000 for a special fund expenditure ceiling increase for the Safe Routes to School program.

Taxation

The Senate Draft of the executive budget for the Department of Taxation appropriates \$25,062,628 in fiscal year 2022 and \$27,231,537 in fiscal year 2023 in general funds and \$6,808,448 in fiscal year 2022 and \$3,567,116 in fiscal year 2023 in non-general funds, of which \$3,241,332 in fiscal year 2022 are ARPA funds.

Highlights are as follows:

- ❖ Add \$251,000 for 3.00 FTE Criminal Investigator positions which will generate \$1,000,000 annually;
- ❖ Add \$209,988 for 3.00 FTE Auditor positions, which will generate \$3,000,000 annually; and
- ❖ Add \$350,000 for a co-located data center.

Transportation

The Senate Draft of the executive budget for the Department of Transportation appropriates \$1,076,632,484 in fiscal year 2022 and \$1,288,698,374 in fiscal year 2023 in non-general funds, of which \$7,000,000 in fiscal year 2023 are ARPA funds.

Highlights are as follows:

- ❖ Add \$8,257,812 in special funds in fiscal year 2023 for electric wiki buses for the Daniel K. Inouye International Airport to transport those needing assistance;
- ❖ Add \$2,000,000 in special funds in fiscal year 2023 for invasive species removal;
- ❖ Add \$105,000 in special funds in fiscal year 2023 for security services for harbors;
- ❖ Add \$850,000 in special funds in fiscal year 2023 for maintenance of the Tetsuo Harano Tunnels on Interstate H-3;
- ❖ Add \$500,000 in special funds in fiscal year 2023 for maintenance of smart traffic controllers; and
- ❖ Add \$7,000,000 in ARPA funds in fiscal year 2023 for debris removal and homeless clean-up on the side of the highways.

University of Hawaii

The Senate Draft of the executive budget for the University of Hawaii appropriates \$497,910,940 in fiscal year 2022 and \$778,583,557 in fiscal year 2023 in general funds. The Senate Draft also appropriates \$707,728,950 in fiscal year 2022 and \$702,143,341 in fiscal year 2023 in non-general funds, of which \$3,500,000 in fiscal year 2022 are ARPA funds.

Highlights are as follows:

- ❖ Add \$3,456,489 in general funds in fiscal year 2023 to address the statewide nursing workforce;
- ❖ Add \$2,000,000 in general funds and 12.00 FTE positions in fiscal year 2023 for coastal erosion;
- ❖ Add \$146,000 in general funds and 3.00 FTE positions in fiscal year 2023 for the Maui Food Innovation Center;
- ❖ Add \$4,800,000 in general funds in fiscal year 2023 for the Hawaii Promise Program;
- ❖ Add \$400,000 in general funds in fiscal year 2023 for University of Hawaii at Hilo athletics;
- ❖ Add \$171,000 in general funds and 3.00 FTE positions in fiscal year 2023 for the Hawaii Institute of Marine Biology;
- ❖ Add \$305,000 for the Anthurium Varietal Research and Breeding Program;
- ❖ Add \$3,340,000 in general funds and 6.00 FTE positions in fiscal year 2023 to expand the University of Hawaii John A. Burns School of Medicine's residency program to the neighbor islands;
- ❖ Add \$190,000 in general funds and 2.00 FTE positions in fiscal year 2023 for the University of Hawaii at Hilo's Aviation Program;
- ❖ Add \$343,500 in general funds and 5.00 FTE positions in fiscal year 2023 for Windward Community College student support services;
- ❖ Add \$110,000 in general funds and 1.50 FTE positions in fiscal year 2023 for the University of Hawaii Maui College's International and Regional Partnerships Program;
- ❖ Add \$1,000,000 in general funds for holistic student support and mental health services;
- ❖ Add \$1,274,100 in general funds and 31.00 FTE Security Officers in fiscal year 2023 for the Community College System;

- ❖ Add \$33,333,334 in general funds in fiscal year 2023 for the State match for the statewide broadband initiative;
- ❖ Add \$300,000 in general funds in fiscal year 2023 for the Homeless Data Clearing House;
- ❖ Add \$1,598,905 in general funds in fiscal year 2023 for a coastal erosion study at Ehukai Beach Park;
- ❖ Add \$7,200,000 in general funds in fiscal year 2023 for University of Hawaii at Manoa athletics programs;
- ❖ Add \$557,097 in general funds and 4.00 FTE positions to address the teacher workforce shortage;
- ❖ Add \$13,000 in general funds in fiscal year 2023 for College of Tropical Agriculture and Human Resources relocations costs;
- ❖ Add \$14,000,000 in general funds in fiscal year 2023 for Mauna Kea stewardship and management;
- ❖ Add \$1,540,000 in general funds and 8.00 FTE positions in fiscal year 2023 to expand non-credit workforce development opportunities;
- ❖ Add \$125,000 in general funds and a 1.00 FTE Director for Procurement Services in fiscal year 2023;
- ❖ Add \$2,000,000 in general funds in fiscal year 2023 for a Puna traffic study;
- ❖ Add \$200,000 in general funds for the Sea Grant College Program;
- ❖ Add \$5,000,000 in general funds in fiscal year 2023 for the University of Hawaii Community Design Center projects - Waikiki Adaptation and Resilience Plan, Hookaulike Prison Reform, Statewide Cultural Heritage Studies, Spectrum of Housing for Hawaii, and Department of Education schools and University of Hawaii Campus Master Plans; and
- ❖ Add \$2,000,000 in general funds in fiscal year 2023 for the University of Hawaii Kupuna Health and Innovation Center to conduct a development study.

PART V. CAPITAL IMPROVEMENTS PROGRAM BUDGET

Your Committee finds an opportunity to invest in the State’s infrastructure while remaining fiscally prudent.

The Administration requested a capital improvement budget that totaled:

ADMINISTRATION	Fiscal Year 2022	Fiscal Year 2023
General Obligation Bonds	\$990,124,000	\$1,123,989,000
All Means of Financing	\$1,646,672,000	\$2,717,505,000

Your Committee has amended this budget to appropriate the following in capital improvement funds:

SENATE	Fiscal Year 2022	Fiscal Year 2023
General Obligation Bonds	\$988,124,000	\$1,220,473,000
American Rescue Plan Act Funds	\$67,817,000	\$47,511,000
All Means of Financing	\$1,710,789,000	\$2,901,511,000

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1600, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1600, H.D. 1, S.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, none.

SCRep. 3897 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1570

The purpose and intent of this measure is to:

- (1) Ban the sale of flavored tobacco products and mislabeled e-liquid products; and
- (2) Establish fines.

Your Committees received testimony in support of this measure from the Department of Education, University of Hawai‘i Student Health Advisory Council, Hawai‘i State Teachers Association, Hawai‘i Association of Independent Schools, The Man Cave, Pediatric Therapies Hawai‘i, Hawai‘i Children’s Action Network Speaks!, Kaho‘omiki, Hawai‘i COPD Coalition, Ala Moana-Kaka‘ako Neighborhood Board No. 11, Keiki Injury Prevention Coalition, Hawai‘i Interscholastic Athletic Directors Association, Hawai‘i Dental Association, Opportunity Youth Action Hui, Hamakua Health Center, Hawai‘i Public Health Institute, Pop Warner Hamakua Cougars Football Team, Save Medicaid Hawai‘i, Coalition for a Tobacco-Free Hawai‘i Youth Council, seventy-one individuals, and a petition signed by one hundred fifty-eight principals and vice principals of various schools across the State within the Department of Education. Your Committees received testimony in opposition to this measure from the Department of Health; American Heart Association; American Cancer Society Cancer Action Network; Consumer Choice Center; Americans for Tax Reform; Cigar Association of America, Inc.; Cigarettes and Things; Marukin Market; Hawai‘i Smokers Alliance; Retail Merchants of Hawai‘i; and thirty-seven individuals. Your Committees received comments on this measure from the Department of the Attorney General, Hawai‘i Substance Abuse Coalition, Hawai‘i Petroleum Marketers Association, AlohaCare, Campaign for Tobacco-Free Kids, Hawai‘i Food Industry Association, Hawai‘i Youth Services Network, and five individuals.

Your Committees find that the pervasive use of flavored tobacco products among youth has been proven to be the entry point for youth to start smoking and is causing the addiction of entire generations to harmful nicotine products. The use of e-smoking products among youth, especially in Hawai'i, is at epidemic levels. Candy-flavored and menthol tobacco products mask the harsh flavor of tobacco and have been directly marketed by the tobacco companies to youth and people of color, which has resulted in significant health disparities and inequities in these communities across State. Studies have further shown that adolescence is a time of crucial brain development, and that nicotine exposure among young adults can cause significant harm. Your Committees therefore find that banning flavored tobacco products and synthetic nicotine products is imperative to protecting the health and well-being of the State's communities and youth.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1570, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 5. Noes, none. Excused, 2 (Riviere, San Buenaventura).

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3898 (Joint) Commerce and Consumer Protection and Ways and Means on H.B. No. 1517

The purpose and intent of this measure is to:

- (1) Direct and appropriate funds for the Department of Budget and Finance to conduct an economic impact study regarding the impact of potential changes to coffee labeling laws on the local coffee industry; and
- (2) Appropriate moneys for the pesticide subsidy program.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i County Council, Kona Coffee Farmers Association, Lions Gate Farms, Hawai'i Coffee Growers Association, Life of the Land, Hawaii's Thousand Friends, Hawai'i Coffee Association, Hawai'i Farmers Union United, one member of the Hawaii County Council, and eight individuals. Your Committees received testimony in opposition to this measure from the Department of Budget and Finance and the Hawai'i Food Industry Association. Your Committees received comments on this measure from Kanalani Ohana Farm, Hawai'i Alliance for Progressive Action, Hawai'i Forest Stewards, two members of the Hawaii County Council, and three individuals.

Your Committees find that it is vital that the State protect its distinctive coffee brands and origin products. The existing ten-percent minimum blend law is deceptive to customers, degrades Hawaii's brand and flagship crop, and is damaging to the long-term economic health of coffee growers in the State. As an example, consumers who buy a regional blend often think they are purchasing a blend of different coffees from that region, when in reality, it could be ninety percent foreign beans from an entirely different country. This measure will continue to support coffee growers in the State by requiring an impact study to consider the effects of potential changes to the coffee labeling laws. Additionally, for every \$50 in pesticide subsidy costs spent per acre, approximately \$600 in improved crop value is returned to the farmer, which has the potential to increase income by up to \$2.4 million across the coffee community statewide. This measure further appropriates funds for the pesticide subsidy program to subsidize approved pesticides to treat coffee trees.

Your Committees note the testimony in support of certain amendments to existing labeling laws included in prior drafts of this measure and further find that, while the economic effects of changing Hawaii's coffee labeling laws are considered in the study proposed by this measure, Hawaii origin coffee blends should not be deceptively marketed. Accordingly, amendments to this measure are necessary to amend existing labeling laws in section 486-120.6, Hawaii Revised Statutes, to protect consumers. Your Committees further note this measure is not intended to prohibit the sale of coffees grown in other areas from being sold in the State, but to protect the brand of Hawaii-grown coffee.

Your Committees have amended this measure by:

- (1) Requiring the Department of Agriculture, rather than the Department of Budget and Finance, to conduct the study to assess the economic impact on the local coffee industry from potential changes to coffee labeling laws;
- (2) Reinserting certain amendments to section 486-120.6, Hawaii Revised Statutes, to:
 - (A) Require disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
 - (B) Make it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than fifty-one percent of coffee by weight from that geographic origin; and
 - (C) 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;
- (3) Amending section 1 and section 4 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1517, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1517, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Commerce and Consumer Protection: Ayes, 6. Noes, none. Excused, 1 (DeCoite).

Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Misalucha, Taniguchi, Wakai).

SCRep. 3899 Judiciary on H.B. No. 1239

The purpose and intent of this measure is to enhance the public's trust in law enforcement and standardize best practices between the counties by amending provisions pertaining to the law enforcement officer independent review board to:

- (1) Require members to serve four-year terms; and
- (2) Make the board permanent.

Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers.

Your Committee finds that in response to growing demands for law enforcement transparency and accountability in Hawai'i, lawmakers created the Law Enforcement Officer Independent Review Board housed within the Department of the Attorney General, which makes recommendations to county prosecuting attorneys in all four counties. In turn, county prosecuting attorneys decide whether to prosecute or conduct further investigation. Your Committee believes that public trust in law enforcement is critical to ensuring justice for all under the law and the Law Enforcement Officer Independent Review Board bolsters this public trust. This measure will help citizens trust those empowered to serve and protect them by amending provisions pertaining to the Law Enforcement Officer Independent Review Board to require members to serve four-year terms and make the board permanent.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1239, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1239, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3900 (Joint) Judiciary and Ways and Means on H.B. No. 137

The purpose and intent of this measure is to:

- (1) Provide that violations of liquor tax laws shall be referred to the Director of Taxation for investigation;
- (2) Repeal the general right of inspection without a warrant for potential violations of liquor tax laws;
- (3) Repeal the discretionary power of the liquor commissions to deny a license to any person the commission finds is not fit and proper to hold a license;
- (4) Require applications for liquor licenses to be notarized;
- (5) Provide the administrator of the liquor commission discretion over whether to refer applications for further investigation; and
- (6) Repeal the requirement that investigative reports to the liquor commissions include any and all matters that are relevant to the application or license in the judgment of the investigator.

Your Committees received testimony in support of this measure from the Honolulu Liquor Commission. Your Committees received testimony in opposition to this measure from the Tax Foundation of Hawaii and two individuals. Your Committees received comments on this measure from the Department of Taxation and Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committees find that the investigators of the Honolulu Liquor Commission do not have the training or experience in forensic accounting and lack the background to competently investigate possible violations of tax laws. Your Committees further find that there are over ninety different types of applications which often require proper forms to be submitted. Your Committees believe that removing these applications from the investigator's workload would greatly streamline the process for the applicant. This measure will allow for the timely processing of more complex licensing applications by clarifying the Department of Taxation's role while still maintaining sufficient safeguards and community considerations.

Your Committees have amended this measure by:

- (1) Deleting language that would have provided the Administrator of the Liquor Commission discretion over whether to refer applications for investigation;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (3) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 137, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 137, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3901 (Joint) Judiciary and Ways and Means on H.B. No. 986

The purpose and intent of this measure is to require diagnostic audiologic evaluation results of newborn hearing screening evaluations, or infants whose hearing status changes, to be provided to the Department of Health.

Your Committees received testimony in support of this measure from the Department of Health, Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Executive Office on Early Learning, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, and Special Education Advisory Council. Your Committees received comments on this measure from Kaiser Permanente Hawaii.

Your Committees find that the State's Public Health Screening Program helps deaf or hard of hearing children reach their developmental milestones and be language-ready for school. However, the Department of Health Newborn Hearing Screening Program does not receive diagnostic audiologic evaluation results for all newborns who fail to pass newborn hearing screening. This measure ensures consistent reporting of diagnostic audiologic evaluation results for all infants who fail to pass hearing screening and facilitates the appropriate follow-up and support through early intervention services.

Your Committees have amended this measure by:

- (1) Specifying that the Department of Health shall adopt rules relating to the reporting of diagnostic audiologic evaluation results for those infants who fail newborn hearing screenings or have been identified as deaf or hard of hearing; 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 986, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 986, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3902 (Joint) Judiciary and Ways and Means on H.B. No. 987

The purpose and intent of this measure is to establish consistent protocols for hearing and vision screening and follow-up, screener training, and data collection and reporting to increase the early identification of hearing or vision loss in children.

Your Committees received testimony in support of this measure from the Department of Health, State Council on Developmental Disabilities, Executive Office on Early Learning, Disability and Communication Access Board, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, and Special Education Advisory Council.

Your Committees find that a statutorily mandated hearing and vision program for school children was operated by the Department of Health from 1978 until 1995, when it was ended due to budget reductions with the assumption that primary care providers would provide the hearing and vision screening. Your Committees further find that the Department currently provides consultation and training on hearing and vision screening protocols and available tools. Your Committees additionally find that protocols for hearing and vision screening providers and programs vary regarding their services and follow-up, individual screeners likewise vary in their training and skill levels, and there is no uniform data collection for quality of care to promote improvement. This measure will allow the Department of Health to establish recommended standards for vision and hearing screening based on national guidelines and best practices and establish a statewide screening protocol to ensure that all organizations performing screening are consistently using available tools, screening procedures, and referral criteria based on evidence and best practices.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 987, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3903 (Joint) Judiciary and Ways and Means on H.B. No. 1413

The purpose and intent of this measure is to:

- (1) Authorize the Director of Finance of a county to require the payment of outstanding charges and fines relating to the disposition of an abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and
- (2) Require a county Director of Finance to notify the appropriate county examiner of drivers of the individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

Your Committees received testimony in support of this measure from the Hawai'i State Association of Counties, Hawaii Council of Mayors, County of Hawai'i Department of Environmental Management, County of Maui Department of Environmental Management, Finance Department of the County of Kaua'i, one member of the Maui County Council, one member of the Kaua'i County Council, and seven individuals.

Your Committees find that abandoned vehicles are a public safety hazard on public streets. To address the dangers posed by abandoned vehicles, the counties tow and manage disposition of a high number of abandoned vehicles each year. Operational funds expended per year per county vary but can average approximately \$1,000,000 due to additional costs for vehicle cleanouts, special

cleanups, and related costs. This measure will make public roads safer by decreasing the number of abandoned vehicles and assisting the counties with recouping expenses of removing abandoned vehicles from public properties.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1413, H.D. 2, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1413, H.D. 2, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3904 (Joint) Judiciary and Ways and Means on H.B. No. 1432

The purpose and intent of this measure is to:

- (1) Increase the maximum term of a concession;
- (2) Exempt concessions for beach or ocean-related recreational services from sealed bid requirements, with certain conditions;
- (3) Provide that a county director of parks and recreation has sole discretion to designate which county parks are environmentally, culturally, historically, or operationally unique for purposes of determining whether a concession at the park is exempt from the sealed bid requirements; and
- (4) Expand the exemption for concessions at county zoos, botanic gardens, or county parks that are designated by the respective county director of parks and recreation, in the director's sole discretion, as environmentally, culturally, historically, or operationally unique; provided that the concessions are awarded to responsible offerors whose proposals are the most advantageous, rather than solely to certain nonprofit corporations.

Your Committees received testimony in opposition to this measure from the Palekaiko Beachboys Club. Your Committees received comments on this measure from the Maui Chamber of Commerce.

Your Committees find that concessions on public properties are granted by sealed top-dollar bids, with limited exceptions. In some instances, concessions may be exempt from bidding requirements because a person or entity offering the most money may not be the best suited or qualified to meet the government's goals to preserve public-owned assets such as parks, or may not be suited or qualified to serve the needs of the public. In addition, requiring concessionaires to bear construction costs pose challenges as concession contracts are valid for fifteen years, making some investors unwilling to make time or improvement efforts because of the short timeframe. To serve the public's interest in activities located on public properties, this measure exempts certain concessionaires operating on public properties from sealed-bidding requirements and extends terms of leases.

Your Committees have amended this measure by:

- (1) Specifying that the bidding requirements for concessions shall not apply to concessions or space on public property set aside for the operation of ground transportation services and parking lot operations at small boat harbors, in addition to airports, except for motor vehicle rental operations;
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (3) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1432, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1432, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

Ways and Means: Ayes, 10; Ayes with Reservations (Fevella). Noes, none. Excused, 1 (Kidani).

SCRep. 3905 (Joint) Judiciary and Ways and Means on H.B. No. 1434

The purpose and intent of this measure is to authorize counties, after adoption of an ordinance, to sell private property after all notices, orders, and appeal proceedings are exhausted and to use those revenues to pay unpaid civil fines related to that property.

Your Committees received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu, and three members of the Honolulu City Council. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that currently, the counties have authority to use the non-judicial foreclosure process to collect on real property tax liens. However, many liens for civil fines go uncollected, and violators continue to break the law. This measure would extend the counties authority to use the non-judicial foreclosure process to collect on liens arising from certain civil fines relating to a property.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1434, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1434, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3906 (Joint) Judiciary and Ways and Means on H.B. No. 1672

The purpose and intent of this measure is to expand the purpose and rationale for which counties may create special improvement districts to include environmental research, restoration, and maintenance; natural resource management; and natural hazard mitigation to improve environmental conditions and provide community benefits.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; University of Hawai'i System; Waikiki Beach Special Improvement District Association; Surfrider Foundation, O'ahu Chapter; and two individuals.

Your Committees find that Act 107, Session Laws of Hawaii 1999 (Act 107), authorized the counties to create special improvement districts for the purpose of restoring or promoting business activity. Since the enactment of Act 107, the needs and demands in these districts have broadened to include the management or mitigation of environmental and other conditions that impact natural resources. There is concern to the State due to its exposure to a variety of threats that impact its environment and ecosystems, including coastal hazards and effects of climate change, such as the increase in the frequency and severity of storms and drought, sea-level rise, groundwater inundation, and coastal erosion. Therefore, this measure allows the counties to establish special improvement districts for environmental protection and preservation, natural resource management, and natural hazard mitigation.

Your Committees have amended this measure by:

- (1) Clarifying that any county having a charter may enact an ordinance, and may amend the same from time to time, authorizing the creation of special improvement districts for the purpose of providing, financing, and coordinating federal, state, and county efforts to engage in the various purposes; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1672, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1672, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Kanuha, Kidani, Moriwaki).

SCRep. 3907 (Joint) Judiciary and Ways and Means on H.B. No. 1752

The purpose and intent of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program;
- (2) Require the Hawaii Public Housing Authority to adopt rules to establish incentives for landlords who participate in the Tenant-Based Assistance Housing Choice Voucher Program pursuant to Section 8 of the Housing Act of 1937;
- (3) Require that the Hawaii Public Housing Authority adopt rules to establish a maximum of fifteen days for inspection of a dwelling unit following a landlord or owner's inspection request; and
- (4) Appropriate funds.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii State Council on Developmental Disabilities, Hawai'i Appleseed Center for Law & Economic Justice, Hawai'i Association of Realtors, League of Women Voters of Hawaii, Hawaii Children's Action Network Speaks!, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Hawaii Public Housing Authority, Catholic Charities Hawai'i, Hawaii Habitat for Humanity Association, and Partners in Care.

Your Committees find that the Section 8 Housing Choice Voucher Program is an important part of the State's efforts in addressing the affordable housing needs of the State's low-income families. However, there are many landlords who 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. This measure will improve the lives of the State's low-income families by establishing incentives and protections for landlords who participate in the Section 8 Housing Choice Voucher Program.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 30, 2075, to encourage further discussion; 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1752, H.D. 3, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1752, H.D. 3, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 8. Noes, none. Excused, 3 (Kanuha, Kidani, Moriwaki).

SCRep. 3908 (Joint) Judiciary and Ways and Means on H.B. No. 1758

The purpose and intent of this measure is to allow for temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country who are seeking a state license by endorsement.

Your Committees received testimony in support of this measure from the Hawaii Medical Service Association, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Hawai'i Pacific Health, Queen's Health Systems, Hawaii Association of Nurse Anesthetists, Healthcare Association of Hawaii, and three individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Board of Nursing and Hawai'i State Center for Nursing.

Your Committees find that certain nurses that are licensed in another state and applying for licensure in Hawai'i by endorsement are eligible for a temporary permit to practice within the State while their applications are reviewed and verified. Foreign nurses must have at least a bachelor's degree from an accredited academic nursing institution, a minimum of two years relevant work experience, and pass rigorous background checks by the United States Citizenship and Immigration Services to obtain a work visa to enter the United States. This measure will not only align the licensure by endorsement procedures between nurses who have been licensed in a territory or a foreign country with those nurses who have been licensed in another state, but also help decrease the nursing shortage within the State.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1758, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1758, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3909 (Joint) Judiciary and Ways and Means on H.B. No. 1787

The purpose and intent of this measure is to:

- (1) Establish "Employment First", defined as the competitive employment and full inclusion of persons with a disability in an integrated setting as a first and preferred option for employment services--as a policy of the State and counties;
- (2) Require state and county agencies to implement this policy in hiring practices and all programs and services administered or funded by the State or counties; and
- (3) Require the Department of Human Services to apply Employment First principles to Medicaid home and community-based services programs.

Your Committees received testimony in support of this measure from the Executive Office on Aging, Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, and one individual. Your Committees received comments on this measure from the Department of Human Services.

Your Committees find that per the United States Department of Labor, the workforce participation rate for individuals with disabilities is about one-third of that of people without disabilities. The low employment rate for people has been increasingly recognized as a serious societal issue, with over thirteen million adults of working age in the United States receiving disability benefits from Social Security. Yet, it has been continuously shown that with assistance, accommodations, and encouragement, many more people with disabilities can work successfully in the community. Employment First is based on the framework that provides persons with intellectual or developmental disabilities gainful employment, fair wages and benefits, and the dignity that arises from an integrated and competitive employment. This measure will establish Employment First in the State, which will help eliminate the many barriers to employment for persons with disabilities, including workplace barriers.

Your Committees have amended this measure by 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1787, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1787, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3910 (Joint) Judiciary and Ways and Means on H.B. No. 1917

The purpose and intent of this measure is to appropriate private activity bond allocations and funds from the Rental Housing Revolving Fund to the Hawaii Housing Finance and Development Corporation for the purpose of allowing an eligible developer to acquire and rehabilitate the Front Street Apartments affordable housing project on Maui.

Your Committees received testimony in support of this measure from the Mayor of the County of Maui, one member of the Maui County Council, and Ahe Group. Your Committees received testimony in opposition to this measure from the Department of the Attorney General and Department of Business, Economic Development, and Tourism. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that by December 31, 2022, the Hawaii Housing Finance and Development Corporation shall issue a new ground lease for the Front Street Apartments affordable housing project to an eligible developer, as defined in section 201H-32, Hawaii Revised Statutes, for a term of seventy-five years and a ground lease rent to be determined by the Hawaii Housing Finance and Development Corporation Board of Directors. This measure appropriates funds for that purpose, which will keep and maintain Front Street Apartments as an affordable housing complex.

Your Committees have amended this measure by:

- (1) Inserting legislative findings relating to Act 150, Session Laws of Hawaii 2018 (Act 150);
- (2) Deleting language that would have appropriated private activity bond allocations and funds from the Rental Housing Revolving Fund to the Hawaii Housing Finance and Development Corporation for the purpose of allowing an eligible developer to acquire and rehabilitate the Front Street Apartments affordable housing project on Maui;
- (3) Amending Act 150 to allow, rather than require, the Hawaii Housing Finance and Development Corporation to initiate condemnation proceedings unless the Corporation renegotiates an existing, or issues a new, ground lease for the Front Street Apartments affordable housing project before December 31, 2026, rather than December 31, 2021; and
- (4) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (5) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1917, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1917, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3911 (Joint) Judiciary and Ways and Means on H.B. No. 1971

The purpose and intent of this measure is to:

- (1) Authorize and regulate peer-to-peer car-sharing programs;
- (2) Impose the general excise tax and rental motor vehicle surcharge tax on peer-to-peer car-sharing programs; and
- (3) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Department of Taxation.

Your Committees received testimony in support of this measure from the Department of Taxation, Department of Transportation, Enterprise Holdings, and Hawaii Association for Justice. Your Committees received testimony in opposition to this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs. Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, Tax Foundation of Hawaii, Turo, and Getaround.

Your Committees find that peer-to-peer car-sharing allows for vehicle owners to rent their vehicles to others through online platforms. Your Committees further find that peer-to-peer car-sharing, while growing in popularity, continues to be an unregulated industry. Your Committees additionally find that establishing a regulatory scheme for peer-to-peer car-sharing promotes the public interest. This measure establishes regulatory requirements and clarifies application of taxation laws for peer-to-peer car-sharing programs.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1971, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3912 (Joint) Judiciary and Ways and Means on H.B. No. 2076

The purpose and intent of this measure is to:

- (1) Provide a mechanism to assign nonparticipating tobacco manufacturers' qualified escrow fund balances to the State; and
- (2) Provide a mechanism for the financial institution acting as the escrow agent of the qualified escrow fund to petition the courts to authorize transfer of funds to the State when the qualified escrow fund is abandoned.

Your Committees received testimony in support of this measure from the Department of the Attorney General.

Your Committees find that in 1998, Hawai'i and forty-five other states settled smoking-related claims against the then four largest tobacco manufacturers, resulting in parties entering into a Master Settlement Agreement (MSA). Under the MSA, the four tobacco companies were required to make annual payments to the settling states. Under existing law, tobacco product manufacturers who were not part of the MSA have the option to either submit to the requirements of the MSA, or become a "Non-Participating Manufacturer" (NPM), which requires the NPM to maintain and make payments to a qualified escrow account in the State. Your Committees find that existing law does not provide a mechanism for an NPM that no longer does business in the State to close the escrow account. As a

result, many NPMs that no longer do business in the State still maintain and pay fees for escrow accounts they wish to close. This measure authorizes a process for the closure of abandoned NPM escrow accounts.

Your Committees have amended this measure by 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2076, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2076, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3913 (Joint) Judiciary and Ways and Means on H.B. No. 2141

The purpose and intent of this measure is to remove outdated reporting requirements for the Department of Human Services, including the Office of Youth Services.

Your Committees received testimony in support of this measure from the Department of Human Services.

Your Committees find that updating the annual reporting requirements of the Department of Human Services and its attached agencies, such as the Office of Youth Services, will reduce administrative burdens and increase governmental efficiencies. Your Committees further find that existing law imposes certain reporting requirements on various state agencies that have not been updated for some time. Your Committees also find that certain reporting requirements for the Department of Human Services relating to psychotropic medications and federal financial assistance and health care programs, and for certain programs overseen by its Office of Youth Services, are obsolete and no longer necessary. This measure will clarify legal requirements and reduce confusion by removing these unnecessary reporting requirements.

Your Committees have amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2141, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2141, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3914 (Joint) Judiciary and Ways and Means on H.B. No. 2312

The purpose and intent of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission in the Judiciary to ensure implementation of the recommendations from the final report of the House Concurrent Resolution No. 85 (2016) task force, to develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system;
- (2) Require the Commission to consider model programs including residential, in-person and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs; and
- (3) Appropriate funds to support the Women's Corrections Implementation Commission.

Your Committees received testimony in support of this measure from the Judiciary, Department of Public Safety, Women's Prison Project, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that female offenders tend to have a history of being victims of physical or sexual abuse and are often the primary caretakers of young children at the time of arrest. Your Committees further find that female offenders' involvement in criminal activity is often motivated by poverty or substance abuse and they are less likely than men to have been convicted of a violent crime. This measure will ensure that the State's systems are working to ensure the ongoing health and safety of local communities by establishing a Commission that has an eye on gender-specific recommendations and reforms.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2312, H.D. 1, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3915 (Joint) Judiciary and Ways and Means on H.B. No. 2405

The purpose and intent of this measure is to:

- (1) Prohibit health insurers, mutual benefit societies, and health maintenance organizations from applying categorical cosmetic or blanket exclusions to gender affirming treatments;

- (2) Prohibit those entities from excluding gender affirming treatments as cosmetic services when prescribed as medically necessary; and
- (3) Require those entities to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs Insurance Division; Hawai'i Civil Rights Commission; Hawaii State Commission on the Status of Women; Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawaii; Hawaii Rainbow Chamber of Commerce; Planned Parenthood Alliance Advocates; Northwest Society of Plastic Surgeons; Hawai'i Public Health Institute; AF3IRM Hawaii; First Unitarian Church of Honolulu; Democratic Party of Hawai'i; LGBT Student Services, UH Manoa; YMCA of Honolulu; National Center for Transgender Equality; Transgender Law Center; Lavender Clinic; and thirty-four individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Hawaii Employer-Union Health Benefits Trust Fund, Hawaii Medical Service Association, and Hawaii Association of Health Plans.

Your Committees find that many transgender individuals have experienced discriminatory treatment from health insurance providers when seeking coverage for gender-affirming treatments. Your Committees further find that health insurance policies often cover therapies such as feminizing or masculinizing hormone therapies, voice therapies, chest augmentations or reductions, and genital surgeries for some purposes but deny the same treatments when they are for purposes of gender affirmation. This measure will prohibit health insurance companies from discriminating on the basis of gender identity.

Your Committees have amended this measure by inserting an effective date of November 20, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2405, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2405, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 9. Noes, none. Excused, 2 (Kidani, Moriwaki).

SCRep. 3916 (Joint) Judiciary and Ways and Means on H.B. No. 1414

The purpose and intent of this measure is to make a person who is the registered owner of a vehicle that was deemed abandoned or derelict subject to a tiered fine system.

Your Committees received testimony in support of this measure from the Hawai'i State Association of Counties, Hawaii Council of Mayors, County of Hawai'i Department of Environmental Management, County of Maui Department of Environmental Management, one member of the Maui County Council, and four individuals. Your Committees received comments on this measure from two individuals.

Your Committees find that abandoned and derelict vehicles are a widespread problem in the State and create unsafe and unhealthy conditions for Hawai'i's residents. Your Committees further find that the ease with which a person can abandon a vehicle and the lack of deterrents for doing so contribute to this problem. This measure will deter individuals from abandoning vehicles by making a person who is the registered owner of a vehicle that was deemed abandoned or derelict subject to a tiered fine system.

Your Committees have amended this measure by:

- (1) Setting the fine amount for the third violation at \$750;
- (2) Setting the fine amount for a fourth or subsequent violation at \$1,000;
- (3) Removing the time period required for a person to have committed subsequent violations;
- (4) Deleting language that would have established a subsection for fifth or subsequent violations; and
- (5) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1414, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1414, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3917 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 886

The purpose and intent of this measure is to:

- (1) Clarify when the State shall be exclusively liable for claims for injury or loss of property, or personal injury or death, resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the course and scope of the employee's office or employment;
- (2) Preclude civil actions or proceedings for money damages against the employee, except for claims based on liability other than an employee's course and scope of employment with the State or other employer; and
- (3) Clarify liability when the State agrees to assume full or partial responsibility in a civil action against a professional licensed or certified employee.

Your Committees received testimony in support of this measure from the Department of the Attorney General and Hawaii Association for Justice.

Your Committees find that in the decision of *Slingsuff v. State*, 131 Hawai'i 239, 317 P.3d 683 (Haw. Ct. App. 2013), the Intermediate Court of Appeals held that "physicians employed by the State, including prison doctors, exercising purely medical discretion in the diagnosis and treatment of potentially injured or sick people, are not protected from medical malpractice claims by the doctrine of qualified immunity under Hawai'i law." Your Committees find that the *Slingsuff* holding is contrary to legislative intent and public policy. To address the ramifications of *Slingsuff*, and in an effort to attract and retain doctors, the State has taken steps to obtain professional liability insurance covering claims of individual liability for physicians in the Department of Public Safety. The cost of this insurance is borne by the State and is expected to rise over time as claims are made against those policies. This measure amends the law to supersede and override the Intermediate Court of Appeals' holding in *Slingsuff*, which will make it unnecessary for the State to purchase certain insurance.

Your Committees have amended this measure by making it effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 886, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 886, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6. Noes, 1 (Fevella). Excused, none.

Ways and Means: Ayes, 9. Noes, 1 (Fevella). Excused, 1 (Kidani).

SCRep. 3918 Ways and Means on H.B. No. 1436

The purpose and intent of this measure is to allow the counties to transfer development rights within a comprehensive planning program for the purpose of protecting development lands that are vulnerable to climate change.

Your Committee received written comments in support of this measure from the Office of Planning and Sustainable Development; City and County of Honolulu Department of Planning and Permitting; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; and the Chair of the Maui County Council.

Your Committee finds that expanding the authority of the counties to transfer development rights will help to protect lands that are vulnerable to the impacts and hazards from sea level rise, coastal erosion, storm surge, and flooding associated with climate change while providing an economically feasible option for property owners to mitigate risk and relocate from hazardous locations.

Your Committee has amended this measure by:

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1436, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1436, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3919 Ways and Means on H.B. No. 2000

The purpose and intent of this measure is to appropriate funds for the construction of preschool facilities.

Your Committee received written comments in support of this measure from the State Public Charter School Commission, Executive Office on Early Learning, Hawaii State Teachers Association, Hui for Excellence in Education, Hawaii Executive Collaborative, Hawaii Community Foundation, Early Childhood Action Strategy, Children's Action Network Speaks!, Hawaii Business Roundtable, Kanaeokana, Native Hawaiian Education Council, Aha Punana Leo, Boys and Girls Club of Honolulu, Kamehameha Schools, HPM Building Supply, FCH Enterprises, and Zippy's Restaurants.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the moneys appropriated by this measure to construct preschool facilities will help the State to meet its benchmark of providing half of all three- and four-year old children with access to preschool by the end of 2027 and all of those children with access to preschool by the end of 2032, pursuant to section 26-61, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2000, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3920 Ways and Means on H.B. No. 2225

The purpose and intent of this measure is to appropriate moneys to the Hawaii Technology Development Corporation for its programs that support small businesses in innovation and research, manufacturing businesses, and start-up accelerators.

Your Committee received written comments in support of this measure from the Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; Hawaii Food Manufacturers Association; Diamond Bakery Co., Ltd.; Hawaii Food Products; JPG Hawaii, Inc.; Hawaii Venture Capital Association; Mana Up; Noho Home; Hawaii Fish Company, Inc.; Ko Hana Distillers; Hawaii

Farm Bureau; Nalu Scientific, LLC; Federal Industrial Corporation; VisSidus Technologies, Inc.; Purple Maia Foundation; Big Island Coffee Roasters; Ocean Era, Inc.; Referentia Systems Incorporated; Hawaii Food Industry Association; and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and Open Access.

Your Committee finds that the appropriations made by this measure to the Hawaii Technology Development Corporation for the specified programs will assist the Corporation's efforts to fund and support technology, manufacturing, and start-up businesses, which are important, growing sectors of the State's economy.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2225, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3921 Ways and Means on H.B. No. 2339

The purpose and intent of this measure is to provide emergency funding for the state drug and alcohol toxicology testing laboratory.

More specifically, the measure:

- (1) Makes an emergency appropriation from the state highway fund to the Department of Health's state drug and alcohol toxicology testing laboratory special fund for fiscal year 2021-2022; and
- (2) Authorizes the Department of Health to expend funds from the state drug and alcohol toxicology testing laboratory special fund to establish the state drug and alcohol toxicology testing laboratory.

Your Committee received written comments in support of this measure from the Department of Health and Department of Transportation.

Your Committee finds that the measure addresses an omission in Act 196, Session Laws of Hawaii 2021, which, among other things, established the state drug and alcohol toxicology testing laboratory special fund to support a state drug and alcohol toxicology testing laboratory and specified that moneys in the state highway fund may be expended for the cost of establishing a state drug and alcohol toxicology testing laboratory. However, Act 196 did not appropriate moneys from the state highway fund to be deposited into the state drug and alcohol testing laboratory special fund or appropriate state drug and alcohol testing laboratory special fund moneys to establish the state drug and alcohol toxicology testing laboratory.

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 Ways and Means 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. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3922 Ways and Means on H.B. No. 2345

The purpose and intent of this measure is to provide opportunities for teachers to obtain affordable housing.

Specifically, the measure:

- (1) Authorizes the State to acquire the fee simple interest, a lease, or another form of interest in a certain parcel of real property located in Ewa Beach on the island of Oahu, for the purpose of developing or facilitating the development of affordable housing for teachers, with priority to be given to Department of Education classroom teachers in the beginning of their careers;
- (2) Authorizes the State to offer certain benefits to the seller or lessor of the parcel; and
- (3) Appropriates moneys to the Hawaii Housing Finance and Development Corporation for the acquisition, appraisal, and pre-development maintenance of the parcel.

Your Committee received written comments in support of this measure from the Department of Education and Hawaii State Teachers Association.

Your Committee received written comments on this measure from the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State's inability to recruit and retain teachers has been a long-standing issue and has been exacerbated due to the coronavirus disease (COVID-19) pandemic; therefore, the State should take the initiative to develop affordable housing for teachers to improve the State's teacher recruitment and retention efforts.

Your Committee has amended this measure by:

- (1) Deleting language that references a specific property;
- (2) Providing that in the development of affordable housing, priority shall be given to a community with schools experiencing a high shortage of teachers;
- (3) Deleting the housing priority for teachers who are in the beginning of their careers;

- (4) Providing that the Department of Education shall publish a needs assessment, rather than conduct an elementary school needs assessment;
- (5) Making the School Facilities Authority, rather than the Hawaii Housing Finance and Development Corporation, responsible for the acquisition, appraisal, and pre-development maintenance of the land intended for teachers' affordable housing; and
- (6) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2345, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2345, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Fevella). Noes, none. Excused, none.

SCRep. 3923 Ways and Means on H.B. No. 2515

The purpose and intent of this measure is to require the Department of Health to establish and operate a laboratory capable of testing for diseases, testing for air and water quality issues, and conducting other high complexity testing.

Your Committee received written comments in support of this measure from the Department of Health, Board of Water Supply, and Young Democrats of Hawaii.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that establishing the laboratory required by this measure will allow the Department of Health to carry out complex testing to better meet the State's needs, including testing to support criminal investigations, and to ensure access to safe drinking water, environmental remediation, and the mitigation of infectious diseases.

Your Committee has amended this measure by:

- (1) Deleting the appropriation;
- (2) Making the measure effective upon its approval; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2515, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2515, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3924 Ways and Means on H.B. No. 1552

The purpose and intent of this measure is to increase from eleven to thirteen the number of members of the Stadium Authority.

Your Committee received written comments in support of this measure from the Stadium Authority.

Your Committee finds that the appointment of two new members to the Stadium Authority will benefit and support the Authority and will ensure that there are an appropriate number of board members in any given year, as departing members end their final terms and newly-appointed members begin their new terms.

Your Committee has amended this measure by clarifying that certain citizenship and residency requirements only apply to the appointed members of the Stadium Authority.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1552, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1552, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3925 Ways and Means on H.B. No. 1561

The purpose and intent of this measure is to enhance educational opportunities for adults.

Specifically, the measure establishes and appropriates moneys to the Department of Education for:

- (1) An adult workforce readiness program;
- (2) One full-time equivalent adult workforce readiness program coordinator for McKinley Community School for Adults; and
- (3) One full-time equivalent adult workforce readiness program coordinator for Waipahu Community School for Adults.

Your Committee received written comments in support of this measure from the Department of Education; McKinley Community School for Adults; McKinley Community School for Adults - Maui Campus; Waipahu Community School for Adults; McKinley Community School for Adults - Kauai Campus; McKinley Community School for Adults - Moanalua Campus; State Council on

Developmental Disabilities; Kaimuki McKinley Roosevelt Complex Area, Department of Education; Hawaii State Teachers Association; Susannah Wesley Community Center; Workforce Development Council; and numerous individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance and one individual.

Your Committee recognizes the benefit of providing to students at adult and community schools the opportunity to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates.

Your Committee has amended this measure by:

- (1) Deleting the measure's appropriation to the Department of Education;
- (2) Changing the effective date from July 1, 2051, to upon its approval; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1561, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1561, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3926 Ways and Means on H.B. No. 1800

The purpose and intent of this measure is to take steps to reduce Hawaii's carbon emissions.

Specifically, this measure:

- (1) Requires the Hawaii Natural Energy Institute to conduct a study to analyze pathways and develop recommendations to achieve Hawaii's decarbonization goals; and
- (2) Appropriates funds from the energy security special fund for the study.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii Climate Change Mitigation and Adaptation Commission, University of Hawaii, a member of the Hawaii County Council, Hawaii Electric Vehicle Association, Big Island Electric Vehicle Association, Hawaiian Electric Company, and four individuals.

Your Committee received written comments in opposition to this measure from two individuals.

Your Committee received written comments on this measure from the Hawaii Public Utilities Commission, Hawaii State Energy Office, Climate Protectors Hawaii, and 350Hawaii.

Your Committee finds that although the State has adopted many goals to help mitigate climate change, additional information is required to identify challenges, opportunities, and actions that are needed to achieve those goals.

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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1800, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1800, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3927 Ways and Means on H.B. No. 1893

The purpose and intent of this measure is to provide for the future management of the Daniel K. Akaka State Veterans Home.

Specifically, this measure:

- (1) Requires the transfer of the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System by December 31, 2022; and
- (2) Establishes statutory provisions governing the operation of the Daniel K. Akaka State Veterans Home after the Oahu Regional Health Care System is transferred to the Department of Health.

Your Committee received written comments in support of this measure from the Office of Veterans Services, Oahu Region of the Hawaii Health Systems Corporation, Department of Defense, Department of Accounting and General Services, Maui County Veterans Council, Hawaii Military Affairs Council, State Veterans Advisory Board, and five individuals.

Your Committee received written comments on this measure from the Hawaii Government Employees Association.

Your Committee finds that the Daniel K. Akaka State Veterans Home, which is currently being constructed by the Department of Defense and Department of Accounting and General Services, should be operated and managed by a state agency having the expertise needed to manage a long-term care facility.

Your Committee has amended this measure by:

- (1) Changing the date by which the Daniel K. Akaka State Veterans Home must be transferred to the Oahu Regional Health Care System from December 31, 2022, to June 30, 2023;

- (2) Making structural amendments proposed by the Hawaii Health Systems Corporation to better effectuate the purpose of the measure, including deleting provisions:
- (A) Pertaining to the transfer of employees of the Daniel K. Akaka State Veterans Home;
 - (B) Establishing exemptions from various laws applicable to the Daniel K. Akaka State Veterans Home; and
 - (C) Establishing requirements for the operation of the Daniel K. Akaka State Veterans Home after the Oahu Regional Health Care System is transferred to the Department of Health; and
- (3) Making technical nonsubstantive amendments for purposes of consistency and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1893, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1893, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3928 Ways and Means on H.B. No. 2120

The purpose and intent of this measure is to facilitate emergency management within the State.

Specifically, the measure:

- (1) Clarifies current practices, policies, and procedures of the state emergency management program and updates it with prevailing best practices for emergency management; and
- (2) Includes environmental impacts within the scope of emergency matters.

Your Committee received written comments in support of this measure from the Department of Defense, Hawaii State Energy Office, Hawaii Emergency Management Agency, and Coordinating Group on Alien Pest Species (CGAPS).

Your Committee received written comments on this measure from the Department of Emergency Management, City and County of Honolulu.

Your Committee finds that the coronavirus disease 2019 pandemic, other recent events, and environmental concerns have demonstrated the need to make the State's emergency management practices, policies, and procedures consistent with prevailing emergency management best practices.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2120, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2120, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3929 Ways and Means on H.B. No. 2206

The purpose and intent of this measure is to appropriate moneys for University of Hawaii athletics programs.

More specifically, the measure:

- (1) Appropriates \$3,600,000 for athletics at the University of Hawaii at Manoa, provided that the Board of Regents:
 - (1) Shall consider the review of coaching contracts greater than \$200,000; and
 - (2) Be able to determine if there is cause for the termination of the athletic director and head coaches; and
- (2) Appropriates \$400,000 for athletics at the University of Hawaii at Hilo.

Your Committee received written comments on this measure from the University of Hawaii at Manoa, University of Hawaii at Hilo, and Department of Budget and Finance.

Your Committee finds that the funding provided by this measure would provide needed financial support to the respective athletics programs of the University of Hawaii at Manoa and University of Hawaii at Hilo, which each represent Hawaii nationally and internationally, and help to offset higher costs that are unique to Hawaii and not faced by these schools' peer competitors.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts to facilitate further discussion on the measure; and
- (2) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2206, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2206, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3930 Ways and Means on H.B. No. 2332

The purpose and intent of this measure is to facilitate the transfer of non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture.

Specifically, this measure allows easements granted on certain public lands to be exempt from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee received written comments on this measure from the Department of Agriculture.

Your Committee finds that the formal subdivision process requires a significant investment of time and resources that may hinder the transfer of 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) Limiting the application of exemptions to easements created for a public purpose on public or other government-owned lands;
- (2) Authorizing exemptions for easements affecting the transfer of developed public lands as well as undeveloped public lands;
- (3) Changing the effective date to upon its approval; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2332, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2332, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Misalucha).

SCRep. 3931 Ways and Means on H.B. No. 2338

The purpose and intent of this measure is to provide moneys for the Department of Health to establish the State Drug and Alcohol Toxicology Testing Laboratory.

More specifically, the measure:

- (1) Appropriates moneys from the state highway fund to the state drug and alcohol toxicology testing laboratory special fund; and
- (2) Authorizes the Department of Health to expend moneys from the state drug and alcohol toxicology testing laboratory special fund to establish the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee received written comments in support of this measure from the Department of Health and Department of Transportation.

Your Committee finds that the establishment of a drug and alcohol toxicology laboratory will allow the Department of Health to test criminal evidence within the State, rather than outsourcing the testing, and will help provide the resources that law enforcement officers and prosecutors need to protect the State's residents and visitors from criminals and impaired drivers.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2338, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2338, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3932 Ways and Means on H.B. No. 2399

The purpose and intent of this measure is to fund assessments of the counties' need for resources to reduce the volume of packaging waste sent to landfills and waste-to-energy plants.

Specifically, the measure:

- (1) Requires producers of certain non-durable consumer goods and packaging items to register with the Department of Health;
- (2) Requires each registered producer to pay an annual fee based on the volume of packaging placed by the producer in the market in the State;
- (3) Establishes an extended producer responsibility special fund, into which the foregoing fees and other funds shall be deposited, and from which moneys shall be expended to fund county needs assessments and related responsibilities; and
- (4) Appropriates moneys for fiscal year 2022-2023 into and out of the extended producer responsibility special fund for the county needs assessments; and
- (5) Appropriates moneys to the Department of Health for state activities regarding waste management.

Your Committee received written comments in support of this measure from the Department of Health, Hawaii State Energy Office, Department of Environmental Management, County of Hawaii; a member of the Hawaii County Council; Department of Environmental Management, County of Maui; Apollo Kauai; Zero Waste Kauai; Chamber of Sustainable Commerce; Recycle Hawaii; Clean the Pacific; Climate Protectors Hawaii; Hawaii Reef and Ocean Coalition; a group of forty local Hawaii small business owners; Hilo Downtown Improvement Association; Zero Waste Hawaii Island; Kauai Women's Caucus; Urban Ore, Inc.; Big Island Reef Keepers Hui; Hawaii Wildlife Fund; Energy & Climate Action Committee, Environmental Caucus of the Democratic Party of Hawaii; 350Hawaii; SHARKastics; Hawaii Alliance for Progressive Action; Sustainable Coastlines Hawaii; Zero Waste Oahu; Surfrider Foundation Hawaii Region; Protea Zero Waste Store; and numerous individuals.

Your Committee received written comments in opposition to this measure from the Hawaii Restaurant Association, American Cleaning Institute, The Wine Institute, American Beverage Association, Hawaii Food Industry Association, The Household & Commercial Products Association, American Chemistry Council, Retail Merchants of Hawaii, Hawaii Crop Improvement Association, Chamber of Commerce Hawaii, Hawaii Farm Bureau, Foodservice Packaging Institute, Dole Food Company Hawaii, Hawaiian Host Group, Glass Packaging Institute, CropLife America, AMERIPEN, and two individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that as the State strives to fulfill its commitments to reduce waste and mitigate the impacts of climate change, the entities that produce consumer goods should contribute to the costs of managing the waste that is generated from the sale of those goods.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2399, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3933 Judiciary on H.B. No. 1768

The purpose and intent of this measure is to:

- (1) Exempt the instream use of water for traditional and customary kalo cultivation practices from the existing process for disposition of water rights; and
- (2) Recognize, confirm, and protect traditional and customary and kuleana rights to water, including rights of use, access, delivery, and quality of water.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, one member of the Kaua'i County Council, Mayor of the County of Kaua'i, County of Kaua'i Planning Department, Hawai'i Land Trust, Sierra Club of Hawai'i, Kua'āina Ulu 'Auamo, Council for Native Hawaiian Advancement, Hanalei Hawaiian Civic Club, 'Ai Pohaku, Waipā Foundation, 'Ahahui o nā Kauka, Wai'oli Valley Taro Hui, Papa Ola Lōkahi, Hawai'i Alliance for Progressive Action, Hui o Nā Wai 'Ehā, Earthjustice, Hanalei Watershed Hui, and twenty-four individuals.

Your Committee finds that for nearly two thousand years, Native Hawaiians have been farming successfully on lands throughout the State without adversely impacting the land. As a significant cultural and traditional practice, Native Hawaiian farming practices serve as a key tradition that also benefits the quality of life for Hawai'i's residents. While the State has a fiduciary duty to assure the preservation and enhancement of water for various public interests, some regulatory actions disrupt protected cultural rights and traditions of Native Hawaiians. Providing a water disposition exemption for certain kalo cultivation will help to reduce barriers for kalo cultivation, reduce the cost to produce poi, increase food production in Hawaii, and protect the traditional and customary practices of Native Hawaiians as mandated by the Hawaii State Constitution.

Your Committee has amended this measure by incorporating the changes proposed by the Department of Land and Natural Resources as follows:

- (1) Specifying that nothing in chapter 174C, part IV, Hawaii Revised Statutes, shall be construed to deny the exercise of an appurtenant right, including access by the holder thereof to conduct activities necessary to assure the use, delivery, and quality of water including temperature and turbidity, that shall not be unreasonably withheld; and
- (2) Specifying that the appurtenant water rights of kuleana and kalo lands, along with those traditional and customary rights, including access by the holder thereof to conduct activities necessary to assure the use, delivery, and quality of water including temperature and turbidity, that shall not be unreasonably withheld, shall not be diminished or extinguished by a failure to apply for or to receive a permit.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1768, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1768, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 7; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, none.

SCRep. 3934 (Joint) Judiciary and Ways and Means on H.B. No. 2159

The purpose and intent of this measure is to:

- (1) Rename the Hawaii Workforce Development Council as the Hawaii Workforce Development Board;
- (2) Require the Governor to appoint an Executive Director of the Board from a list of three nominees submitted by the Board; and

- (3) Prohibit members of the Hawaii Workforce Development Board and local workforce development boards from engaging in any activity determined by the Governor to constitute a conflict of interest.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Workforce Development Council, and University of Hawai'i System.

Your Committees find that Act 88, Sessions Laws of Hawaii 2021, also known as the General Appropriations Act of 2021, eliminated the program identification number for the Workforce Development Council (LBR135) and transferred its appropriations and positions to the Department of Labor and Industrial Relations' Workforce Development Division. This measure amends chapter 202, Hawaii Revised Statutes, which governs the Workforce Development Council, to conform with the new appropriation structure set forth in the General Appropriations Act of 2021.

Your Committees have amended this measure by:

- (1) Replacing the conflict of interest language that prohibits members of the Hawaii Workforce Development Board and local workforce development boards from engaging in any activity determined by the Governor to constitute a conflict of interest with conflict of interest language that requires the Hawaii Workforce Development Board and local workforce development boards to develop written conflict of interest policies consistent with federal law and prohibits the Hawaii Workforce Development Board and local workforce development boards to vote on or participate in a discussion about matters under certain circumstances or engage in activity determined by the Governor or the Governor's designee to constitute a conflict of interest;
- (2) Making it effective upon its approval; and
- (3) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2159, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2159, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 7. Noes, none. Excused, none.
 Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3935 Ways and Means on H.B. No. 1536

The purpose and intent of this measure is to appropriate supplemental funds for the Judiciary for the 2021-2023 fiscal biennium.

Your Committee received written comments in support of this measure from the Judiciary, Legal Aid Society of Hawaii, Volunteer Legal Services Hawaii, Hawaii State Bar Association, Hawaii County Bar Association, and Hawaii Access to Justice Commission.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee recognizes that the Judiciary's budget was reduced in the two previous fiscal years. Your Committee believes that this supplemental budget, while modest, will serve to assist the Judiciary with its operations and its necessary improvement projects.

OPERATING BUDGET

The Judiciary requested a supplemental operating budget that totaled:

JUDICIARY	FY 2022	FY 2023
General Funds	\$164,891,486	\$165,852,798
All Means of Financing	\$177,900,433	\$178,353,682

Your Committee has amended this budget to appropriate the following in funds for operating expenses:

SENATE	FY 2022	FY 2023
General Funds	\$164,891,486	\$171,952,798
All Means of Financing	\$177,900,433	\$184,453,682

CAPITAL IMPROVEMENTS PROGRAM BUDGET

The Judiciary requested a supplemental capital improvement budget that totaled:

JUDICIARY	FY 2022	FY 2023
General Obligation Bonds	\$5,886,000	\$14,334,000
All Means of Financing	\$11,106,000	\$14,334,000

Your Committee has amended this budget to appropriate the following in capital improvement funds:

SENATE	FY 2022	FY 2023
General Obligation Bonds	\$5,886,000	\$14,529,000
All Means of Financing	\$5,886,000	\$14,529,000

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1536, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1536, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3936 (Joint) Labor, Culture and the Arts and Ways and Means on H.B. No. 1785

The purpose and intent of this measure is to provide for a more effective tourism governance system for the State.

Specifically, this measure:

- (1) Requires and appropriates moneys to the Legislative Reference Bureau to conduct a study that identifies and analyzes alternative tourism governance systems and to submit a report to the Legislature regarding potential tourism governance options for its consideration;
- (2) Establishes in statute the four core functions under which the Hawaii Tourism Authority shall operate its programs;
- (3) Requires the Hawaii Tourism Authority to perform actions specified in the Authority's destination management action plans;
- (4) Prohibits the Hawaii Tourism Authority from contracting with entities for services or programs that fall within more than one of the four core functions;
- (5) Requires all branding contracts to be performance-based;
- (6) Requires the organization of the Hawaii Tourism Authority to reflect the four core functions, and establishes applicable positions; and
- (7) Appropriates moneys to the Hawaii Tourism Authority.

Your Committees received written comments in support of this measure from three individuals.

Your Committees received written comments in opposition to this measure from the State Procurement Office.

Your Committees received written comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, Hawaii Tourism Authority, and Legislative Reference Bureau.

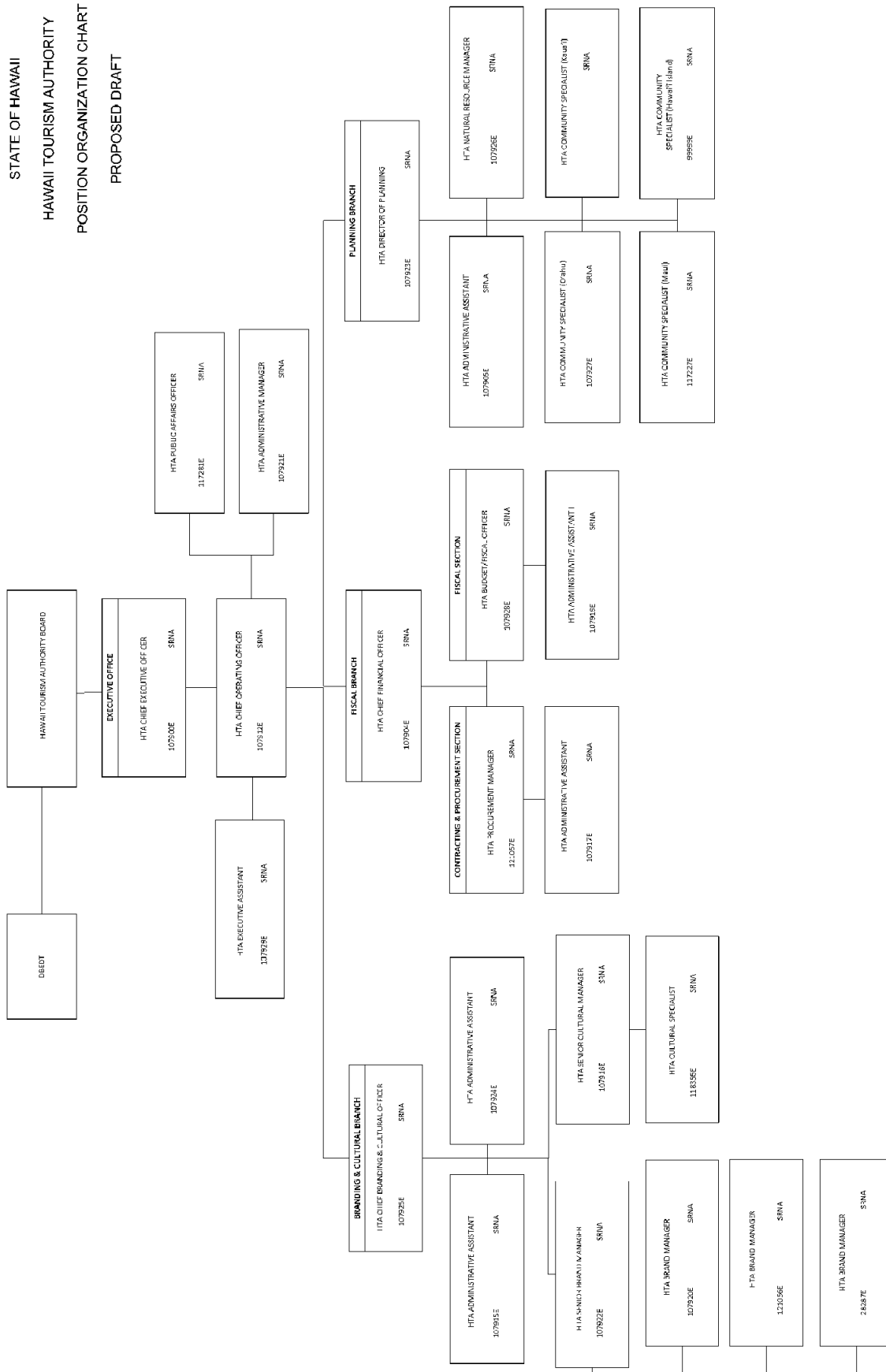
Your Committees find that specifying the destination action management goals and objectives in statute and aligning the organization of the Hawaii Tourism Authority to those goals and objectives will ensure the Authority's accountability and allow the Authority to execute the objectives identified in its destination management action plans more quickly and efficiently.

Your Committees have amended this measure by:

- (1) Providing for the lapse on June 30, 2024, of moneys appropriated to the Legislative Reference Bureau;
- (2) Adding to the Hawaii Tourism Authority's list of statutory duties the development of a destination management action plan for each county;
- (3) Changing the source of moneys for the various appropriations made to the Hawaii Tourism Authority from general funds to federal American Rescue Plan Act funds;
- (4) Changing the amount appropriated to the Hawaii Tourism Authority for administrative costs from \$3,972,107, to \$4,984,417, and making corresponding changes to the administrative and organizational structure of the Authority; and
- (5) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committees note that the following organizational chart, reflecting a focus on the four "pillars" or core functions of the Hawaii Tourism Authority, graphically depicts your Committees' intended organizational structure of the Hawaii Tourism Authority as contemplated under this measure:

STATE OF HAWAII
 HAWAII TOURISM AUTHORITY
 POSITION ORGANIZATION CHART
 PROPOSED DRAFT



As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1785, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1785, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Labor, Culture and the Arts: Ayes, 3. Noes, none. Excused, 2 (Ihara, Keohokalole).

Ways and Means: Ayes, 11. Noes, none. Excused, none.

SCRep. 3937 Ways and Means on H.B. No. 1982

The purpose and intent of this measure is to establish a process to ensure the proper application of the State's motion picture, digital media, and film production income tax credit.

More specifically, the measure:

- (1) Establishes a tax withholding requirement for persons who make payments to loan-out companies for services performed in Hawaii and who claim the motion picture, digital media, and film production income tax credit;
- (2) Imposes an application processing fee for the motion picture, digital media, and film production income tax credit;
- (3) Removes the requirement for qualified productions to submit a verification review by a qualified certified public accountant when applying for the motion picture, digital media, and film production income tax credit;
- (4) Requires reports by the Department of Business, Economic Development, and Tourism to the Legislature on the motion picture, digital media, and film production income tax credit to identify the dollar amount claimed, name of company, and name of qualified production claiming the credit;
- (5) Extends the period during which excess motion picture, digital media, and film production income tax credits may be claimed, from December 31, 2025, to December 31, 2032;
- (6) Requires qualified productions that make payments to a loan-out company and claim the motion picture, digital media, and film production income tax credit to withhold an amount equal to 4.5 percent of qualified production costs for service performed in the State and remit that amount to the Department of Taxation to the credit of the general excise tax account of the loan-out company;
- (7) Amends the uses of the tax administration special fund; and
- (8) Authorizes the Department of Taxation to establish four full-time equivalent (4.0 FTE) tax auditor positions.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawaii; Island Film Group; Motion Picture Association; and seven individuals.

Your Committee received written comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that, according to the Department of Business, Economic Development, and Tourism, the motion picture, digital media, and film production income tax credit, codified as section 235-17, Hawaii Revised Statutes, is an essential element of the State's economic recovery efforts amidst the coronavirus disease 2019 pandemic.

Your Committee has amended this measure by:

- (1) Reducing the minimum amount of qualified production costs necessary to claim the motion picture, digital media, and film production income tax credit, from \$200,000 to \$100,000;
- (2) Amending the language of the tax withholding requirement to:
 - (A) Change the rate of the tax withholding amount from 4.5 percent to "the applicable rate"; and
 - (B) Clarify the deadline for remitting the withheld amounts to the Department of Taxation;
- (3) Requiring the Department of Business, Economic Development, and Tourism to issue a certification letter to a taxpayer seeking to claim the motion picture, digital media, and film production income tax credit no later than ten months after the receipt of the taxpayer's statement required under section 235-17(h), Hawaii Revised Statutes;
- (4) Amending the withholding amount for qualified productions claiming the motion picture, digital media, and film production income tax credit from 4.5 percent to one-half of one percent of the qualified production costs;
- (5) Clarifying the deadline by which qualified productions claiming the motion picture, digital media, and film production income tax credit must remit withheld amounts to the Department of Taxation; and
- (6) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1982, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1982, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3938 Ways and Means on H.B. No. 1983

The purpose and intent of this measure is to establish a state film liaison to plan, develop, and execute a statewide film industry development strategy, and to appropriate moneys for an administrative assistant to support the state film liaison.

Your Committee received written comments on this measure from the Department of Business, Economic Development, and Tourism and Department of Budget and Finance.

Your Committee finds that establishing a state film liaison will help strengthen the existing state and county film offices while providing a long-term roadmap for the film industry's growth.

Your Committee has amended this measure by:

- (1) Clarifying that each position existing within the Film Branch of the Creative Industries Division of the Department of Business, Economic Development, and Tourism as of the effective date of the measure will retain the civil service status and duties of the respective position;
- (2) Changing the appropriation amount from an unspecified sum to \$65,000;
- (3) Deleting language establishing an administrative assistant position;
- (4) Clarifying that the new statutory language should be added to part IX of Chapter 201, Hawaii Revised Statutes; and
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1983, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1983, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3939 Ways and Means on H.B. No. 2195

The purpose and intent of this measure is to establish within the Department of Health and appropriate moneys for a pilot grant project to help qualifying low- and moderate-income property owners either upgrade or convert their cesspools.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, a member of the Hawaii County Council, Rotary Club of Hanalei Bay, Hawaii Reef and Ocean Coalition, Surfriider Foundation - Hawaii Region, Kauai Women's Caucus, WAI: Wastewater Alternatives & Innovations, and nine individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and Department of Health.

Your Committee recognizes that the statutory requirement to upgrade or convert cesspools, while necessary to prevent contamination of the State's groundwater, streams, and coastal ecosystems, also imposes a financial burden on low- and moderate-income families. Accordingly, your Committee believes that the State should assist these families in meeting the costs of cesspool upgrades and conversions.

Your Committee has amended this measure by:

- (1) Establishing the pilot grant project in session law rather than in the Hawaii Revised Statutes;
- (2) Requiring the Department of Health to submit to the Legislature, by an unspecified date, a report on the pilot grant project; and
- (3) Providing for repeal of the pilot grant project on an unspecified date.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2195, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2195, H.D. 2, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3940 Ways and Means on H.B. No. 2307

The purpose and intent of this measure is to appropriate moneys to provide education and support to businesses in the State regarding the United States Food and Drug Administration's industry guidance on colored sea salt.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau and Hawaii Food Industry Association.

Your Committee received written comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee notes that sea salt manufacturers in the State seeking to manufacture and sell black sea salt and red sea salt are required to obtain approval from the United States Food and Drug Administration through the lengthy and expensive color additive petition process. Accordingly, your Committee believes that providing education and support to these sea salt manufacturers will help them to more efficiently navigate the petition process and ensure the continued operation of the sea salt industry in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2051, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2307, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2307, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3941 Ways and Means on H.B. No. 2329

The purpose and intent of this measure is to honor and acknowledge President Barack Obama's history in the State.

More specifically, this measure:

- (1) Requires the Department of Land and Natural Resources to:
 - (A) Consult with the Hawaii Tourism Authority and State Foundation on Culture and the Arts to determine locations to place historical markers to identify sites in the State that were significant in the life of President Barack Obama; and
 - (B) Install these historical markers; and
- (2) Appropriates moneys for the Department of Land and Natural Resources to install these historical markers.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources and Hawaii Tourism Authority.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the placement of historical markers at sites that were significant in the life of President Barack Obama is an appropriate way to celebrate and commemorate President Obama's life in Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying the procedures for placing a historical marker at or near a privately owned property or private residence; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2329, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2329, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3942 Ways and Means on H.B. No. 2475

The purpose and intent of this measure is to establish July 31 each year as La Hoihoi Ea to recognize the accomplishments of King Kamehameha III in restoring the sovereignty of the Kingdom of Hawaii and to honor upstanding members of the Hawaiian community.

Your Committee received written comments in support of this measure from the Department of Accounting and General Services, Malama Makua, Spoehr Foundation, and eight individuals.

Your Committee received written comments in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee received written comments on this measure from the Department of Human Resources of the City and County of Honolulu.

Your Committee finds that the establishment of July 31 as La Hoihoi Ea will provide a unique opportunity to reflect on Hawaii's history and the prominent place that Hawaii has held on the world stage for more than two centuries.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2475, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3943 Ways and Means on H.B. No. 2511

The purpose and intent of this measure is to facilitate the issuance of leases to individuals on the waitlist for Hawaiian home lands.

Specifically, the measure:

- (1) Requires the Department of Hawaiian Home Lands to submit to the Legislature annual reports regarding expenditures from the native Hawaiian rehabilitation fund and the number of beneficiaries removed from the waitlist for Hawaiian home lands through the use of the fund; and
- (2) Appropriates moneys into and out of the native Hawaiian rehabilitation fund for:
 - (A) Hawaiian home lands lots and related projects; and
 - (B) Down payment assistance and mortgage payment assistance to Department of Hawaiian Home Lands beneficiaries.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands, two members of the Honolulu City Council, the State Council on Developmental Disabilities, Chamber of Sustainable Commerce, Council for Native Hawaiian Advancement, Catholic Charities Hawaii, Partners In Care, Hawaii Health and Harm Reduction Center, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State, pursuant to the Hawaiian Homes Commission Act, 1920, has an obligation to set aside home lands to be used for the benefit of native Hawaiians. Accordingly, your Committee finds that the State should provide the means for the Department of Hawaiian Home Lands to make home lands available to the Department's beneficiaries, which will reduce the number of beneficiaries on the Department's waitlist.

Your Committee has amended this measure by replacing its contents with the contents of S.B. No. 3359, S.D. 2, a substantially similar measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2511, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2511, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Inouye, Kanuha, Kidani, Wakai, Fevella).

SCRep. 3944 Ways and Means on H.B. No. 2513

The purpose and intent of this measure is to provide more residents with affordable housing opportunities.

More specifically, this measure:

- (1) Appropriates moneys for projects or units in a mixed-income rental project for persons and families having incomes of between sixty and one hundred percent of the median family income; and
- (2) Authorizes the Hawaii Housing Finance and Development Corporation to use any moneys from the appropriation that are unused and unencumbered as of June 30, 2023, for certain other rental housing projects.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that families having incomes of more than sixty percent of the area median income are rarely able to make use of the rental housing revolving fund, because the demand for these funds far exceeds available funding. Accordingly, your Committee believes that by appropriating moneys specifically targeted for use by persons and families having incomes of between sixty and one hundred percent of the area median income, this measure will help to ensure that more residents are able to receive and make use of affordable housing opportunities.

Your Committee has amended this measure by changing the amount appropriated into and out of the rental housing revolving fund from \$150,000,000 to an unspecified sum to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2513, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2513, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 5 (Inouye, Kanuha, Kidani, Wakai, Fevella).

SCRep. 3945 Ways and Means on H.B. No. 956

The purpose and intent of this measure is to establish the Statewide Interoperable Communications Executive Committee, Technical Subcommittee, and a coordinator position.

Your Committee received written comments in support of this measure from the Department of Defense.

Your Committee finds that by establishing a statewide interoperable communications executive committee, technical subcommittee, and coordinator position, this measure will allow for the provision of a clear direction for future communications efforts by executive leadership, a framework for impacted parties to collaborate and make recommendations, and a more effective and efficient use of financial and technological resources throughout the State.

Your Committee has amended this measure by:

- (1) Requiring the Statewide Interoperable Communications Executive Committee to obtain the advice and input of the Statewide Interoperable Communications Technical Subcommittee prior to fulfilling the Executive Committee's other duties;
- (2) Clarifying that the Statewide Interoperable Communications Executive Committee is required to submit an initial report to the Legislature twenty days prior to the convening of the Regular Session of 2023, and each regular session thereafter;
- (3) Clarifying that membership on the Statewide Interoperable Communications Technical Subcommittee shall be limited to certain entities;
- (4) Clarifying certain duties of the Statewide Interoperable Communications Coordinator; and
- (5) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 956, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 956, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3946 Ways and Means on H.B. No. 1179

The purpose and intent 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 to develop it as a marketable product to expand economic opportunities for native Hawaiians.

Your Committee received written comments in support of this measure from the Department of Hawaiian Home Lands and Hawaii Forest Industry Association.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that utilizing gorse to produce marketable products will allow the State to create unique economic opportunities for native Hawaiians and will help mitigate an aggressive invasive species.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1179, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1179, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3947 Ways and Means on H.B. No. 1488

The purpose and intent of this measure is to expand the scope of individuals who qualify for resident tuition at the University of Hawaii.

Specifically, the measure authorizes resident tuition for any adult or minor student:

- (1) Enrolled in a high school in the State for at least twelve consecutive months preceding the first day of instruction at a University of Hawaii college or campus; or
- (2) Who received a high school diploma or its equivalent in the State in the two-year period preceding the first day of instruction at a University of Hawaii college or campus; provided that the student is working toward an undergraduate degree.

Your Committee received written comments in support of this measure from the Department of Education, University of Hawaii, Kupu, and six individuals.

Your Committee finds that allowing local high school graduates and individuals who complete high school equivalencies locally to qualify for resident tuition fees will facilitate the enrollment of these students at the University of Hawaii's campuses. Your Committee believes that helping these individuals attain their goals in higher education is a matter of statewide concern.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1488, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1488, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3948 Ways and Means on H.B. No. 1586

The purpose and intent of this measure is to allow the State to more efficiently manage federal disaster relief reimbursement moneys.

Specifically, the measure:

- (1) Requires federal disaster relief reimbursement moneys, except federal disaster relief reimbursement moneys for the Department of Education, to be deposited into a trust account of the Hawaii Emergency Management Agency and reimbursed to the originating fund of the expending agency, and requires moneys to be returned to the general fund upon lapse of the original appropriation;
- (2) Requires the Administrator of the Hawaii Emergency Management Agency to submit an annual report to the Legislature on the status of federal reimbursement moneys for disaster response and each agency's disaster response spending; and
- (3) Appropriates moneys to the Department of Defense for disaster response efforts.

Your Committee received written comments on this measure from the Hawaii Emergency Management Agency and Department of Education.

Your Committee finds that the changes made by this measure to the management of the Hawaii Emergency Management Agency trust account and the reporting requirements for agencies' disaster response spending will help improve the reliability and predictability of financing for the State's disaster relief efforts.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1586, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3949 Ways and Means on H.B. No. 1587

The purpose and intent of this measure is to establish an intrastate mutual aid system through which interjurisdictional assistance may be provided among the counties.

Your Committee received written comments in support of this measure from the Hawaii Emergency Management Agency.

Your Committee received written comments on this measure from the Hawaii Association for Justice.

Your Committee finds that by establishing a system that allows for intergovernmental cooperation and resource sharing among the counties, this measure will help the State to more effectively and efficiently prepare for, mitigate against, respond to, and recover from disasters and emergencies.

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

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1587, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1587, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3950 Ways and Means on H.B. No. 1588

The purpose and intent of this measure is to mitigate natural disasters and other hazards.

Specifically, the measure:

- (1) Establishes the resilient Hawaii revolving loan fund into which shall be deposited federal moneys and other funds, and from which loans shall be provided to the counties and nonprofit organizations for local resilience projects that address the mitigation of hazards;
- (2) Requires the Administrator of the Hawaii Emergency Management Agency to administer the Resilient Hawaii revolving loan fund and apply to the Federal Emergency Management Agency, under the provisions of the Safeguarding Tomorrow through Ongoing Risk Mitigation Act, Public Law 116-284, to capitalize the fund when funding is available; and
- (3) Appropriates moneys into and out of the resilient Hawaii revolving loan fund for the purposes of the measure, including the establishment and hiring of staff within the Hawaii Emergency Management Agency.

Your Committee received written comments in support of this measure from the Hawaii Emergency Management Agency.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committee finds that the federal Safeguarding Tomorrow through Ongoing Risk Mitigation (STORM) Act, Public Law 116-284, enables states to lend moneys to local municipalities to conduct hazard mitigation and resiliency projects. Your Committee believes it is prudent for the State to establish a mechanism to utilize this and other federal funding opportunities.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2051, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1588, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1588, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3951 Ways and Means on H.B. No. 1829

The purpose and intent of this measure is to facilitate the development of affordable housing projects.

Specifically, this measure:

- (1) Requires each county or issuer of private activity bonds to submit quarterly reports to the Department of Budget and Finance on the status or use of its allocation of private activity bonds; and

- (2) Prohibits the authorization of special purpose revenue bonds requiring an allocation of the annual state ceiling during the period after June 30, 2022, and before December 31, 2028, unless the allocation is requested by the Governor and approved by the Legislature; and
- (3) During the period after June 30, 2022, and before December 31, 2028, requires a county with a population of more than five hundred thousand to use its allocation of the annual state ceiling only for rental housing projects that are eligible for the low-income housing tax credit.

Your Committee received written comments in support of this measure from Highridge Costa and Catholic Charities Hawaii.

Your Committee received written comments in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that increasing coordination between the State and the counties on the timing of private activity bond issuances will allow the State to more efficiently allocate private activity bonds for housing-related projects.

Your Committee has amended this measure by:

- (1) Requiring the submission of semi-annual, rather than quarterly, reports on the status or use of any allocation;
- (2) Amending the date by which each county's annual report of its unused or unassigned allocation must be submitted to the Department of Budget and Finance;
- (3) Requiring the semi-annual and annual reports to be submitted to the Department of Budget and Finance and Hawaii Housing Finance and Development Corporation; and
- (4) Changing the effective date to July 2, 2022.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1829, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1829, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3952 Ways and Means on H.B. No. 1837

The purpose and intent of this measure is to increase affordable housing in the State by reducing administrative barriers and encouraging the adoption of more flexible zoning and regulatory policies.

More specifically, the measure:

- (1) Requires each county to submit a biennial report to the Legislature on the county's efforts to reduce zoning and regulatory barriers to housing development; and
- (2) Requires the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to review the biennial county reports and to submit biennial reports to the Legislature and the respective state agency boards on the State's efforts to streamline affordable housing development.

Your Committee received written comments in support of this measure from the Hawaii Public Housing Authority, Hawaii Realtors, and one individual.

Your Committee received written comments in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu and Maui Chamber of Commerce.

Your Committee received written comments on this measure from the Department of Budget and Finance and Grassroot Institute of Hawaii.

Your Committee finds that reducing administrative and statutory barriers and encouraging the adoption of more flexible zoning will assist in the development of affordable housing that is needed in the State. Your Committee believes that encouraging increased inter-agency coordination and public awareness of ongoing efforts to expand the supply of affordable housing is necessary to achieve these goals. Accordingly, your Committee further finds that the creation of a working group will more effectively support these efforts by identifying opportunities to reduce zoning, regulatory, and statutory barriers to developing affordable housing.

Your Committee has amended this measure by:

- (1) Replacing the measure's content with content establishing a working group on affordable housing; and
- (2) Making conforming amendments to the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1837, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1837, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 11. Noes, none. Excused, none.

SCRep. 3953 Ways and Means on H.B. No. 1974

The purpose and intent of this measure is to encourage small businesses to participate in public procurement.

Specifically, this measure:

- (1) Establishes the small business assistance initiative within the State Procurement Office, to consist of a small business procurement coordinator and small business office; and
- (2) Appropriates moneys to the State Procurement Office for the small business assistance initiative.

Your Committee received written comments in support of this measure from the State Procurement Office, Department of Transportation, Office of Veterans' Services, Council for Native Hawaiian Advancement, Hawaii State Commission on the Status of Women, and one individual.

Your Committee received written comments on this measure from the Department of Budget and Finance.

Your Committee finds that the small business assistance initiative established by this measure will help to identify, quantify, and address the needs of small businesses in the State, especially those businesses owned by veterans, Native Hawaiians, and women.

Your Committee has amended this measure by:

- (1) Clarifying that certain data, metrics, and reports shall be submitted to the Administrator of the State Procurement Office, who serves as the chief procurement officer for most executive branch agencies;
- (2) Changing the amount appropriated for the small business initiative from \$366,000 to an unspecified sum;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making a technical nonsubstantive amendment for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1974, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1974, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3954 (Joint) Judiciary and Ways and Means on H.B. No. 1640

The purpose and intent of this measure is to:

- (1) Change the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act;
- (2) Establish electronic device reporting requirements for manufacturers and collectors; and
- (3) Establish the electronic device recycling working group.

Your Committees received testimony in support of this measure from one member of the Hawai'i County Council, Hawai'i Reef and Ocean Coalition, Recycle Hawaii and Clean the Pacific, Restore the Commons, and three individuals. Your Committees received testimony in opposition to this measure from the County of Hawai'i Department of Environmental Management, Consumer Technology Association, and one individual. Your Committees received comments on this measure from the Department of Health, County of Kaua'i Department of Public Works Solid Waste Management Division, County of Maui Department of Environmental Management, one member of the Hawai'i County Council, Zero Waste Hawai'i Island, Kauai's Women Caucus, Retail Merchants of Hawaii, and four individuals.

Your Committees find that ensuring that electronic waste does not end up in the State's landfills, or worse tossed on the side of the road, is critical to protecting public health and safety and the State's delicate environment. Recycling electronic waste allows for the recovery of valuable resources that could otherwise be hazardous to the environment. Under the current program, funding is insufficient, especially on the neighbor islands, and the program does not adequately cover in an equitable way the sheer volume of electronics being sold in the State. This measure will make the recycling of electronic devices easier by implementing manufacturer and collector reporting obligations and requirements, which will promote convenient electronic device recycling for the public.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1640, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Signed by the Chairs on behalf of the Committees.
Judiciary: Ayes, 6. Noes, none. Excused, 1 (Acasio).
Ways and Means: Ayes, 10; Ayes with Reservations (Wakai). Noes, none. Excused, 1 (Inouye).

SCRep. 3955 (Joint) Judiciary and Ways and Means on H.B. No. 1653

The purpose and intent of this measure is to:

- (1) Establish a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (2) Establish a criminal fine structure on a per-specimen basis for violations involving aquatic life;

- (3) Authorize the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine; and
- (4) Authorize the Department of Land and Natural Resources to recommend certain probationary terms and conditions to the court.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Judiciary, Mālama Pūpūkea-Waimea, and two individuals. Your Committees received comments on this measure from For the Fishes.

Your Committees find that in 2020, tips from the public led to the investigation and subsequent arrest of three large-scale aquarium poaching operations involving eight individuals in west Hawaii. Your Committees believe that fines must be commensurate with the sales value of these animals to serve as an adequate deterrent for aquarium poachers. This measure will assist in the conservation of Hawaii's natural resources by providing a tiered administrative fine system and an option for community service to deter aquatic resource violations.

Your Committees have amended this measure by 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1653, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1653, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 6. Noes, none. Excused, 1 (Acasio).

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3956 (Joint) Judiciary and Ways and Means on H.B. No. 1712

The purpose and intent of this measure is to prohibit siting of waste disposal facilities on important agricultural lands and agricultural lands with class A and B productivity ratings.

Your Committees received testimony in support of this measure from the Department of Agriculture; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Ulupono Initiative; Larry Jefts Farms, LLC; Hawaii Crop Improvement Association; CropLife America; Biotechnology Innovation Organization; and two individuals. Your Committees received testimony in opposition to this measure from the City and County of Honolulu's Department of Environmental Services. Your Committees received comments on this measure from the Office of Planning and Sustainable Development and Office of the Mayor of the County of Kaua'i.

Your Committees find that agriculture is an essential economic activity in Hawai'i. To support agriculture, the State has established land use designations that protect certain lands for agricultural use. However, lands designated for agriculture can also be used for specific non-agricultural activities. Siting landfills on agricultural lands jeopardizes crop safety by creating the potential for contamination through dust, soil runoff, or poor water quality. This measure prohibits the use of agricultural lands for waste disposal facilities to ensure that agricultural lands are used to support agricultural purposes. This measure also seeks to protect agricultural lands with the highest productivity potential from land uses that are inconsistent with agricultural production.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1712, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1712, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 7. Noes, none. Excused, none.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

SCRep. 3957 (Joint) Judiciary and Ways and Means on H.B. No. 2423

The purpose and intent of this measure is to require all state building construction projects and state highway projects to use building and construction materials that seek to reduce their carbon footprint, where feasible and cost effective.

Your Committees received testimony in support of this measure from the Department of Transportation, one member of the Hawai'i County Council, Climate Protectors Hawai'i, Kauai Women's Caucus, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, Life of the Land, and ten individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that reducing a building or highway's carbon footprint is increasingly important in building design. State building designs for new building and highway projects can avoid copious amounts of greenhouse gas emissions and save taxpayers money if agencies consider how to reduce their carbon footprint. Reducing the State's carbon footprint by requiring the use of lower carbon technologies in its buildings, highways, and other public works projects is vital in furthering the State's goal of becoming carbon negative as soon as practicable but not later than 2045.

Your Committees have amended this measure by inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2423, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2423, H.D. 1, S.D. 1.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Acasio).
 Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3958 (Joint) Judiciary and Ways and Means on H.B. No. 2260

The purpose and intent of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries;
- (2) Increase the allowable number of plants for production centers;
- (3) Increase the number of production centers that may be allowed under a dispensary license;
- (4) Increase the number of retail dispensing locations that may be allowed under a dispensary license;
- (5) Redefine the term “medical cannabis production center” to include any series of structures located within the same secured perimeter fence-line;
- (6) Require the Department of Health to establish the fee structure for the submission of applications for additional production centers and retail dispensing locations and for dispensary-to-dispensary sales; and
- (7) Amend the Department of Health’s duties with respect to the establishment of standards for manufactured cannabis products.

Your Committees received testimony in support of this measure from Aloha Green Holdings Inc., Maui Grown Therapies, Hawai‘i Cannabis Industry Association, Hawaiian Ethos, Green Aloha, Big Island Grown, and over eight hundred individuals. Your Committees received testimony in opposition to this measure from Patients Without Time and six individuals. Your Committees received comments on this measure from the Department of Health, Akamai Cannabis Consulting, Hawaii Cannabis Hui, and one individual.

Your Committees have amended this measure by:

- (1) Deleting language that would have required the Department of Health to establish the fee structure for the submission of applications for additional production centers and retail dispensing locations and for dispensary-to-dispensary sales;
- (2) Deleting language that would have required the Department of Health to establish manufacturing and product stability standards regarding the manufacture of manufactured cannabis products; and
- (3) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2260, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2260, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Acasio).
 Ways and Means: Ayes, 9; Ayes with Reservations (Misalucha, Moriwaki). Noes, none. Excused, 2 (Inouye, Shimabukuro).

SCRep. 3959 (Joint) Judiciary and Ways and Means on H.B. No. 2248

The purpose and intent of this measure is to amend the definition of “private schools” under the compulsory attendance law to require unlicensed but accredited private schools to annually submit health and safety documentation to the Hawaii Council of Private Schools or the Hawaii Catholic Schools office.

Your Committees received testimony in support of this measure from the Hawaii Association of Independent Schools and Hawaii Council of Private Schools. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that the health and safety of students in the State is of paramount importance. Your Committees further find that this measure will increase transparency and accountability in the operation of private schools and help ensure that private schools follow best practices regarding student health and safety.

Your Committees have amended this measure by making it effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2248, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2248, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.
 Judiciary: Ayes, 6. Noes, none. Excused, 1 (Acasio).
 Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3960 (Joint/Majority) Judiciary and Ways and Means on H.B. No. 2336

The purpose and intent of this measure is to:

- (1) Clarify certain provisions in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the photo red light imaging detector systems program;
- (2) Establish minimum display times for yellow lights on traffic-control signals; and

- (3) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for the current timetable of the photo red light imaging detector systems program.

Your Committees received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and two individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that in 2019, the Department of Transportation, pursuant to Act 131, Session Laws of Hawaii 2019, convened a multi-agency red light running committee. This committee has worked diligently to prepare for the upcoming red light imaging detector systems pilot program, which is scheduled to begin operating later this year. This measure will clarify the Legislature's intent for the red light imaging detector systems pilot program and provide necessary adjustments to various dates and funding positions to allow the Department of Transportation to fund the anticipated influx of work relating to the pilot program.

Your Committees further find that these infractions should be adjudicated in the same way as the infractions under section 291C-32(c), Hawaii Revised Statutes, meaning that they should be subject to the same procedures regarding answering, court hearings, court actions, and any applicable defenses under chapter 291D, Hawaii Revised Statutes.

Your Committees have amended this measure by:

- (1) Making clarifying amendments as recommended by the Department of the Prosecuting Attorney of the City and County of Honolulu;
- (2) Subjecting a registered owner who is issued a summons or citation pursuant to chapter 291J, Hawaii Revised Statutes, to procedures pursuant to sections 291D-7, 291D-8, and 291D-13, Hawaii Revised Statutes; and
- (3) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2336, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2336, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Judiciary: Ayes, 5; Ayes with Reservations (Kim). Noes, 2 (Acasio, Fevella). Excused, none.

Ways and Means: Ayes, 10. Noes, 1 (Fevella). Excused, none.

SCRep. 3961 (Joint) Ways and Means and Judiciary on H.B. No. 1775

The purpose and intent of this measure is to facilitate compliance with Hawaii's state law corollary to the federal Title IX law codified in Chapter 368D, Hawaii Revised Statutes, which prohibits discrimination on the basis of sex, including gender identity or expression, or sexual orientation, in any covered educational program or activity.

More specifically, the measure:

- (1) Clarifies the application of Chapter 368D, Hawaii Revised Statutes, and sets forth requirements with which entities having state educational programs or activities, or receiving state funding for educational programs or activities, must comply;
- (2) Requires annual reporting to the Legislature on the number and types of Title IX cases received by the University of Hawaii, Department of Education, and public charter schools, and other relevant information;
- (3) Establishes two full-time equivalent (2.0 FTE) senior advisor positions and one full-time equivalent (1.0 FTE) junior advisor position for the University of Hawaii System to carry out the purposes of the measure; and
- (4) Appropriates moneys to the Department of Education and State Public Charter School Commission to carry out the purposes of the measure.

Your Committees received written comments in support of this measure from the Hawaii Civil Rights Commission, University of Hawaii System, Hawaii State Public Charter School Commission, American Association of University Women of Hawaii, Hawaii State Democratic Women's Caucus, Hawaii Women's Coalition, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawaii, League of Women Voters of Hawaii, Planned Parenthood Alliance Advocates, and eleven individuals.

Your Committees received written comments on this measure from the Department of the Attorney General, Department of Education, and Department of Budget and Finance.

Your Committees find that this measure's clarification of the purpose, scope, and application of Chapter 368D, Hawaii Revised Statutes, and requirement for annual data reporting by the University of Hawaii, Department of Education, and State Public Charter School Commission will help to ensure that the needs of victims of unlawful sex-based discrimination, including sexual harassment, gender-based harassment, and sexual assault, are adequately addressed.

Your Committees have amended this measure by:

- (1) Deleting language that required entities having a covered educational program or activity to designate a Title IX coordinator, publicize the Title IX coordinator's name and contact information, and adopt a written policy for addressing complaints brought pursuant to Chapter 368D, Hawaii Revised Statutes;
- (2) Deleting a provision that required federal law to prevail if any conflict arose between federal Title IX requirements and any state law requirements;
- (3) Deleting the definitions of "educational program or activity that receives state financial assistance" and "state educational program or activity";

- (4) Specifying that “covered educational program or activity” means the University of Hawaii, Department of Education, or public charter schools, or any educational program or activity that receives state financial assistance, in any amount, for any purpose, irrespective of the receipt of federal funds;
- (5) Requiring covered educational programs and activities to be in compliance with Chapter 368D, Hawaii Revised Statutes, during the school year when state funds are received or expended;
- (6) Specifying that the entities that are required to submit annual reports to the Legislature are the University of Hawaii, Department of Education, and State Public Charter School Commission and that all public charter schools shall submit certain required information to the Commission by August 1 of each year;
- (7) Replacing certain references to “public charter school” or “public charter schools” with “State Public Charter School Commission”;
- (8) Amending section 1 to reflect the measure’s amended purpose; and
- (9) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1775, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1775, H.D. 2, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Kidani).

Judiciary: Ayes, 7. Noes, none. Excused, none.

SCRep. 3962 Ways and Means on H.B. No. 1992

The purpose and intent of this measure is to authorize and encourage the production of local compost and the diversion of certain materials from the State’s waste streams.

More specifically, the measure:

- (1) Authorizes composting and co-composting operations in agricultural districts, under certain conditions; and
- (2) Establishes and appropriates moneys for an environmental health specialist IV position in the Solid and Hazardous Waste Branch of the Department of Health.

Your Committee received written comments in support of this measure from the Hawaii County Department of Environmental Management; Maui County Department of Environmental Management; County of Kauai; Climate Protectors Hawaii; Kauai Women’s Caucus; 350Hawaii; Environmental Caucus of the Democratic Party of Hawaii; Life of the Land; Zero Waste Hawaii Island; West Maui Green Cycle, Zero Waste Maui; Hawaii Farm Bureau; Hawaii Alliance for Progressive Action; and nine individuals.

Your Committee received written comments on this measure from the Department of Budget and Finance, Department of Health, and Department of Agriculture.

Your Committee finds that allowing composting and co-composting operations in agricultural districts will benefit the State by helping to reduce landfill waste, increase composting, address climate change, and support regenerative agriculture.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2051, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1992, H.D. 3, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1992, H.D. 3, S.D. 1.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3963 Ways and Means on H.B. No. 2024

The purpose and intent of this measure is to establish an entity to oversee state-managed lands above the nine thousand two hundred foot elevation line on Mauna Kea.

Specifically, this measure:

- (1) Establishes the Mauna Kea Stewardship and Oversight Authority (Authority);
- (2) Establishes the composition and powers of the Authority;
- (3) Provides for a transition period for the Authority to assume management of Mauna Kea lands;
- (4) Requires the Authority to develop a framework for astronomy development on Mauna Kea that may include limitations on the number of astronomy facilities or an astronomy facility footprint limitation;
- (5) Authorizes the Authority to limit commercial use and activities of Mauna Kea lands to astronomy use and activities;
- (6) Specifies requirements and restrictions for leases issued by the Authority;

- (7) Requires the Auditor to conduct a performance and financial audit of the Mauna Kea stewardship and oversight authority; and
- (8) Appropriates moneys to establish the Authority.

Your Committee received written comments in support of this measure from the members of the Mauna Kea Working Group, 'Ahahui o na Kauka - Association of Native Hawaiian Physicians, and two individuals.

Your Committee received written comments in opposition to this measure from the University of Hawaii, Office of Hawaiian Affairs, Department of Land and Natural Resources, Center for Hawaiian Sovereignty Studies, Mauna Kea Hui, Kona-Kohala Chamber of Commerce, Hawaii Business Roundtable, Hawaii Island Economic Development Board, and numerous individuals.

Your Committee received written comments on this measure from the Office of the Auditor; Department of Budget and Finance; Maunakea Observatories; Association of Hawaiian Civic Clubs - Moku o Keawe, Hawaii Council; Kamehameha Schools; Council for Native Hawaiian Advancement; and one individual.

Your Committee finds that separating the management of Mauna Kea between the University of Hawaii and a newly created entity creates a management structure that balances the diverse interests of the community and stakeholders regarding conservation, protection, and the regulation of current and future uses of Mauna Kea.

Your Committee has amended this measure by:

- (1) Amending section -1 to define the terms "astronomy research lands", "Mauna Kea conservation lands", and "state lease" and delete the definition of "land";
- (2) Establishing joint authority between the Authority and the University of Hawaii to effectuate the obligations and duties under the state lease;
- (3) Requiring the University of Hawaii to sublease the lands comprising the Mauna Kea conservation lands to the Authority within a period not exceeding one year from the formation and operation of the Authority;
- (4) Limiting members of the Authority to three partial or full terms;
- (5) Inserting provisions regarding the use of personnel and the establishment of the Authority's offices;
- (6) Defining the Authority's purview, responsibilities, and duties to encompass lands under the Mauna Kea conservation area to include:
 - (A) A requirement for the Authority to be financially self-sustaining after the fourth year following the transitional period; and
 - (B) Establishment of a process that provides and ensures transparency, analysis, and justification for lease terms and monetary consideration that is equitable, feasible, and financially sustainable;
- (7) Defining the University of Hawaii's role as manager and caretaker of astronomy research lands to include:
 - (A) Authorization to develop a framework that may limit the number of observatories and astronomy-related facilities;
 - (B) Authorization to establish a set of principles for returning the astronomy research lands to their natural state upon the loss of academic or research value of ground-based observatories;
 - (C) Requiring the University of Hawaii to:
 - (i) Continue preparations for the completion of the Mauna Kea Master Plan and Comprehensive Management Plan for astronomy research lands and Mauna Kea conservation lands; and
 - (ii) Prepare and apply for a renewal of the state lease for both the University of Hawaii and the Authority;
 - (D) Authorization to enter into cooperative agreements, easements, subleases, or other contracts with the Authority, any state agency, any county agency, and any private owner of lands within the jurisdictional boundaries of the astronomy research lands; and
 - (E) Commencement and completion of the timely decommissioning of certain telescopes;
- (8) Declaring that astronomy is a policy of the State;
- (9) Clarifying that the Authority's guiding values shall perpetuate native Hawaiian traditional and customary practices;
- (10) Requiring the submission of separate annual reports from the Authority and the University of Hawaii;
- (11) Deleting the Authority's authorization to establish an appropriate entryway to Mauna Kea and specifications to the University of Hawaii's minimum viewing time at the telescopes;
- (12) Requiring the sublease between the University of Hawaii and the Authority to contain specific provisions regarding any sub-lease issued by the Authority;
- (13) Deleting proposed sections related to general lease restrictions and planning;
- (14) Requiring the University of Hawaii to negotiate a \$1 per year lease with the Authority for the purposes of establishing the Authority's office, pursuant to section -2(g);
- (15) Amending section 76-16(b), Hawaii Revised Statutes, to exempt positions under the Authority from civil service requirements;

- (16) Making conforming amendments to section 1 to reflect the amended purpose of the measure;
- (17) Changing the appropriation for Authority startup costs from \$12,000,000 to \$14,000,000;
- (18) Inserting other necessary provisions to effectuate the enactment of this measure and to comport with other legal requirements; and
- (19) Making technical nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2024, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2024, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3964 Ways and Means on H.B. No. 2108

The purpose and intent of this measure is to establish a program for the licensure, regulation, and oversight of digital currency companies.

Your Committee received written comments in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Technology Development Corporation, Cloud Nalu, and five individuals.

Your Committee received written comments in opposition to this measure from one individual.

Your Committee received written comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that, although digital currency has grown in popularity and acceptance worldwide, there is little regulation of the industry in the United States, with a few states treating digital currency activities as within the scope of their money transmitter laws. Your Committee also finds that a study conducted by the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation determined that digital currency transactions are not best regulated through existing money transmitter laws and that a new regulatory framework is appropriate.

Your Committee has amended this measure by:

- (1) Clarifying the requirements and parameters of the anti-money laundering program to facilitate compliance with the federal Anti-Money Laundering Act of 2020 and any future regulations that may be promulgated by the United States Department of the Treasury's Financial Crimes Enforcement Network;
- (2) Clarifying the requirements of the cybersecurity program to incorporate cybersecurity-related principles from the Federal Financial Institutions Examination Council and National Institute of Standards and Technology Cybersecurity Framework; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2108, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2108, H.D. 1, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3965 (Joint) Ways and Means and Judiciary on H.B. No. 2171

The purpose and intent of this measure is to increase the efficiency and effectiveness of state public safety functions.

Specifically, this measure:

- (1) Establishes a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigative functions;
- (2) Transfers into the Department of Law Enforcement the law enforcement functions of the Department of Public Safety, Department of Transportation, the Office of Homeland Security, and the non-statutorily mandated functions of the Department of the Attorney General;
- (3) Reestablishes the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population; and
- (4) Establishes positions and appropriates moneys to the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committees received written comments in support of this measure from the Hawaii High Intensity Drug Trafficking Area, Department of Accounting and General Services, Department of the Attorney General, Department of Defense, Department of Hawaiian Home Lands, Department of Public Safety, Hawaii Paroling Authority, Office of Homeland Security, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Government Employees Association, State of Hawaii Organization of Police Officers, and numerous individuals.

Your Committees received written comments in opposition to this measure from the ACLU of Hawaii and one individual.

Your Committees received written comments on this measure from the Judiciary; Department of Budget and Finance; Office of Information Practices; Civil Beat Law Center for the Public Interest; and United Public Workers, AFSCME Local 646.

Your Committees find that consolidating state law enforcement responsibilities into a single state department will improve public safety, enhance decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, provide uniform training and standards, and promote uniform standards of law enforcement services.

Your Committees acknowledge the importance of addressing the existing shortage of law enforcement officers and correctional officers. Your Committees believe that the success of this measure will depend on the successful recruitment and retention of qualified personnel for both the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committees have amended this measure by:

- (1) Amending the contents of the report required upon the death of an inmate or correctional facility employee by:
 - (A) Removing the requirement that the report include the name of the decedent; and
 - (B) Authorizing the Director of Corrections and Rehabilitation to disclose the decedent's name and other information that is not statutorily required to be disclosed; provided that the Director does not disclose information protected from disclosure by state or federal law;
- (2) Including among the Director of Law Enforcement's statutory duties the deployment of adequate resources and coordination with county police departments to protect the health and safety of homestead communities on Hawaiian home lands;
- (3) Clarifying that provisions of law that give law enforcement authority to state law enforcement officers does not diminish the authority or responsibility of county police officers to enforce laws or maintain public safety on state lands, in state buildings, or in their respective counties;
- (4) Correcting the text of sections 76-16(b) and 26-52, Hawaii Revised Statutes, to reflect the printed version of the Hawaii Revised Statutes;
- (5) Making additional conforming amendments to various sections of the Hawaii Revised Statutes;
- (6) Appropriating \$4,121,309 to the Department of Law Enforcement for the establishment, hiring, and filling of employment positions and for operation costs;
- (7) Appropriating \$1,000,000 to the Department of Corrections and Rehabilitation for the planning and design of a multi-purpose training and staff development and administrative support facility;
- (8) Appropriating \$1,000,000 to the Department of Law Enforcement for the planning and design of a complex for the Department to consolidate and support headquarters and administrative services, training, and related services and facilities;
- (9) Appropriating \$1,600,000 to the Department of Law Enforcement to fund pay increases for deputy sheriffs; and
- (10) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2171, H.D. 2, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2171, H.D. 2, S.D. 1.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 11. Noes, none. Excused, none.

Judiciary: Ayes, 7; Ayes with Reservations (Acasio). Noes, none. Excused, none.

SCRep. 3966 (Joint) Ways and Means and Judiciary on H.B. No. 2424

The purpose and intent of this measure is to strengthen the State's oversight of children who were previously in the foster care system and were subsequently adopted.

More specifically, the measure:

- (1) Expands the investigative powers of the Department of Human Services to include the review and investigation of families that receive benefits from the State's adoption assistance program and against whom a complaint has been lodged;
- (2) Appropriates moneys to hire additional case workers and support staff; and
- (3) Appropriates moneys to increase compensation to fill vacancies and retain employees in existing Child Welfare Services Branch case worker positions; provided that any increase in compensation shall be subject to collective bargaining with the objective of expeditiously filling all vacancies.

Your Committees received written comments in support of this measure from the Waimanalo Neighborhood Board, CountryTalkStory.com, and fourteen individuals.

Your Committees received written comments in opposition to this measure from the Hawaii Family Advocacy Team.

Your Committees received written comments on this measure from the Department of Human Services, Department of the Attorney General, and Department of Budget and Finance.

Your Committees find that the expanded oversight authority provided to the Department of Human Services by this measure will help to ensure a greater degree of safety for children formerly in the foster care system who have been permanently placed with adoptive families.

Your Committees have amended this measure by:

- (1) Clarifying that the authority of the Department of Human Services to review or investigate families receiving benefits from the State's adoption assistance program against whom a complaint has been made is limited to post-adoption complaints, and deleting language that made these families subject to review or investigation at any time;
- (2) Changing the subject matter of the report required to be submitted by the Department of Human Services to address the impact of expanding post-permanency services to families receiving benefits from the adoption assistance program, rather than the impact of expanding home visits;
- (3) Advancing the report deadline by three years, to no later than twenty days prior to the convening of the 2024 Regular Session;
- (4) Changing the purpose of the first of two appropriations to the Department of Human Services, for the procurement of contracted services to provide additional support, resources, and monitoring of families receiving benefits from the adoption assistance program, rather than for the hiring of additional case workers and support staff;
- (5) Deleting the second appropriation to the Department of Human Services for increased compensation to fill vacancies and retain employees in existing Child Welfare Services Branch case worker positions;
- (6) Amending section 1 to reflect the measure's amended purpose; and
- (7) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2424, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2424, H.D. 1, S.D. 2.

Signed by the Chairs on behalf of the Committees.

Ways and Means: Ayes, 10. Noes, none. Excused, 1 (Inouye).

Judiciary: Ayes, 6. Noes, none. Excused, 1 (Acasio).

SCRep. 3967 Ways and Means on H.B. No. 1809

The purpose and intent of this measure is to establish the renewable fuels production tax credit.

Your Committee received written comments in support of this measure from Pacific Biodiesel Technologies, Hawaii Gas, Par Hawaii, Hawaii Clean Power Alliance, and Biotechnology Innovation Organization.

Your Committee received written comments in opposition to this measure from the Pet Food Institute and one individual.

Your Committee received written comments on this measure from the Department of Taxation, Department of Budget and Finance, Office of Information Practices, Hawaii State Energy Office, Civil Beat Law Center for the Public Interest, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the State should incentivize the production of renewable fuels because production of those fuels provides local jobs, ensures affordable energy and transportation, and provides greater energy security and economic benefits in the energy, agriculture, and other industries.

The United Nations Intergovernmental Panel on Climate Change (IPCC) has concluded that a century of rising emissions, caused primarily by fossil fuels, must end before 2025 to keep global heating under 1.5 degrees Celsius, beyond which severe impacts will increase further, hurting billions of people.

Hawaii is vulnerable to soaring prices and disruption of its energy imports. Hawaii imports fossil fuels originating from foreign countries for nearly ninety percent of its energy and almost one hundred percent of its transportation. The world's geopolitical conflicts threaten the reliable supply of those fossil fuels, causing prices to more than double in the last twelve months. Hawaiian Electric has predicted that the cost of electricity will rise by ten to twenty percent on the islands of Oahu, Maui, and Hawaii. In contrast, Kauai, which has strategically planned and aggressively implemented firm renewable-based energy and renewable fuels that displace imported fossil fuels, predicts that the price of electricity on the island will not increase. The State consists of thirty-three percent asset limited, income constrained, employed (ALICE) residents, and nine percent live below the poverty level. Electricity and transportation costs consume a large percentage of their income. It is critical for Hawaii to ensure affordable energy and transportation and greater energy security by becoming more self-sufficient in its fuel supply by incentivizing locally-based production of renewable fuels to displace imported fossil fuels.

Your Committee has amended this measure by replacing its contents with the contents of S.B. No. 2478, S.D. 2, a substantially similar measure, and further amending the measure by:

- (1) Providing that the annual dollar amount of the renewable fuels production tax credit shall be equal to twenty cents per seventy-six thousand British thermal units of renewable fuels using the lower heating value sold for distribution in Hawaii;
- (2) Providing that the amount of the tax credit claimed by a taxpayer shall not exceed any amount that the Department of Taxation may establish by rule adopted pursuant to Chapter 91, Hawaii Revised Statutes;
- (3) Providing that the total amount of tax credits allowed shall not exceed \$30,000,000 for all eligible taxpayers in any calendar year; and
- (4) Changing the effective date from July 1, 2050, to upon its approval, and applying the tax credit to taxable years beginning after December 31, 2022.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1809, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1809, H.D. 3, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3968 Ways and Means on H.B. No. 2309

The purpose and intent of this measure is to reduce recidivism rates among formerly incarcerated persons in the State by increasing their access to diversion, reentry, and rehabilitation programs.

More specifically, the measure:

- (1) Appropriates moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations within the State, as they relate to offenders who are:
 - (A) In the Department of Public Safety's custody and control;
 - (B) Under the jurisdiction of the Judiciary; or
 - (C) Under the jurisdiction of the Hawaii Paroling Authority;
- (2) Appropriates moneys for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations within the State to provide services to formerly incarcerated persons exiting jails and prisons, with a special focus on:
 - (A) Housing and human services; and
 - (B) Health; and
- (3) Requires agencies and entities receiving moneys appropriated by this measure to submit reports to the Legislature that include information on the manner in which they have expended funds, and other relevant information.

Your Committee received written comments in support of this measure from the Judiciary; Maui Department of the Prosecuting Attorney; Hawaii Substance Abuse Coalition; Opportunity Youth Action Hui; Community Alliance on Prisons; Hawaii Alliance for Progressive Action; ACLU of Hawaii; Native Hawaiian and Pacific Islander COVID-19 Response, Recovery, and Resilience Team; and four individuals.

Your Committee received written comments on this measure from the Department of Public Safety, Department of Budget and Finance, and Share Your Mana.

Your Committee finds that the appropriations made by this measure to strengthen programs and services for offenders reentering society will help to reduce recidivism rates in the State and increase productivity in affected communities. However, your Committee also finds that a more comprehensive array of pre- and post-release reentry support services, including family support and other necessary assistance, will more effectively support offenders upon their release from incarceration.

Your Committee has accordingly amended this measure by:

- (1) Inserting language from, and based upon, the following measures:
 - (A) Senate Bill No. 2641, S.D. 2, H.D. 1, relating to residential programs that allow minor children to remain with their mothers while the mothers are participating in the programs;
 - (B) Senate Bill No. 3293, S.D. 2, H.D. 2, relating to a five-year recidivism prevention pilot program that consists of three components: a housing voucher program; child care voucher program; and employer income tax credit program; and
 - (C) Senate Bill No. 2373, S.D. 1, H.D. 1, relating to a "project reset" program to assist offenders in securing post-release housing to support their reentry, rehabilitation, and employment;
- (2) Making conforming amendments to section 1 and the various appropriations sections to effectuate the expanded purposes of the measure;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2309, H.D. 2, S.D. 2.

Signed by the Chair on behalf of the Committee.
Ayes, 10. Noes, none. Excused, 1 (Inouye).

SCRep. 3969 Judiciary on Jud. Com. No. 23

Recommending that the Senate consent to the appointment of the following:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 23 SHELLIE K. PARK-HOAPILI, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Shellie K. Park-Hoapili for service as a Judge of the District Court of the First Circuit.

Your Committee received testimony in support of the appointment of Shellie K. Park-Hoapili from Ota & Hara, LLLC; Case Lombardi & Pettit; Olson & Sons; Representative Jerry L. Chang-retired; and forty-four individuals. Your Committee received comments on the appointment of Shellie K. Park-Hoapili from the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors found the appointee to be qualified for the position of District Court Judge of the First Circuit based on established criteria for determining the qualifications of judicial appointments generally using the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Specifically, the Board uses the following criteria in its deliberations: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. The Board's rating system includes the categories of "qualified" and "not qualified".

Ms. Park-Hoapili received her Bachelor of Arts degree in Political Science from the University of Hawai'i at Mānoa. She later received her Juris Doctor degree from the William S. Richardson School of Law at the University of Hawai'i at Mānoa, during which time she worked as a judicial extern at the Hawai'i Supreme Court and contributed to publications in the University of Hawai'i Law Review and Asian-Pacific Law and Policy Journal.

After law school, Ms. Park-Hoapili worked as a law clerk for Alston, Hunt, Floyd, & Ing; the Hawai'i Civil Rights Commission; and finally for Justice Nakayama of the Hawai'i Supreme Court. She subsequently worked as an associate attorney at Alston, Hunt, Floyd, & Ing, where her practice included a wide variety of civil litigation and complex legal issues.

Beginning in 2012, Ms. Park-Hoapili served as a Staff Attorney for the Hawai'i Supreme Court, where she conducted research and prepared legal analysis and recommendations for the Court. In addition, she prepared statewide and circuit-specific orders in response to the coronavirus disease 2019 pandemic, including operational orders, rule suspension or temporary modification orders, and entry restriction orders. In 2021, she became the Court Staff Attorney for the Hawai'i Supreme Court and her responsibilities expanded to include providing legal advice to Justices and to the Court, as well as supervising other staff attorneys, and other administrative and specialized legal duties.

Ms. Park-Hoapili has been licensed to practice law in the State of Hawaii since 2003, and has been active in the legal community throughout her career. She has served on the Board of Bar Examiners of the Hawai'i Supreme Court since 2013, and has been a Director of the Hawaii Women's Legal Foundation during the same period. She was named a Hawaii State Bar Association Leadership Institute Fellow in 2011 and was selected to be a delegate for the Annual United States District Court Judicial Conference in 2012.

Testimony submitted in support of Ms. Park-Hoapili's appointment commends her extensive legal expertise and experience with complex issues of law, as well as her fluency in many aspects of litigation. Testimony additionally demonstrates that she is highly respected throughout the legal community and has earned a reputation for fairness and integrity. Numerous testifiers also praised her professional temperament and dedication to the ethical pursuit of justice.

Your Committee finds that, based on the testimony submitted on her behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about her and her qualifications, Shellie K. Park-Hoapili has the experience, dedication, and other competencies to be a District Court Judge of the First Circuit, and she has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3970 Judiciary on Jud. Com. No. 24

Recommending that the Senate consent to the appointment of the following:

DISTRICT FAMILY COURT OF THE FIRST CIRCUIT

J.C. No. 24 NATASHA R. SHAW, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Natasha R. Shaw for service as a Judge of the District Family Court of the First Circuit.

Your Committee received testimony in support of the appointment of Natasha R. Shaw from the Korean American Bar Association Hawaii; Taniguchi & Associates; Yee & Kawashima, LLLP; Honorable Maura Okamoto-retired; and forty-three individuals. Your Committee received testimony in opposition to the appointment of Natasha R. Shaw from one individual. Your Committee received comments on the appointment of Natasha R. Shaw from the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors found the appointee to be qualified for the position of District Family Court Judge of the First Circuit based on established criteria for determining the qualifications of judicial appointments generally using the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Specifically, the Board uses the following criteria in its deliberations: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. The Board's rating system includes the categories of "qualified" and "not qualified".

Judge Shaw received her Bachelor of Science degree in Business Administration in Accounting from the University of Nevada Las Vegas. She later received her Master of Business Administration from Stetson University School of Business concurrently with her Juris Doctor degree from Stetson University College of Law. After law school, she was a law clerk for the Hawai'i State Judiciary.

Judge Shaw has practiced law, primarily in the areas of probate, trust, and real estate, since 2010. Her practice focused on the areas of probate and trust litigation, conservatorships and guardianships litigation, forensic audits of fiduciary accounts, estate administration, and drafting estate planning documents. Throughout her career, she has handled numerous cases involving complex fact patterns and issues of law.

Judge Shaw has served as a Per Diem Judge for the District Family Court of the First Circuit since 2019. She has also served as Kokua Kanawai for two Probate Court Judges, in which capacity her duties included interviewing individuals to determine the need for a conservatorship or guardianship, who is best suited to serve as a conservator or guardian in a given case, whether a protected person's living arrangements are sufficient for their personal and medical needs, whether a proposed budget is sufficient for those needs, and making determinations of any other facts or conditions that must be addressed to further the best interests of the protected person.

Judge Shaw has been licensed to practice law in the State of Hawaii since 2010 and has been actively involved in the legal community throughout her career. She has been a member of the Korean American Bar Association Hawaii since 2010, and a member of the National Asian Pacific American Bar Association since 2016. In addition, she volunteers as a Wish Granter for Make a Wish Hawaii and as a Speech and Debate Club judge at 'Iolani School.

Testimony submitted in support of Judge Shaw's appointment commends her professional demeanor, outstanding analytical ability, and dedication to integrity and honesty. Numerous testifiers also praised the thorough and meticulous preparation that she brings to all matters before her, both as an advocate and as a jurist. During her time as a Per Diem Judge, she has earned a reputation for consistency, legal expertise, and the ability to maintain and project compassionate professionalism in delicate circumstances and when interacting with emotionally charged parties.

Your Committee finds that, based on the testimony submitted on her behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about her and her qualifications, Natasha R. Shaw has the experience, dedication, and other competencies to be a District Family Court Judge of the First Circuit, and she has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 3971 Water and Land on Gov. Msg. Nos. 717, 718, 719, 720, 721, 722, 723, and 724

Recommending that the Senate advise and consent to the nominations of the following:

AHA MOKU ADVISORY COMMITTEE

- G.M. No. 717 KEITH ROBINSON, for a term to expire 06-30-2024;
- G.M. No. 718 WALTER RAWLINS, for a term to expire 06-30-2024;
- G.M. No. 719 ROBERT LUUWAI, for a term to expire 06-30-2024;
- G.M. No. 720 MANUEL KULOLOIO, for a term to expire 06-30-2024;
- G.M. No. 721 FRANCES KALUHIWA, for a term to expire 06-30-2024;
- G.M. No. 722 CHARLES YOUNG, for a term to expire 06-30-2024;
- G.M. No. 723 LLEWELLYN KAOHELALUII, for a term to expire 06-30-2024; and
- G.M. No. 724 WINIFRED BASQUES, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Keith Robinson, Walter Rawlins, Robert Luuwai, Manuel Kuloloio, Frances Kaluhiwa, Charles Young, Llewellyn Kaohelaulii, and Winifred Basques for service on the Aha Moku Advisory Committee.

KEITH ROBINSON

Your Committee received testimony in support of the nomination for the appointment of Keith Robinson from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, Ko'olau Foundation, and one individual.

Upon review of the testimony, your Committee finds that Mr. Robinson's knowledge, experience, and desire to serve qualify him to be appointed to the Aha Moku Advisory Committee as a representative of Niihau. Mr. Robinson has been a life-long resident of Kauai and environmentalist, serving as owner and operator of an endangered wildlife species reserve on Kauai. Mr. Robinson's family has privately owned the island of Niihau since the late nineteenth century, and his family continues to preserve indigenous ways of life, traditions, and customary practices. Your Committee further finds that Mr. Robinson understands the role and responsibilities of board members and his knowledge of endangered native plants of Hawaii and the Native Hawaiian community of Niihau will enhance the effectiveness of the Aha Moku Advisory Committee for matters regarding Niihau. Your Committee therefore recommends that Keith Robinson be appointed to the Aha Moku Advisory Committee based on his background, experience, and desire to serve the public.

WALTER RAWLINS

Your Committee received testimony in support of the nomination for the appointment of Walter Rawlins from the Hawaii State Aha Moku and Ko'olaupoko Hawaiian Civic Club.

Upon review of the testimony, your Committee finds that Mr. Rawlins' knowledge, experience, and desire to serve qualify him to be appointed to the Aha Moku Advisory Committee as a representative of Molokai. Mr. Rawlins is a life-long resident of Molokai and is a descendant of one of Molokai's generational families who possess knowledge of the natural and cultural resources of Molokai, including the traditional uses of land, water, and ocean resources. Mr. Rawlins presently serves on the Kupuna Council of Molokai as a representative of one of Molokai's five Moku. Your Committee further finds that Mr. Rawlins understands the role and responsibilities of board members and his knowledge of Molokai's traditional and cultural resources, lands, and waters will enhance the effectiveness of the Aha Moku Advisory Committee for matters regarding Molokai. Your Committee therefore recommends that Walter Rawlins be appointed to the Aha Moku Advisory Committee based on his background, experience, and desire to serve the public.

ROBERT LUUWAI

Your Committee received testimony in support of the nomination for the appointment of Robert Luuwai from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Luuwai's knowledge, experience, and desire to serve qualify him to be appointed to the Aha Moku Advisory Committee as a representative of Maui. Mr. Luuwai is a life-long resident of Maui and possesses generational knowledge of Maui's twelve Moku passed down from his father. Mr. Luuwai is a fisher, and understands the significance of cultural and natural resources of Maui as it pertains to water and currents. Your Committee further finds that Mr. Luuwai understands the role and responsibilities of board members and his generational knowledge of the cultural and natural resources of Maui's twelve Moku will enhance the effectiveness of the Aha Moku Advisory Committee for matters regarding Maui. Your Committee therefore recommends that Robert Luuwai be appointed to the Aha Moku Advisory Committee based on his background, experience, and desire to serve the public.

MANUEL KULOLOIO

Your Committee received testimony in support of the nomination for the appointment of Manuel Kuloloio from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, Ko'olau Foundation, and one individual.

Upon review of the testimony, your Committee finds that Mr. Kuloloio's knowledge, experience, and desire to serve qualify him to be appointed to the Aha Moku Advisory Committee as a representative of Kahoolawe. Mr. Kuloloio was born and raised on Maui, and he possesses generational knowledge of Kahoolawe's currents and landmarks from his kupuna. Mr. Kuloloio's great-grandfather, Awaloa, is credited with giving Kahoolawe its place names, and his great-grandfather's knowledge continues to guide Mr. Kuloloio's knowledge of the natural and cultural resources of Kahoolawe. Your Committee further finds that Mr. Kuloloio understands the role and responsibilities of board members and his generational knowledge of the cultural and natural resources of Kahoolawe's Moku, landmarks, and currents will enhance the effectiveness of the Aha Moku Advisory Committee for matters regarding Kahoolawe. Your Committee therefore recommends that Manuel Kuloloio be appointed to the Aha Moku Advisory Committee based on his background, experience, and desire to serve the public.

FRANCES KALUHIWA

Your Committee received testimony in support of the nomination for the reappointment of Frances Kaluhiwa from the Hawaii State Aha Moku, He'eia National Estuarine Research Reserve, Ko'olau Foundation, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Kaluhiwa's knowledge, experience, and desire to serve qualify her to be appointed to the Aha Moku Advisory Committee as a representative of Oahu. Ms. Kaluhiwa is a life-long resident of Oahu, and she currently serves as the State Chairperson of Hawaii State Aha Moku. Ms. Kaluhiwa has been an active resident of Hee'ia, Oahu, and she served as a community advocate for numerous community groups representing Hee'ia. Your Committee further finds that Ms. Kaluhiwa understands the role and responsibilities of board members and her institutional knowledge of Hawaii State Aha Moku as representative for Oahu and knowledge of natural and cultural resources will continue to be assets to the Aha Moku Advisory Committee. Your Committee therefore recommends that Frances Kaluhiwa be reappointed to the Aha Moku Advisory Committee based on her background, experience, and desire to serve the public.

CHARLES YOUNG

Your Committee received testimony in support of the nomination for the appointment of Charles Young from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, and Hui Maka'āinana O Makana.

Upon review of the testimony, your Committee finds that Mr. Young's knowledge, experience, and desire to serve qualify him to be appointed to the Aha Moku Advisory Committee as a representative of Hawaii Island. Mr. Young was born on Hawaii Island and serves as a community advocate for Native Hawaiian issues on Hawaii Island. He was a plaintiff for *Ka Pa'akai O Ka 'Āina in Ka Pa'akai O Ka 'Āina v. Land Use Commission*, 94 Haw. 31 (2000), a landmark decision issued by the Hawaii Supreme Court that affirmed the State's responsibility to "preserve and protect" native Hawaiian rights to the extent feasible." Your Committee further finds that Mr. Young understands the role and responsibilities of board members, and his knowledge of community-based resource management will be an asset to the Aha Moku Advisory Committee. Your Committee therefore recommends that Charles Young be appointed to the Aha Moku Advisory Committee based on his background, experience, and desire to serve the public.

LLEWELLYN KAOHELALUII

Your Committee received testimony in support of the nomination for the reappointment of Llewellyn Kaohelaluii from the Hawaii State Aha Moku, Hui Maka'āinana O Makana, Ko'olaupoko Hawaiian Civic Club, and four individuals.

Upon review of the testimony, your Committee finds that Mr. Kaohelaluii's knowledge, experience, and desire to serve qualify him to be appointed to the Aha Moku Advisory Committee as a representative of Kauai. Mr. Kaohelaluii is a life-long resident of Poipu, Kauai, and he is the po'o (director) of Hui Malama O Kaniolouma Kahua. He is an expert in loko ia (Hawaiian fishponds) and understands the intricate process of building and maintaining a successful, working kahua (native Hawaiian traditional village under

the ahupuaa system). Your Committee further finds that Mr. Kaohelaulii understands the role and responsibilities of board members, and as an original author of the Aha Moku legislation (Act 288, Session Laws of Hawaii 2012) and member of Aha Moku, his knowledge will continue to be assets to the Aha Moku Advisory Committee. Your Committee therefore recommends that Llewellyn Kaohelaulii be reappointed to the Aha Moku Advisory Committee based on his background, experience, and desire to serve the public.

WINIFRED BASQUES

Your Committee received testimony in support of the nomination for the reappointment of Winifred Basques from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, and Ko'olau Foundation.

Upon review of the testimony, your Committee finds that Ms. Basques' knowledge, experience, and desire to serve qualify her to be appointed to the Aha Moku Advisory Committee as a representative of Lanai. Ms. Basques is a long-term resident of Lanai, and she possesses significant natural and cultural knowledge from the people and generational families of Lanai. She is also a life-long hunter, and possesses knowledge of traditional fishing practices and preservation of natural and cultural resources. Ms. Basques has been an active member of Aha Moku since its inception. Your Committee further finds that Ms. Basques understands the role and responsibilities of board members, and her wealth of knowledge will continue to be an asset to the Aha Moku Advisory Committee. Your Committee therefore recommends that Winifred Basques be reappointed to the Aha Moku Advisory Committee based on her background, experience, and desire to serve the public.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3972 Water and Land on Gov. Msg. No. 776

Recommending that the Senate advise and consent to the nomination of the following:

LEGACY LAND CONSERVATION COMMISSION

G.M. No. 776 KANOE WILSON, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kanoe Wilson for service on the Legacy Land Conservation Commission.

Your Committee received testimony in support of the nomination for the reappointment of Kanoe Wilson from the Department of Land and Natural Resources and one individual.

Upon review of the testimony, your Committee finds that Ms. Wilson's experience, background, and commitment to public service qualify her for reappointment to the Legacy Land Conservation Commission as a member with knowledge of native Hawaiian culture, pursuant to section 173A-2.4, Hawaii Revised Statutes. Your Committee notes that Ms. Wilson has served in the field of education for over twenty years, and she is currently Senior Project Manager for Kealaiwikuamoo, Kamehameha Schools. Ms. Wilson has also actively served on numerous community and professional organizations, including the Native Hawaiian Education Summit Facilitation Team for Kamehameha Schools, Hawaii Environmental Educators Alliance, Hanakahi Native Hawaiian Council, and Pukoo Native Hawaiian Council. Your Committee further finds that Ms. Wilson has served on the Legacy Land Conservation Commission since 2012, and Ms. Wilson's experience and knowledge in native Hawaiian culture will continue to be assets to the Legacy Land Conservation Commission. Your Committee therefore recommends that Kanoe Wilson be reappointed to the Legacy Land Conservation Commission based on her background, experience, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3973 Water and Land on Gov. Msg. No. 775

Recommending that the Senate advise and consent to the nomination of the following:

KANE'OHE BAY REGIONAL COUNCIL

G.M. No. 775 ELENA BRYANT, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Elena Bryant for service on the Kane'ohe Bay Regional Council.

Your Committee received testimony in support of the nomination for the appointment of Elena Bryant from the Department of Land and Natural Resources, Ko'olaupoko Hawaiian Civic Club, two members of the Kaneohe Neighborhood Board, and one individual.

Upon review of the testimony, your Committee finds that Ms. Bryant's experience, knowledge, legal expertise and membership on the Kaneohe Neighborhood Board qualify her for appointment to the Kaneohe Bay Regional Council as a member who is a member of the Kaneohe Neighborhood Board, pursuant to section 200D-2, Hawaii Revised Statutes. Your Committee notes that Ms. Bryant is currently an Associate Attorney for Earthjustice, an organization that focuses on Native Hawaiian and environmental legal issues before the courts in Hawaii. Ms. Bryant has been an active member of her community, serving on the Kaneohe Neighborhood Board since 2019, and as a member of the Board's Environmental Committee as chairperson and the Planning Committee as co-chairperson. Your Committee further finds that Ms. Bryant's experience in the Kaneohe community and background in legal matters related to the

environment and Native Hawaiian rights will be assets to the Kaneohe Bay Regional Council. Your Committee therefore recommends that Elena Bryant be appointed to the Kaneohe Bay Regional Council based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3974 Water and Land on Gov. Msg. No. 798

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION ON WATER RESOURCE MANAGEMENT

G.M. No. 798 WAYNE KATAYAMA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Wayne Katayama for service on the Commission on Water Resource Management.

Your Committee received testimony in support of the nomination for the reappointment of Wayne Katayama from the Department of Land and Natural Resources; Agribusiness Development Corporation; Office of the Mayor of the County of Kaua'i; one member of the Kaua'i County Council; Department of Planning of the County of Kaua'i; Kaua'i Chamber; Hawaii Farm Bureau; W.T. Haraguchi Farm, Inc.; Hawai'i Pacific Health; Wilcox Medical Center; Larry Jeffs Farms, LLC; Kaua'i County Farm Bureau; Ponoholo Ranch Limited; Hawaii Cattlemen's Council, Inc.; and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Katayama's knowledge, background, and proven leadership on the Commission on Water Resource Management qualify him for reappointment to the Commission, pursuant to section 174C-7, Hawaii Revised Statutes. Your Committee notes that Mr. Katayama has over forty years of leadership and experience in agriculture, including agribusiness, related to water resources and management, and previously served as President and General Manager of Kauai Coffee Company Inc. Mr. Katayama has also actively served as a member of a number of professional and community organizations, including as a board member of the Agribusiness Development Corporation, University of Hawaii College of Tropical Agriculture and Human Resources Advisory Committee, Mayor of Kauai's Agriculture Advisory Committee, Hawaii Coffee Growers Association, and Hawaii Farm Bureau. Your Committee further finds that Mr. Katayama has served on the Commission on Water Resource Management since 2019. Mr. Katayama's experience and knowledge, especially pertaining to agriculture, agribusiness, and Kauai, will continue to be assets to the Commission on Water Resource Management. Your Committee therefore recommends that Wayne Katayama be reappointed to the Commission on Water Resource Management based on his background, experience, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3975 Water and Land on Gov. Msg. Nos. 690 and 701

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII HISTORIC PLACES REVIEW BOARD

G.M. No. 690 NICHOLAS BELLUZZO, for a term to expire 06-30-2025; and

G.M. No. 701 WILLIAM CHAPMAN, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Nicholas Belluzzo and William Chapman for service on the Hawaii Historic Places Review Board.

NICHOLAS BELLUZZO

Your Committee received testimony in support of the nomination for the appointment of Nicholas Belluzzo from the Department of Land and Natural Resources and nine individuals.

Upon review of the testimony, your Committee finds that Mr. Belluzzo's experience, knowledge, and expertise in archaeology qualify him for appointment to the Hawaii Historic Places Review Board as a member with a background in archaeology, pursuant to section 6E-5.5, Hawaii Revised Statutes. Mr. Belluzzo currently serves as the Principal Archaeologist and Director of ASM Affiliates. Your Committee notes that Mr. Belluzzo has also served as a geographic information systems (GIS) specialist for the Department of Land and Natural Resources State Historic Preservation Division and for the International Archaeological Research Institute, Inc. Presently, Mr. Belluzzo is a doctoral candidate in anthropology, and he has served in a number of professional and academic organizations. Previously, Mr. Belluzzo served as a technical advisor to the Oahu Greenprint and Hawaii Board of Geographic Names. Your Committee further finds that Mr. Belluzzo's specific knowledge on archaeology utilizing GIS will be an asset to the Hawaii Historic Places Review Board to preserve Hawaii's historic identity for future generations. Your Committee therefore recommends that Nicholas Belluzzo be appointed to the Hawaii Historic Places Review Board based on his experience, knowledge, and commitment to public service.

WILLIAM CHAPMAN

Your Committee received testimony in support of the nomination for the reappointment of William Chapman from the Department of Land and Natural Resources.

Upon review of the testimony, your Committee finds that Dr. Chapman's experience, knowledge, and expertise in anthropology and architecture qualify him for reappointment to the Hawaii Historic Places Review Board as a professionally qualified member, pursuant to section 6E-5.5, Hawaii Revised Statutes. Your Committee notes that Dr. Chapman holds a doctoral degree in anthropology and currently serves as Interim Dean for the University of Hawaii at Manoa School of Architecture. Dr. Chapman has served in higher education for over thirty years, educating generations of students on the history of architecture, Asian architecture and archaeology, and anthropology. Your Committee additionally finds that Dr. Chapman serves as a board member for the Hawaii Architectural Foundation and Liljestrund Foundation. Your Committee further finds that Dr. Chapman's prior experience on the Hawaii Historic Places Review Board as a member and vice chairperson will continue to be an asset to the Hawaii Historic Places Review Board to preserve Hawaii's historic identity for future generations. Your Committee therefore recommends that William Chapman be appointed to the Hawaii Historic Places Review Board based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3976 Agriculture and Environment on Gov. Msg. Nos. 547, 548, and 549

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF AGRICULTURE

G.M. No. 547 DIANE LEY, for a term to expire 06-30-2026;

G.M. No. 548 FREDERICK COWELL, for a term to expire 06-30-2026; and

G.M. No. 549 JAMES GOMES, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Diane Ley, Frederick Cowell, and James Gomes for service on the Board of Agriculture.

DIANE LEY

Your Committee received testimony in support of the nomination for the reappointment of Diane Ley from Puna Flower Power; Hawaii Tropical Fruit Growers; Ponoholo Ranch Limited; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Hawai'i Forest Industry Association; Island Grown Foods, Inc.; Hawaii Floriculture and Nursery Association; Hawaii Tropical Flower Council; Orchid Growers of Hawaii; Ulupono Initiative; Synergistic Hawaii Agriculture Council; Maui County Farm Bureau; and Hawai'i Institute of Pacific Agriculture.

Upon review of the testimony, your Committee finds that Ms. Ley's experience, knowledge, and leadership in the agriculture community qualify her for reappointment to the Board as a representative of Hawai'i Island. Your Committee notes that Ms. Ley currently serves as a member of the Board of Agriculture representing Hawai'i Island and as Vice President of the Agricultural Leadership Foundation of Hawai'i. Ms. Ley has previously served in several government roles, including as Director and Deputy Director of the Department of Research and Development for the County of Hawai'i and as the State Executive Director for the United State Department of Agriculture Farm Service Agency for Hawaii and the Pacific Basin. Ms. Ley is also an active community member who represented the County of Hawai'i on the State Carbon Farming Task Force and Dark Night Skies Protection Advisory Committee and served as a leader in the Hawaii Rural Development Council and Agricultural Leadership Foundation of Hawaii Alumni Association. Ms. Ley's extensive knowledge of the State's agricultural industry and experience representing the County of Hawai'i regarding a range of agricultural matters will continue to be assets to the Board of Agriculture. Your Committee therefore recommends that Diane Ley be reappointed to the Board of Agriculture based on her background, experience, and dedication to public service.

FREDERICK COWELL

Your Committee received testimony in support of the nomination for the reappointment of Frederick Cowell from Hawai'i Farm Bureau; Kekaha Agriculture Association; Island Grown Foods, Inc.; Hartung Brothers, Inc.; Ulupono Initiative; Maui County Farm Bureau; and three individuals.

Upon review of the testimony, your Committee finds that Mr. Cowell's experience, knowledge, and leadership in the agriculture industry qualify him for reappointment to the Board as a representative of Kauai Island. Your Committee notes that Mr. Cowell currently serves as a member of the Board of Agriculture representing Kauai Island and as a member of community organizations, such as the Kauai Chamber of Commerce, Hawaii Coffee Association, and Kauai Economic Development Board. Mr. Cowell also works as a general manager for the Kauai Coffee Company, LLC, where he has worked to improve the sustainability of coffee farming and expand the Kauai Coffee brand through eCommerce and agrotourism. Mr. Cowell's experience as a current member of the Board of Agriculture and direct knowledge of agricultural commerce on Kauai Island will continue to be assets to the Board of Agriculture. Your Committee therefore recommends that Frederick Cowell be reappointed to the Board of Agriculture based on his experience, knowledge, and commitment to public service.

JAMES GOMES

Your Committee received testimony in support of the nomination for the appointment of James Gomes from McCandless Ranch; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Island Frown Foods, Inc.; Ulupono Initiative; Kapapala Ranch; Maui County Farm Bureau; and ten individuals.

Upon review of the testimony, your Committee finds that Mr. Gomes's experience, knowledge, and leadership in the ranching industry qualify him for appointment to the Board of Agriculture. Your Committee notes that Mr. Gomes currently works as the operations ranch manager at Ulupalakua Ranch, Inc. In addition to his role as operations ranch manager, Mr. Gomes is an active community member. Mr. Gomes has served as President of the Maui Cattlemen's Association and Hawaii Cattlemen's Association. Mr. Gomes has also served in local and state government as chair and vice chair of the Maui Liquor Commission and as a member of the Board of Land and Natural Resources representing Maui Island. Mr. Gomes's experience and knowledge regarding the State's ranching industry will be an asset to the Board of Agriculture. Your Committee therefore recommends that James Gomes be appointed to the Board of Agriculture based on his background, experience, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Agriculture and Environment that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Acasio, Fevella).

SCRep. 3977 Agriculture and Environment on Gov. Msg. Nos. 550 and 551

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE AGRIBUSINESS DEVELOPMENT CORPORATION

G.M. No. 550 LYLE TABATA, for a term to expire 06-30-2025; and

G.M. No. 551 GLENN HONG, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Lyle Tabata and Glenn Hong for service on the Board of Directors of the Agribusiness Development Corporation.

LYLE TABATA

Your Committee received testimony in support of the nomination for the appointment of Lyle Tabata from the Agribusiness Development Corporation; Kalepa Coalition; Hawai'i Farm Bureau; Kekaha Agriculture Association; Sunrise Capital Inc.; Island Grown Foods, Inc.; Hartung Brothers, Inc.; Maui County Farm Bureau; and four individuals.

Upon review of the testimony, your Committee finds that Mr. Tabata's knowledge and experience in public service and the field of engineering qualify him for appointment to the Board of Directors of the Agribusiness Development Corporation. Your Committee notes that Mr. Tabata has worked as an engineer for over forty years, including for twenty years in agriculture. Mr. Tabata has also worked as an engineer in water and wastewater management for nearly twenty years. Mr. Tabata's engineering expertise has extended into government service, where he has worked as the Deputy County Engineer for the Department of Public Works of the County of Kauai since 2011. Your Committee further finds that Mr. Tabata is an active member of many professional and community organizations, including the Hawaii Water Environment Association, Contractors Association of Kauai, Smart Growth America, and Safe Routes to School National Partnership. Mr. Tabata's expertise in agricultural engineering and dedication to public service and community will be assets to the Board of Directors of the Agribusiness Development Corporation. Your Committee therefore recommends that Lyle Tabata be appointed to the Board of Directors of the Agribusiness Development Corporation based on his experience, knowledge, and commitment to public service.

GLENN HONG

Your Committee received testimony in support of the nomination for the reappointment of Glenn Hong from the Agribusiness Development Corporation; Matson Navigation Company; Larry Jefts Farms, LLC; Hawai'i Farm Bureau; Island Grown Foods, Inc.; Maui County Farm Bureau; and two individuals.

Upon review of the testimony, your Committee finds that Mr. Hong's experience, knowledge, and leadership on the Board of Directors of the Agribusiness Development Corporation qualify him for reappointment to the Board. Your Committee notes that Mr. Hong has been on the Board of Directors of the Agribusiness Development Corporation since 2021. In addition to his current position, Mr. Hong served on the Board of Agriculture from 2012 to 2020. Mr. Hong is also an active community member who served as Chair of the Hawai'i Harbor Users Group, a member of the Hawai'i Business Roundtable, and member of the Harbors 2050 Planning Study. Mr. Hong's experience on the Board of Directors of the Agribusiness Development Corporation and background in community and government service will continue to be assets to the Board of Directors of the Agribusiness Development Corporation. Your Committee therefore recommends that Glenn Hong be reappointed to the Board of Directors of the Agribusiness Development Corporation based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Agriculture and Environment that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Acasio, Fevella).

SCRep. 3978 Agriculture and Environment on Gov. Msg. Nos. 598, 599, 600, 601, 602, and 603

Recommending that the Senate advise and consent to the nominations of the following:

ENVIRONMENTAL ADVISORY COUNCIL

- G.M. No. 598 MICHELE LEFEBVRE, for a term to expire 06-30-2022;
G.M. No. 599 MICHELE LEFEBVRE, for a term to expire 06-30-2026;
G.M. No. 600 GORDON SCRUTON JR, for a term to expire 06-30-2023;
G.M. No. 601 MOANAOIO BJUR, for a term to expire 06-30-2023;
G.M. No. 602 RACHEL SPRAGUE, for a term to expire 06-30-2022; and
G.M. No. 603 RACHEL SPRAGUE, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Michele Lefebvre, Gordon Scruton Jr., Moanaoio Bjur, and Rachel Sprague for service on the Environmental Advisory Council.

MICHELE LEFEBVRE

Your Committee received testimony in support of the nominations for the appointment and reappointment of Michele Lefebvre from the Office of Planning and Sustainable Development and one individual.

Upon review of the testimony, your Committee finds that Dr. Lefebvre's extensive experience and knowledge regarding environmental assessments and impact statements qualify her for appointment and reappointment to the Environmental Advisory Council. Dr. Lefebvre received her Bachelor of Arts degree in Biology from Boston University in Biology from the University of Utah. She has received training and certification required for the preparation of documents under the National Environmental Policy Act, Hawaii Revised Statutes, and Hawaii Administrative Rules. Dr. Lefebvre has prepared environmental assessments on a number of projects in the State, including the Royal Vistas Development Project in Kailua-Kona, wind energy project in Waikoloa, battery storage project in Honolulu, Kaloko Affordable Housing Project in Kaloko, and the Matsuyama Commercial Center, among others. Dr. Lefebvre is also an active member of the National Association of Environmental Professionals and has served as a lecturer at the University of Hawai'i at Hilo. Dr. Lefebvre's extensive and direct experience in conducting environmental assessments and environmental impact statements in the State will be an asset to the Environmental Advisory Council. Your Committee therefore recommends that Michele Lefebvre be appointed and reappointed to the Environmental Advisory Council based on her experience and knowledge.

GORDON SCRUTON JR.

Your Committee received testimony in support of the nomination for the appointment of Gordon Scruton Jr. from the Office of Planning and Sustainable Development and General Contractors Association of Hawaii.

Upon review of the testimony, your Committee finds that Mr. Scruton's extensive experience in building design and construction qualifies him to be appointed to the Environmental Advisory Council. Your Committee notes that Mr. Scruton has over forty years of experience in the construction industry where he has worked as an operations manager, superintendent, site supervisor, and estimator. Among the projects Mr. Scruton has contributed to are Keauhou Place in Honolulu, which consisted of a forty-three-story condominium high-rise and was developed in conjunction with a Honolulu Authority for Rapid Transportation rail station. Mr. Scruton also worked on a \$24 million exterior for Nordstrom at Ala Moana and a \$256 million expansion of the Ala Moana Shopping Center. Additionally, Mr. Scruton contributed to the development and construction of the Aulani Disney Vacation Club Resort & Spa at Ko Olina. Mr. Scruton's knowledge of the construction industry in Hawaii will be an important asset to the Environmental Advisory Council. Your Committee therefore recommends that Gordon Scruton Jr. be appointed to the Environmental Advisory Council based on his experience and knowledge in the construction industry.

MOANAOIO BJUR

Your Committee received testimony in support of the nomination for the appointment of Moanaoio Bjur from the Office of Planning and Sustainable Development and one individual.

Upon review of the testimony, your Committee finds that Ms. Bjur's experience and knowledge in cultural and environmental preservation qualify her for appointment to the Environmental Advisory Council. Your Committee notes that Ms. Bjur currently serves as the Executive Director of the Conservation Council For Hawaii, where she manages day to day operations, government and community partnerships, litigation efforts, volunteer and educational programs, and audits of expenditures and income. Additionally, Ms. Bjur has previously served as Assistant Executive Director of Hi'ipaka LLC, Director of Peace Child International Hawaii, Manager of External Affairs for Teach for America in Honolulu. Ms. Bjur is also active in her community as a member of the North Shore Community Land Trust Board and a former member of the Honolulu Neighborhood Board No. 27, subdistrict 2. Ms. Bjur's experience in cultural and environmental preservation and community engagement will be an asset to the Environmental Advisory Council. Your Committee therefore recommends that Moanaoio Bjur be appointed to the Environmental Advisory Council based on her experience, knowledge, and leadership.

RACHEL SPRAGUE

Your Committee received testimony in support of the nominations for the appointment and reappointment of Rachel Sprague's from the Office of Planning and Sustainable Development and nine individuals.

Upon review of the testimony, your Committee finds that Dr. Sprague's knowledge of wildlife conservation qualifies her for appointment and reappointment to the Environmental Advisory Council. Your Committee notes that Dr. Sprague received her Ph.D. in fish and wildlife biology from the University of Montana. Dr. Sprague has since worked in a range of wildlife conservation roles,

including her current role as Director of Conservation for Lanai Resorts, LLC. Previously, Dr. Sprague worked as a wildlife biologist and wildlife program manager for Lanai Resorts, LLC, and as a project manager for the San Clemente Loggerhead Shrike Release Program at the Institute for Wildlife Studies in San Diego. Dr. Sprague has also served as the Hawaiian Monk Seal Recovery Coordinator and Assistant Hawaiian Monk Seal Recovery Coordinator at the National Oceanic and Atmospheric Administration Fisheries Pacific Islands Regional Office. In addition to her professional experience in wildlife management, Dr. Sprague has served on the National Wildlife Federation Board of Directors and Conservation Council for Hawai'i Board of Directors. She has authored and co-authored numerous academic articles and books on wildlife in Hawaii and has been invited to give presentations at professional conferences, workshops, and public hearings. Dr. Sprague's knowledge of wildlife management and conservation will be an asset to the Environmental Advisory Council. Your Committee therefore recommends that Rachel Sprague be appointed and reappointed to the Environmental Advisory Council based on her experience, knowledge, and leadership.

As affirmed by the records of votes of the members of your Committee on Agriculture and Environment that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Acasio, Fevella).

SCRep. 3979 Agriculture and Environment on Gov. Msg. Nos. 653, 654, and 688

Recommending that the Senate advise and consent to the nominations of the following:

ADVISORY COMMITTEE ON PESTICIDES

- G.M. No. 653 MELVIN TOKUDA, for a term to expire 06-30-2023;
- G.M. No. 654 TROY SAKIHARA, for a term to expire 06-30-2025; and
- G.M. No. 688 STEVE RUSSO, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Melvin Tokuda, Troy Sakihara, and Steve Russo for service on the Advisory Committee on Pesticides.

MELVIN TOKUDA

Your Committee received testimony in support of the nomination for the appointment of Melvin Tokuda from the Department of Agriculture.

Upon review of the testimony, your Committee finds that Mr. Tokuda's expertise and knowledge gained through his role as an environmental health specialist at the Department of Health qualify him for appointment to the Advisory Committee on Pesticides. Your Committee notes that Mr. Tokuda has served in his current role as an environmental health specialist with the Safe Drinking Water Branch of the Department of Health for nearly fifteen years. Prior to his work for the Department of Health, Mr. Tokuda worked as a pesticide specialist at the Department of Agriculture for sixteen years from 1992 to 2008. In addition to his work with the Departments of Agriculture and Health, Mr. Tokuda served as first sergeant in the Hawaii Army National Guard for over thirty years. Mr. Tokuda's record demonstrates his expertise and knowledge regarding pesticide use and his commitment to public service, which will be assets to the Advisory Committee on Pesticides. Your Committee therefore recommends that Melvin Tokuda be appointed to the Advisory Committee on Pesticides based on his experience, knowledge, and commitment to public service.

TROY SAKIHARA

Your Committee received testimony in support of the nomination for the appointed of Troy Sakihara from the Department of Agriculture and one individual.

Upon review of the testimony, your Committee finds that Mr. Sakihara's expertise and knowledge regarding environmental science qualify him for appointment to the Advisory Committee on Pesticides. Your Committee notes that Mr. Sakihara currently works as an aquatic biologist for the Department of Land and Natural Resources Division of Aquatic Resources. Prior to his role as an aquatic biologist, Mr. Sakihara worked in a range of positions at the Division of Aquatic Resources, including as an estuarine surveyor researcher, estuarine surveyor, creel census surveyor, and stream surveyor. In total, Mr. Sakihara has worked for the Division of Aquatic Resources for over fifteen years. Mr. Sakihara earned his Master of Science in tropical conservation biology and environmental science at the University of Hawaii at Hilo, where he authored a master's thesis on Hawaii's *Halocaridina rubra* population. Mr. Sakihara has also published peer-reviewed research on aquatic wildlife and ecosystems and is an active member of several professional and community organizations, including the American Fisheries Society, Association for the Sciences of Limnology and Oceanography, Coastal and Estuarine Research Federation, Divers Alert Network, and Wildlife Society. Mr. Sakihara's extensive training and knowledge regarding Hawaii's aquatic resources and continued involvement in professional and community organizations will be an asset to the Advisory Committee on Pesticides. Your Committee therefore recommends that Troy Sakihara be appointed to the Advisory Committee on Pesticides based on his knowledge, experience, and commitment to community service.

STEVE RUSSO

Your Committee received testimony in support of the nomination for the appointment of Steve Russo from the Department of Agriculture and Hawaii Pest Control Association.

Upon review of the testimony, your Committee finds that Mr. Russo's knowledge and experience regarding the pesticide industry in the State qualify him for appointment to the Advisory Committee on Pesticides. Your Committee notes that Mr. Russo currently works as a regional support manager for the Terminix International Company, LP, in Honolulu. In his role as regional support manager, Mr. Russo acts as a liaison with state and local authorities to ensure compliance with regulations. Previously, Mr. Russo worked as a regional technical specialist for Terminix and as an environmental health specialist for the Department of Agriculture. In addition to

his work for Terminix and the Department of Agriculture, Mr. Russo has served as the chairperson and member of the Hawaii Pest Control Association. Mr. Russo also holds numerous certifications in the use of pest control equipment and processes, including as a licensed restricted use pesticide applicator. Mr. Russo's knowledge and experience in the pesticide industry will be an asset to the Advisory Committee on Pesticides. Your Committee therefore recommends that Steve Russo be appointed to Advisory Committee on Pesticides based on his experience and knowledge.

As affirmed by the records of votes of the members of your Committee on Agriculture and Environment that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3980 Agriculture and Environment on Gov. Msg. Nos. 735 and 853

Recommending that the Senate advise and consent to the nominations of the following:

ENVIRONMENTAL ADVISORY COUNCIL

G.M. No. 735 MARY BEGIER, for a term to expire 06-30-2026; and

G.M. No. 853 STEPHANIE DUNBAR-CO, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Mary Begier and Stephanie Dunbar-Co for service on the Environmental Advisory Council.

MARY BEGIER

Your Committee received testimony in support of the nomination for the appointment of Mary Begier from the Office of Planning and Sustainable Development, Hawai'i Association of REALTORS, and one individual.

Upon review of the testimony, your Committee finds that Ms. Begier's knowledge and experience in Hawaii's real estate market qualify her for appointment to the Environmental Advisory Council. Your Committee notes that Ms. Begier is a licensed realtor and works as the principal broker and owner at Mary Begier Realty. Previously, Ms. Begier has worked as a realtor at several firms, including Prudential Orchard Isle Properties, Pan Pacific Properties, Worrall-McCarter Inc., Bradley Properties Ltd., and Baron Realty Corp. In addition to her work as a realtor, Ms. Begier is a member of many professional organizations, including the Honolulu Board of Realtors, Hawaii Association of Realtors, and National Association of Realtors. She has also been a member of the Hawaii Island Realtors since 1996, Council of Residential Specialists since 1992, and Council of Real Estate Brokerage Managers since 2004. Your Committee further finds that Ms. Begier's expertise in Hawaii's real estate market will be an asset to the Environmental Advisory Council. Your Committee therefore recommends that Mary Begier be appointed to the Environmental Advisory Council based on her experience and knowledge.

STEPHANIE DUNBAR-CO

Your Committee received testimony in support of the nomination for the reappointment of Stephanie Dunbar-Co from the Office of Planning and Sustainable Development and one individual.

Upon review of the testimony, your Committee finds that Dr. Dunbar-Co's extensive knowledge and expertise regarding environmental conservation qualify her for reappointment to the Environmental Advisory Council. Your Committee notes that Dr. Dunbar-Co received her Ph.D. in Botany from the University of Hawaii at Manoa. Dr. Dunbar-Co currently works as a climate and protection manager at the Nature Conservancy of Hawai'i and Palmyra. Previously, Dr. Dunbar-Co worked as the East Slope Project Manager at the Nature Conservancy Moloka'i Program for six years between 2014 and 2020. Dr. Dunbar-Co is also an accomplished scholar in the biological sciences, where she has published many articles on botany and ecology in Hawaii. In addition to her professional and scholarly activity, Dr. Dunbar-Co is a dedicated member of her community. Dr. Dunbar-Co served as a board member on the Hawaii Environmental Council for the last five years. Dr. Dunbar-Co has also taught high school and elementary school students at Kamehameha Schools and University of Hawaii College of Tropical Agriculture and Human Resources DNA Kids. Dr. Dunbar-Co's knowledge, expertise, and commitment to local communities will be an asset to the Environmental Advisory Council. Your Committee therefore recommends that Stephanie Dunbar-Co be reappointed to the Environmental Advisory Council based on her experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Agriculture and Environment that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3981 Agriculture and Environment on Gov. Msg. Nos. 793 and 795

Recommending that the Senate advise and consent to the nominations of the following:

GREENHOUSE GAS SEQUESTRATION TASK FORCE

G.M. No. 793 JUSTINE NIHIPALI, for a term to expire 06-30-2025; and

G.M. No. 795 JONATHAN DEENIK, for a term to expire 06-30-2023

Your Committee reviewed the personal histories, resumes, and statements submitted by Justine Nihipali and Jonathan Deenik for service on the Greenhouse Gas Sequestration Task Force.

JUSTINE NIHIPALI

Your Committee received testimony in support of the nomination for the appointment of Justine Nihipali from the Office of Planning and Sustainable Development and Hawai'i Farm Bureau.

Upon review of the testimony, your Committee finds that Ms. Nihipali's knowledge and expertise regarding the State's planning and disaster preparedness policies qualify her for appointment to the Greenhouse Gas Sequestration Task Force. Your Committee notes that Ms. Nihipali received her Master of Urban and Regional Planning degree from the University of Hawaii Department of Urban and Regional Planning. Ms. Nihipali currently works as the planning program manager for the Coastal Zone Management Program at the Office of Planning and Sustainable Development. Previously, Ms. Nihipali worked as a planning and policy analyst at the Office of Planning Coastal Zone Management Program and as a training program manager for the National Disaster Preparedness Training Center at the University of Hawaii. Ms. Nihipali's knowledge of the State's planning policies and expertise gained through her work at the Office of Planning and Sustainable Development will be assets to the Greenhouse Gas Sequestration Task Force. Your Committee therefore recommends that Justine Nihipali be appointed to the Greenhouse Gas Sequestration Task Force based on her knowledge, experience, and commitment to public service.

JONATHAN DEENIK

Your Committee received testimony in support of the nomination for the appointment of Jonathan Deenik from the Office of Planning and Sustainable Development and the University of Hawai'i System.

Upon review of the testimony, your Committee finds that Dr. Deenik's extensive knowledge of the State's soil nutrient management and quality qualify him for appointment to the Greenhouse Gas Sequestration Task Force. Your Committee notes that Dr. Deenik earned his Ph.D. in soil science from the University of Hawaii at Manoa and is a member of the graduate faculty in the Department of Natural Resources and Environmental management at the University of Hawaii at Manoa. Additionally, Dr. Deenik has worked as a specialist in soil fertility in the Department of Tropical Plant and Soil Sciences at the University of Hawaii at Manoa since 2016, where he has conducted extensive research on environmental quality, agricultural productivity, and human health. In conjunction with his research, Dr. Deenik has received grants totaling over \$28 million and has published numerous peer-reviewed articles. In 2010 and 2015, Dr. Deenik earned the Chancellor's Citation for Meritorious Teaching at the University of Hawaii at Manoa. Dr. Deenik also earned the College of Tropical Agriculture and Human Resources Dean's Award for Excellence in Teaching in 2015. Finally, Dr. Deenik is an active member of the Soil Science Society of America and American Geophysical Union. Dr. Deenik's extensive knowledge of environmental management and soil health in Hawaii will be an asset for the Greenhouse Gas Sequestration Task Force. Your Committee therefore recommends that Jonathan Deenik be appointed to the Greenhouse Gas Sequestration Task Force based on his experience and knowledge.

As affirmed by the records of votes of the members of your Committee on Agriculture and Environment that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 3982 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 823, 862, and 863

Recommending that the Senate advise and consent to the nominations of the following:

SMALL BUSINESS REGULATORY REVIEW BOARD

G.M. No. 823 JONATHAN SHICK, for a term to expire 06-30-2026;

G.M. No. 862 TESSA GOMES, for a term to expire 06-30-2022; and

G.M. No. 863 TESSA GOMES, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Jonathan Shick and Tessa Gomes for service on the Small Business Regulatory Review Board.

JONATHAN SHICK

Your Committee received testimony in support of the nomination for the reappointment of Jonathan Shick from the Department of Business, Economic Development, and Tourism and one individual.

Upon review of the testimony, your Committee finds that Mr. Shick's knowledge, experience, and dedication to serving on the Small Business Regulatory Review Board qualify him for reappointment to the Board as a member nominated by the Speaker of the House of Representatives, pursuant to section 201M-5, Hawaii Revised Statutes. Mr. Shick is the founder, owner, and principal consultant of Pono Consulting Group, LLC, a consulting and contracting services company for design, engineering, and construction projects, since 2015. Your Committee notes that Mr. Shick has a Bachelor of Science in Civil Engineering from Clemson University, a Master of Civil Engineering from Norwich University, and over fifteen years of experience in construction project administration and management. Your Committee further finds that he was appointed to the Small Business Regulatory Review Board in 2019 and currently serves as its Second Vice Chair. His experience and knowledge will continue to be assets to the Small Business Regulatory Review Board. Your Committee therefore recommends that Jonathan Shick be reappointed to the Small Business Regulatory Review Board based on his experience, knowledge, and commitment to public service.

TESSA GOMES

Your Committee received testimony in support of the nominations for the appointment and reappointment of Tessa Gomes from the Department of Business, Economic Development, and Tourism and one individual.

Upon review of the testimony, your Committee finds that Ms. Gomes's knowledge, experience, and willingness to serve on the Small Business Regulatory Review Board qualify her for appointment and reappointment to the Board as a member nominated by the President of the Senate, pursuant to section 201M-5, Hawaii Revised Statutes. Ms. Gomes has been the owner and principle designer for Fred and Kate Events, a wedding and event design and planning company, since 2014. Your Committee notes that she has over twenty years of management experience working at local small businesses, and prior to that, gained experience working in the tourism industry for various travel and hospitality companies, including Hilton Hawaiian Village and Aloha Airlines. Ms. Gomes has a Bachelor of Business Administration from the University of Hawaii at Manoa. Your Committee further notes that Ms. Gomes is the current Vice President of the Holy Nativity School Board of Directors and the current Secretary for the Oahu Wedding Association Board of Directors. She has a thorough understanding of the role and responsibilities of board members and her experience and knowledge will be assets to the Small Business Regulatory Review Board. Your Committee therefore recommends that Tessa Gomes be appointed and reappointed to the Small Business Regulatory Review Board based on her experience, knowledge, and desire to serve the public.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3983 Energy, Economic Development, and Tourism on Gov. Msg. No. 826

Recommending that the Senate advise and consent to the nomination of the following:

STADIUM AUTHORITY

G.M. No. 826 MICHAEL YADAO, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Michael Yadao for service on the Stadium Authority.

Your Committee received testimony in support of the nomination for the appointment of Michael Yadao from the Stadium Authority, Hawaii Building & Construction Trades Council, SanHi Government Strategies, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Yadao's professional experience, extensive knowledge of the construction industry and government policies and procedures, and commitment to the success of the New Aloha Stadium Entertainment District development qualify him for appointment to the Stadium Authority as an at-large member. Your Committee further finds that Mr. Yadao is currently the Executive Director of the Hawaii Masons' and Plasters' Unions Stabilization Committee, and that in that capacity, he is responsible for developing and leading the organization's strategic plan and the execution of organizational programs. Your Committee additionally finds that Mr. Yadao served as the Deputy Director of the Governor's Office of Constituent Services from 2011 to 2012, and that his duties in this capacity included directing responses to requests for assistance from the public and coordinating with state departments to ensure timely responses. Your Committee notes that Mr. Yadao is active in the community, and has held positions of leadership in organizations, including the Democratic Party of Hawaii, Hawaii State Boxing Commission, Shriners Hospitals for Children Hawaii, Boy Scouts of America Aloha Council, and Shobukan Judo Club. Your Committee also finds that Mr. Yadao's considerable experience working with the government, private and public sector agencies and organized labor organizations, as well as his dedication to serving the community and advancing development of the New Aloha Stadium Entertainment District, will be assets to the Stadium Authority. Your Committee therefore recommends that Michael Yadao be appointed to the Stadium authority based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3984 Energy, Economic Development, and Tourism on Gov. Msg. No. 827

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII TECHNOLOGY DEVELOPMENT CORPORATION

G.M. No. 827 GREGORY KIM, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Gregory Kim for service on the Hawai'i Technology Development Corporation.

Your Committee received testimony in support of the nomination for the appointment of Gregory Kim from the Purple Mai'a Foundation, LifeDNA Inc., and eight individuals. Your Committee received comments on the nomination for the appointment of Gregory Kim from Mana Up.

Upon review of the testimony, your Committee finds that Mr. Kim's experience, knowledge, and willingness to serve qualify him for appointment to the Hawaii Technology Development Corporation as a member nominated by the President of the Senate, pursuant to section 206M-2, Hawaii Revised Statutes. Your Committee finds that Mr. Kim is the founder and partner of Vantage Counsel LLC, a virtual law firm that specializes in corporate and securities law with an emphasis on mergers and acquisitions, venture capital, and

licensing and other technology transactions. Your Committee notes that Mr. Kim graduated with a Bachelor of Science in Engineering and Applied Sciences from Yale College and a joint Juris Doctorate and Master of Business Administration from the University of California, Berkeley School of Law. He practiced as an attorney in California and Hawaii for over thirty-five years, and has knowledge, interest, and proven expertise with local startups and small businesses. Your Committee further finds that Mr. Kim is action-oriented and has a thorough understanding of the role and responsibilities of board members. His experience and knowledge in business law and technology startups will be assets to the Hawaii Technology Development Corporation. Your Committee therefore recommends that Gregory Kim be appointed to the Hawaii Technology Development Corporation based on his experience, knowledge, and desire to serve the public.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3985 Energy, Economic Development, and Tourism on Gov. Msg. No. 828

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII COMMUNITY DEVELOPMENT AUTHORITY

G.M. No. 828 STERLING HIGA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Sterling Higa for service on the Hawaii Community Development Authority.

Your Committee received testimony in support of the nomination for the appointment of Sterling Higa from the Hawaii Community Development Authority, Hawai'i Laborers & Employers Cooperation and Education Trust Fund, and ten individuals.

Upon review of the testimony, your Committee finds that Mr. Higa's leadership and desire to serve qualify him for appointment to the Hawaii Community Development Authority as an at-large member, pursuant to section 206E-3, Hawaii Revised Statutes. Your Committee finds that Mr. Higa was born and raised in Honolulu. He graduated with a Bachelor of Arts in Communicology from the University of Hawaii at Manoa and a Master of Arts in Education from Harvard University. He has over ten years of experience in teaching, with a focus on coaching, public speaking, and writing. Your Committee notes that in 2021, Mr. Higa co-founded Housing Hawaii's Future, a nonprofit aimed at addressing the workforce housing shortage through education and civic engagement, and currently serves as its Executive Director. During the hearing, Mr. Higa pledged to work hard to understand the issues heard before the Hawaii Community Development Authority and strive to represent the needs and concerns of Millennials and Generation Z, if appointed. Your Committee further finds that Mr. Higa has an understanding of the role and responsibilities of board members and believes that his youth and leadership will be assets to the Hawaii Community Development Authority. Your Committee therefore recommends that Sterling Higa be appointed to the Hawaii Community Development Authority based on his leadership and desire to serve the public.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3986 Judiciary on Gov. Msg. Nos. 590 and 595

Recommending that the Senate advise and consent to the nominations of the following:

STATEWIDE VOTERS WITH SPECIAL NEEDS ADVISORY COMMITTEE

G.M. No. 590 PATRICIA MORRISSEY, for a term to expire 06-30-2025; and

G.M. No. 595 KATHRYN KEIM, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Patricia Morrissey and Kathryn Keim for service on the Statewide Voters with Special Needs Advisory Committee.

PATRICIA MORRISSEY

Your Committee received testimony in support of the nomination for the appointment of Patricia Morrissey from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Center on Disability Studies at the University of Hawai'i at Manoa, and six individuals.

Upon review of the testimony, your Committee finds that Ms. Morrissey's expertise in the implementation and impact of disability policy, extensive experience promoting and educating others about policies and resources associated with empowering individuals with disabilities, and strong sense of equity for all persons' right to vote qualify her for appointment to the Statewide Voters with Special Needs Advisory Committee. Your Committee notes that Ms. Morrissey served as the Director of the University Center for Excellence in Developmental Disabilities, Training, Service, and Research at the Center on Disability Studies at the University of Hawai'i at Manoa from 2016 to 2020, and that she was instrumental in drafting the Americans with Disabilities Education Act amendments of 1997, in addition to other significant pieces of legislation. Your Committee further notes that, as an individual with cerebral palsy and

mobility impairment, she has directly experienced challenges when voting. Your Committee finds that Ms. Morrissey's comprehensive expertise developing federal and state disability policy, lived experience, and commitment to improving the lives of people with disabilities and their families will be great assets to the Committee and recommends that Patricia Morrissey be appointed to the Statewide Voters with Special Needs Advisory Committee.

KATHRYN KEIM

Your Committee received testimony in support of the nomination for the appointment of Kathryn Keim from eight individuals.

Upon review of the testimony, your Committee finds that Ms. Keim's extensive experience as a liaison between individuals with disabilities and government entities, expertise in policies related to accessible voting, and history of leadership in business and community organizations qualify her for appointment to the Statewide Voters with Special Needs Advisory Committee. Your Committee notes Ms. Keim served as a Contract and Program Specialist in the Division of Vocational Rehabilitation of the Department of Human Services from 2003 until 2014, and has been an Advocate Leader in the National Federation of the Blind in Hawaii since 1997. Your Committee further notes that, as a blind individual, she has diverse special needs voting experience. Your Committee finds that Ms. Keim's expertise as an advocate, lived experience, and commitment to equity and access to the political process for all people will be great assets to the Committee and recommends that Kathryn Keim be appointed to the Statewide Voters with Special Needs Advisory Committee.

As affirmed by the records of votes of the members of your Committee on Judiciary that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3987 Judiciary on Gov. Msg. No. 591

Recommending that the Senate advise and consent to the nomination of the following:

STATEWIDE VOTERS WITH SPECIAL NEEDS ADVISORY COMMITTEE

G.M. No. 591 RAMODA ANAND, for a term to expire 06-30-2024

Your Committee has reviewed the personal history, resume, and statement submitted by Ramoda Anand for service on the Statewide Voters with Special Needs Advisory Committee.

Your Committee received testimony in support of the nomination for the appointment of Ramoda Anand from the State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, First Unitarian Church of Honolulu, and ten individuals.

Upon review of the testimony, your Committee finds that Mr. Anand's experience advocating for individuals with disabilities, as well as his expertise and familiarity with issues affecting voters with special needs qualify him for appointment to the Statewide Voters with Special Needs Advisory Committee. Your Committee notes that he has been active in advocacy for civil rights since 2000, and has been directly advocating for individuals with disabilities to members of the Legislature since 2010. He has previously served on the Maui County Commission for Persons with Disabilities, and has been a disability rights activist for many years on Maui and throughout the State. Your Committee finds that Mr. Anand's advocacy experience and familiarity with issues relating to political participation by persons with disabilities will be great assets to the Committee. Your Committee therefore recommends that Ramoda Anand be appointed to the Statewide Voters with Special Needs Advisory Committee based on his background, experience, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

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

SCRep. 3988 Judiciary on Gov. Msg. No. 635

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION TO PROMOTE UNIFORM LEGISLATION

G.M. No. 635 ELIZABETH KENT, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Elizabeth Kent for service on the Commission to Promote Uniform Legislation.

Your Committee received testimony in support of the nomination for the reappointment of Elizabeth Kent from the Department of the Attorney General, Hawaiian Humane Society, and ten individuals.

Upon review of the testimony, your Committee finds that Ms. Kent's experience as an attorney and mediator, familiarity with governmental administration and alternative dispute resolution, and commitment to the promotion of just uniform legislation qualify her to be nominated for reappointment to the Commission to Promote Uniform Legislation. Your Committee notes that Ms. Kent has been the sole proprietor of an alternative dispute resolution business since 2013, and prior to that was Director of the Hawaii Judiciary's Center for Alternative Dispute Resolution. Ms. Kent has also served on the Commission to Promote Uniform Legislation as part of Hawaii's representation on the National Conference of Commissioners on Uniform State Laws since 1998, and has worked on numerous model Acts that have subsequently been enacted in the State. Your Committee finds that Ms. Kent's experience as a mediator and commissioner as well as her dedication to the implementation of uniform legislation that takes into account the needs of

Hawaii's communities will continue to be great assets to the Commission and recommends that Elizabeth Kent be reappointed to the Commission to Promote Uniform Legislation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 3989 Education on Gov. Msg. Nos. 783, 566, 567, 757, and 689

Recommending that the Senate advise and consent to the nominations of the following:

EARLY LEARNING BOARD

G.M. No. 783 BENJAMIN NAKI III, for a term to expire 06-30-2025;

G.M. No. 566 KAIULANI LAEHA, for a term to expire 06-30-2022;

G.M. No. 567 KAIULANI LAEHA, for a term to expire 06-30-2024;

G.M. No. 757 MEGAN MCCORRISTON, for a term to expire 06-30-2024; and

G.M. No. 689 MEI OU, for a term to expire 06-30-2024

Your Committee has reviewed the personal histories, resumes, and statements submitted by Benjamin Naki III, Kaiulani Laeha, Megan McCorrison, and Mei Ou for service on the Early Learning Board.

BENJAMIN NAKI III

Your Committee received testimony in support of the nomination for the reappointment of Benjamin Naki III from the Executive Office on Early Learning, Early Learning Board, and Parents And Children Together.

Your Committee finds that Mr. Naki is presently the Vice President of Early Education Programs for Parents And Children Together and has previous work experience as a Program Director, Assistant Director, Comprehensive Services Manager, Family Services Coordinator, and Father Facilitator for Parents And Children Together.

Your Committee further finds that Mr. Naki is an accomplished leader who has a clear understanding of the needs of the community and the importance of early education. His extensive experience in Head Start, Early Head Start, center-based preschool, and home visiting provides Mr. Naki with an overall understanding of the strengths and limitations of each model. In his personal statement, Mr. Naki acknowledged the need and responsibility to ensure that the neighbor islands have a strong voice on matters within the purview of the Early Learning Board. Your Committee notes that Mr. Naki's reappointment will continue to fulfill the requirement for a representative of a head start provider agency pursuant to section 302L-1.6, Hawaii Revised Statutes.

Your Committee believes that Mr. Naki's professional experience, as well as his steadfast commitment to the children and families of Hawaii, will be great assets to the Early Learning Board, and therefore recommends that Benjamin Naki III be reappointed to the Board based on his knowledge, experience, and commitment to early childhood education.

KAIULANI LAEHA

Your Committee received testimony in support of the nomination for the appointment and reappointment of Kaiulani Laeha from the Executive Office on Early Learning; Early Learning Board; and 'Aha Pūnana Leo, Inc.

Your Committee finds that Ms. Laeha is currently the Chief Executive Officer of 'Aha Pūnana Leo, Inc., a provider of early education and childcare in the Hawaiian language. In this capacity, Ms. Laeha oversees fourteen licensed childcare facilities across the State. She has served on the Early Learning Board as an interim member filling the Hawaiian medium early learning provider seat, and her appointment would continue to fulfill that requirement.

Your Committee further finds that Ms. Laeha previously served as a Development Manager for Kupu and has extensive experience in the nonprofit sector. Ms. Laeha is a graduate of Kamehameha Schools and holds undergraduate and graduate degrees in business administration.

In her personal statement, Ms. Laeha noted the importance of filling the Director position for the Early Learning Board to aid the Board in fulfilling its statutory duties. She also noted her ability to objectively serve all children and their families in early learning while also representing the distinct interests of the Hawaiian Language Medium Early Learning providers. Ms. Laeha has served as an Early Learning Board member for half a year and was previously involved as a community member, making her knowledgeable in the role and responsibilities of board members.

Your Committee believes that Ms. Laeha's professional and personal experience, as well as her knowledge and experience related to Hawaiian Language Medium Early Learning providers, will be great assets to the Early Learning Board, and therefore recommends Kaiulani Laeha for service on the Board.

MEGAN MCCORRISTON

Your Committee received testimony in support of the nomination for the appointment of Megan McCorrison from the Executive Office on Early Learning, Kualapu'u School Public Conversion Charter, Early Learning Board, Children's Action Network Speaks!, Samuel N. and Mary Castle Foundation and Henry & Dorothy Castle Memorial Fund, and four individuals.

Your Committee finds that Ms. McCorrison has twenty years of public and private sector experience in education and has been the Chief Executive Officer of Seagull Schools since 2018. In this capacity, Ms. McCorrison has oversight of Seagull Schools' five Early Education Centers and Adult Day Center. She holds graduate and doctoral degrees in Education from the University of Oxford in England. Ms. McCorrison began her career as a classroom educator and transitioned to education administration and leadership within the State and abroad. She is a published researcher in the field of comparative and international education, and an experienced non-profit consultant.

Your Committee further finds that Ms. McCorrison is an active member of the National Association of the Education of Young Children and Child Care Business Coalition in Hawai'i. She has been a tireless advocate of education as a means for social justice for over twenty years. In her personal statement Ms. McCorrison notes that affordability and workforce capacity are among the toughest challenges facing the early learning sector in Hawaii. Your Committee notes that Ms. McCorrison's service would fulfill the requirement for a representative of a center-based program provider.

Your Committee believes that Ms. McCorrison's broad and deep professional experience, as well as her knowledge and experience related to center-based early learning, will be great assets to the Early Learning Board, and therefore recommends Megan McCorrison for service on the Board.

MEI OU

Your Committee received testimony in support of the nomination for the appointment of Mei Ou from the Executive Office on Early Learning, Early Learning Board, Family Hui Hawaii, and three individuals.

Your Committee finds that Ms. Ou is currently a Support Manager with Family Hui Hawaii, which provides a broad range of early learning services in the State. Ms. Ou has two decades of experience in childcare and early learning. She holds an Associate's degree in Early Childhood Education, a Bachelor's degree in Family Resources, and a Master's degree in Education.

Your Committee further finds that as the parent representative on the Early Learning Board, Ms. Ou will serve with passion and energy. In her personal statement, Ms. Ou emphasized the importance of the parent perspective in early learning education, and that understanding the needs of both child and parent is critical to early learning success and building a solid foundation for the future.

Your Committee believes that Mei Ou will bring valuable experience, knowledge, and perspective to the Early Learning Board, and therefore recommends her for service on the Board.

As affirmed by the records of votes of the members of your Committee on Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3990 Education on Gov. Msg. No. 816

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII TEACHER STANDARDS BOARD

G.M. No. 816 JUSTIN MEW, for a term to expire 06-30-2026

Your Committee has reviewed the personal history, resume, and statement submitted by Justin Mew for service on the Hawaii Teacher Standards Board.

Your Committee did not receive any testimony on the nomination for the appointment of Justin Mew.

Your Committee finds that Mr. Mew received his Bachelor's degree in Education, and Master's degrees in Secondary Education and Educational Administration from the University of Hawaii. Mr. Mew is currently the Principal of Henry J. Kaiser High School. He previously served as the Principal of Niu Valley Middle School, Principal of Aina Haina Elementary School, Vice Principal of Moanalua Intermediate School, Vice Principal of Aiea Intermediate School, and as a State Science Education Specialist.

In addition to extensive experience in teaching and education administration, Mr. Mew has received numerous awards and accolades, including being named the Hawaii State Middle School Principal of the Year in 2011 and Educator of the Year in 2012. Mr. Mew is also active in the community, serving on the Board of Managers of the Nuuanu YMCA and as a member of the Youth Service Hawaii Board.

Your Committee further finds that Mr. Mew will provide the Hawaii Teacher Standards Board with the perspective of a sitting principal and a trained and certified teacher intake interviewer for the Department of Education. These roles have given Mr. Mew the experience of evaluating teachers for hiring and continued employment. In his personal statement, Mr. Mew emphasized the importance of national standards and certifications to ensure that students receive the high-quality teachers they deserve.

Accordingly, your Committee believes that Mr. Mew will bring valuable experience, knowledge, and leadership to the Hawaii Teacher Standards Board, and therefore recommends that Justin Mew be appointed to the Hawaii Teacher Standards Board based on his knowledge, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 3991 Water and Land on Gov. Msg. Nos. 854, 855, 856, 857, and 858

Recommending that the Senate advise and consent to the nominations of the following:

LAND USE COMMISSION

- G.M. No. 854 MICHAEL YAMANE, for a term to expire 06-30-2026;
 G.M. No. 855 KŪ'IKEOKALANI KAMAKEA-'OHELO, for a term to expire 06-30-2022;
 G.M. No. 856 KŪ'IKEOKALANI KAMAKEA-'OHELO, for a term to expire 06-30-2026;
 G.M. No. 857 MELVIN KAHELE, for a term to expire 06-30-2026; and
 G.M. No. 858 GEORGE ATTA, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Michael Yamane, Kū'ikeokalani Kamakea-'Ōhelo, Melvin Kahele, and George Atta for service on the Land Use Commission.

MICHAEL YAMANE

Your Committee received testimony in support of the nomination for the appointment of Michael Yamane from the Land Use Commission, Office of the Mayor of the County of Kaua'i, Pūlama Lāna'i, and nine individuals. Your Committee received testimony in opposition to the nomination for the appointment of Michael Yamane from one individual.

Upon review of the testimony, your Committee finds that Mr. Yamane's experience, knowledge, and desire to serve as a member of the Land Use Commission qualify him as a Commissioner from the City and County of Honolulu, pursuant to section 205-1, Hawaii Revised Statutes. Mr. Yamane is a licensed professional engineer, specializing in electrical engineering. He currently serves as an independent contractor consultant and previously served as Chief of Operations and Technology for Kauai Island Utility Cooperative. Mr. Yamane has also been an active member of his community, serving on the Hawaii Employers Council Board of Governors, Hawaii Pacific Health Board of Directors, and as Chairperson of the Wilcox Hospital Board of Directors. Your Committee notes that Mr. Yamane has an understanding of the roles and responsibilities of board members and that his experience and knowledge in utilities, electrical engineering and operations, and renewable energy generation will be assets to the Land Use Commission. Your Committee therefore recommends that Michael Yamane be appointed to the Land Use Commission based on his experience, knowledge, and willingness to serve the public.

KŪ'IKEOKALANI KAMAKEA-'ŌHELO

Your Committee received testimony in support of the nominations for the appointment and reappointment of Kū'ikeokalani Kamakea-'Ōhelo from the Land Use Commission, Hawaii State Aha Moku, one member of the Honolulu City Council, Sierra Club of Hawai'i, Ko'olaupoko Hawaiian Civic Club, Hui Ku Like Kakou, CountryTalkStory.com, Ka 'Ohana o ke Aloha (Hale Pule), and and forty-three individuals.

Upon review of the testimony, your Committee finds that Mr. Kamakea-'Ōhelo's experience, knowledge, and desire to serve as a member of the Land Use Commission qualify him as a Commissioner with substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural land practices, pursuant to section 205-1, Hawaii Revised Statutes. Mr. Kamakea-'Ōhelo currently serves as President of the Board of Directors for Cho Global Natural Farming Hawaii. As a farmer, Mr. Kamakea-'Ōhelo has extensive training and knowledge in Korean natural farming, plant nutrition and fertilizer making, and animal husbandry. In addition to his knowledge, Mr. Kamakea-'Ōhelo is also a certified practitioner and instructor of agriculture. Your Committee further finds that Mr. Kamakea-'Ōhelo serves as a leader for the Waimanalo community as a community organizer and President of Save Our Sherwoods. Your Committee notes that Mr. Kamakea-'Ōhelo's experience and knowledge in modern and traditional native Hawaiian agriculture, land use, and native Hawaiian traditional and cultural practices will be assets to the Land Use Commission. Your Committee therefore recommends that Kū'ikeokalani Kamakea-'Ōhelo be appointed to the Land Use Commission based on his experience, knowledge, and willingness to serve the public.

MELVIN KAHELE

Your Committee received testimony in support of the nomination for the appointment of Melvin Kahele from the Land Use Commission, Iron Workers Stabilization Fund, Hawai'i Lodging and Tourism Association, and two individuals. Your Committee received testimony in opposition to the nomination for the appointment of Melvin Kahele from one individual.

Upon review of the testimony, your Committee finds that Mr. Kahele's experience, knowledge, and desire to serve as a member of the Land Use Commission qualify him as a Commissioner as an at-large member, pursuant to section 205-1, Hawaii Revised Statutes. Your Committee finds that Mr. Kahele has served as a foreman in the gas industry for over twenty-five years before serving as President and Principal Executive Officer with the Teamsters Union, Local 996. Mr. Kahele currently serves as a lobbyist for the Iron Workers Union, Local 625, Stabilization Fund. Your Committee further finds that Mr. Kahele is also an active member of his community, serving as a member of the Aloha United Way, Hawaii Housing Finance and Development Corporation, and Asian Pacific Labor Alliance Board of Directors and chairperson of seven Teamsters union trust funds. Your Committee notes that Mr. Kahele has an understanding of the roles and responsibilities of board members and that his experience and knowledge in gas-based utilities will be assets to the Land Use Commission. Your Committee therefore recommends that Melvin Kahele be appointed to the Land Use Commission based on his experience, knowledge, and willingness to serve the public.

GEORGE ATTA

Your Committee received testimony in support of the nomination for the appointment of George Atta from the Land Use Commission; The Maritime Group, LLC; Ko'olau Foundation; G70; and two individuals.

Upon review of the testimony, your Committee finds that Mr. Atta's experience, knowledge, and desire to serve as a member of the Land Use Commission qualify him as a Commissioner as an at-large member, pursuant to section 205-1, Hawaii Revised Statutes. Your Committee finds that Mr. Atta previously served as the Director of the Department of Planning and Permitting for the City and County of Honolulu, where he oversaw long-range planning, traffic and engineering, land use, and regional planning for the island of Oahu. Mr. Atta is LEED AP-certified and possesses significant understanding of environmental design and development. Your Committee further finds that Mr. Atta is an active member of his community, serving as a member of the University of Hawaii Sea Grant Advisory Panel, Wahiawa Hospital Koa Ridge Committee, and TARO Center. Your Committee notes that Mr. Atta has an understanding of the roles and responsibilities of board members and that his experience and knowledge in public facilities, land use and resource management, and urban and regional planning will be assets to the Land Use Commission. Your Committee therefore recommends that George Atta be appointed to the Land Use Commission based on his experience, knowledge, and willingness to serve the public.

As affirmed by the records of votes of the members of your Committee on Water and Land that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 3992 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. No. 565

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII PAROLING AUTHORITY

G.M. No. 565 MILTON KOTSUBO, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Milton Kotsubo for service on the Hawaii Paroling Authority.

Your Committee received testimony in support of the nomination for the reappointment of Milton Kotsubo from the Hawaii Paroling Authority, Department of Public Safety, and one individual.

Upon review of the testimony, your Committee finds that Mr. Kotsubo's experience, knowledge, and proven leadership qualify him for reappointment to the Hawaii Paroling Authority as a board member. Mr. Kotsubo has over forty years of experience working with the Hawaii offender population and has worked as a social worker for various organizations for over twelve years. Additionally, he has experience working at numerous correctional facilities, including Halawa Correctional Facility, Oahu Community Correctional Center, and previously was acting warden at the Women's Community Correctional Center. Mr. Kotsubo has served on the Hawaii Paroling Authority since 2021 and his experience and knowledge will continue to be assets to the Authority. Your Committee therefore recommends that Milton Kotsubo be reappointed to the Hawaii Paroling Authority based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3993 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. No. 647

Recommending that the Senate advise and consent to the nomination of the following:

CRIME VICTIM COMPENSATION COMMISSION

G.M. No. 647 JOSEPHINE BYRNE, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Josephine Byrne for service on the Crime Victim Compensation Commission.

Your Committee received testimony in support of the nomination for the appointment of Josephine Byrne from the Crime Victim Compensation Commission, Department of Public Safety, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Byrne's experience, knowledge, and proven leadership qualify her for appointment to the Crime Victim Compensation Commission. Your Committee notes that Ms. Byrne is currently President and owner of Honolulu Information Service, Inc., a public records research company specializing in business transactional research and services in Hawaii for a nationwide clientele. Ms. Byrne is active in her community and has served as a member of Common Cause Hawaii, Honolulu City Council Leasehold Task Force, Department of Public Safety Community Advisory Group for Gender Appropriate Programming, Advisory Commission on Housing and Community for the City and County of Honolulu, Hawaii Women's Political Caucus, and the Asian/Pacific Caucus of the National Women's Political Caucus. Previously, Ms. Byrne served as Board President for Volunteer Legal Services Hawaii and Director and Government Affairs Chair for Goodwill Industries of Honolulu. Your Committee therefore recommends that Josephine Byrne be appointed to the Crime Victim Compensation Commission based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee,

has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3994 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. No. 563

Recommending that the Senate advise and consent to the nomination of the following:

ADVISORY BOARD ON VETERANS' SERVICES

G.M. No. 563 DONNA SHIMIZU, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Donna Shimizu for service on the Advisory Board on Veterans' Services.

Your Committee received testimony in support of the nomination for the appointment of Donna Shimizu from the Office of the Adjutant General; State Office of Veterans Services; State Veterans Advisory Board; County of Hawai'i Department of Parks and Recreation, Elderly Activities Division; and five individuals.

Upon review of the testimony, your Committee finds that Ms. Shimizu's experience, knowledge, and proven leadership qualify her for appointment to the Advisory Board on Veterans' Services as a member. Your Committee notes that Ms. Shimizu currently serves on several community boards including the Hawaii National Guard State Advisory Council, Big Island National Guard Retiree Association, Employer Support of the Guard and Reserve, and Hau'oli Street Neighborhood Watch. Ms. Shimizu formerly served in the Hawaii Air National Guard for over thirty-five years as an administrative specialist and guard member from 1976 through 2001 and as a recruiter and retention noncommissioned officer from 2001 through 2011. Your Committee therefore recommends that Donna Shimizu be appointed to the Advisory Board on Veterans' Services based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3995 Judiciary on Gov. Msg. No. 596

Recommending that the Senate advise and consent to the nomination of the following:

ATTORNEY GENERAL OF THE DEPARTMENT OF THE ATTORNEY GENERAL

G.M. No. 596 HOLLY SHIKADA, for a term to expire at noon on 12-05-2022

Your Committee reviewed the personal history, resume, and statement submitted by Holly Shikada for service on the Department of the Attorney General.

Your Committee received testimony in support of the nomination for the appointment of Holly Shikada from the Governor; Department of Taxation; Department of Budget and Finance; Department of Public Safety; Department of Health; Department of Labor and Industrial Relations; Department of Business, Economic Development, and Tourism; Department of Accounting and General Services; Department of Hawaiian Home Lands; Department of Education; Department of Transportation; Department of Human Resources Development; Department of Land and Natural Resources; Department of Agriculture; Department of Human Services; Department of Commerce and Consumer Affairs; Hawaii Emergency Management Agency; Office of Enterprise Technology Services; Hawaii State Energy Office; Hosoda Law Group; and thirty-seven individuals. Your Committee received testimony in opposition to the nomination for the appointment of Holly Shikada from two individuals.

Upon review of the testimony, your Committee finds that Ms. Shikada received a Bachelor of Arts degree in Accounting from the University of Hawai'i at Manoa. She subsequently received her Juris Doctor degree from William S. Richardson School of Law. After graduating, Ms. Shikada worked in private practice at the law firm of Fujiyama, Duffy & Fujiyama for four years before transferring to public service work. For over thirty years, Ms. Shikada worked at the Department of the Attorney General in numerous capacities and roles. She started as a Deputy Attorney General in the Family Law Division where she handled child abuse and neglect cases, juvenile offender cases, guardianship cases, and adoption cases. After ten years with the Family Law Division, Ms. Shikada was asked to head the Felix Unit under the Education Division, which was successful in being found in compliance with the Felix Consent Decree and meeting its goal to ensure that the State met its responsibility in providing educational and mental health services to special needs students. From there, Ms. Shikada was appointed as the Supervisor of the Education Division until April of 2021, when she accepted the position of First Deputy Attorney General.

Testimony in support of Ms. Shikada commends her commitment to public service, deep institutional knowledge, and strong leadership within the Department of the Attorney General. Ms. Shikada has impressed fellow co-workers with her integrity and strong sense of fairness, as well as her legal insight gained over thirty years of working in public service. She is also commended for her dedication to her deputies, standards of professionalism, and energetic and positive attitude. However, your Committee notes that testimony also revealed that there are problems within the Department of the Attorney General to which Ms. Shikada is challenged to improve.

Your Committee finds that Holly Shikada has the experience, expertise, and temperament to be the Attorney General of the State of Hawaii, and in that capacity she will protect the interests of the State while also protecting the rights of the residents and communities of Hawai'i.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Acasio, Keohokalole, Fevella). Noes, none. Excused, none.

SCRep. 3996 Energy, Economic Development, and Tourism on Gov. Msg. No. 861

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF DIRECTORS OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY

G.M. No. 861 DAVELYN KALIPI, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Davelyn Kalipi for service on the Board of Directors of the Natural Energy Laboratory of Hawaii Authority.

Your Committee received testimony in support of the nomination for the appointment of Davelyn Kalipi from the Department of Business, Economic Development, and Tourism and sixteen individuals.

Upon review of the testimony, your Committee finds that Ms. Kalipi's knowledge, experience, and commitment to serve the public qualify her for appointment to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority as a member from the general public with knowledge, interest, and proven expertise in, but not limited to, one or more of the following fields: finance, commerce and trade, corporate management, marketing, economics, engineering, energy management, real estate development, property management, aquaculture, and ocean science, pursuant to section 227D-2, Hawaii Revised Statutes. For four years, Ms. Kalipi has worked for Progression Energy, LLC, an Oregon-based company that develops, finances, constructs and operates renewable energy projects and is currently their Chief Strategy Officer and Executive Vice President of Development for Hawaii and the Pacific. She is also the President of Kalipi Enterprises, LLC, a company that provides consulting services for community-based economic development in the areas of food security, energy security, and community empowerment. Your Committee notes that Ms. Kalipi received a Bachelor of Arts with a double major in Government & Politics and Economics from George Mason University and a Juris Doctorate from the George Washington University Law School. She has over twenty-five years of work experience and an understanding of government, strategic planning, and economic development. Your Committee further finds that she is currently on the Board of Directors for PBS Hawaii and Blue Planet Foundation and has a thorough understanding of the role and responsibilities of board members. Her experience and knowledge will be assets to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority. Your Committee therefore recommends that Davelyn Kalipi be appointed to the Board of Directors of the Natural Energy Laboratory of Hawaii Authority based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3997 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 796 and 797

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS

G.M. No. 796 RODRIGO ROMO, for a term to expire 06-30-2023; and

G.M. No. 797 AMBER IMAI-HONG, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Rodrigo Romo and Amber Imai-Hong for service on the Board of Directors of the Pacific International Space Center for Exploration Systems.

RODRIGO ROMO

Your Committee received testimony in support of the nomination for the appointment of Rodrigo Romo from the University of Hawai'i at Hilo, Hawaii Island Economic Development Board, and eleven individuals.

Upon review of the testimony, your Committee finds that Mr. Romo's knowledge, experience, and desire to serve the people of Hawaii qualify him for appointment to the Board of Directors of the Pacific International Space Center for Exploration Systems as a member from government, industry, and academia, both national and international, with appropriate professional interests and backgrounds, pursuant to section 304A-3353, Hawaii Revised Statutes. Mr. Romo has been the Visitor Information Station manager for the Maunakea Observatories Support Services since July 2021. Prior to that, he was the Program Director for the Pacific International Space Center for Exploration Systems from 2016 to 2021, where he guided projects for applied research and workforce development and programs to promote and encourage women in STEM (Science, Technology, Engineering, and Mathematics). Your Committee notes that Mr. Romo has a Bachelor of Science in Chemical Engineering from Iteso University in Guadalajara, Mexico, a Master of Business Administration from the University of Arizona, and almost thirty years of diverse work experience. During the hearing, he not only expressed his passion for aerospace and diversifying the economy of the State, but believes that Hawaii has great

opportunities to develop a strong aerospace industry and that the Pacific International Space Center for Exploration Systems can play a key role in supporting and helping future generations launch careers in aerospace and other technology-related careers. Your Committee further finds that Mr. Romo has a thorough understanding of the role and responsibilities of board members and his experience and knowledge will be assets to the Board of Directors of the Pacific International Space Center for Exploration Systems. Your Committee therefore recommends that Rodrigo Romo be appointed to the Board of Directors of the Pacific International Space Center for Exploration Systems based on his experience, knowledge, and desire to serve the public.

AMBER IMAI-HONG

Your Committee received testimony in support of the nomination for the appointment of Amber Imai-Hong from the University of Hawai'i at Hilo, Hawaii Island Economic Development Board, and six individuals.

Upon review of the testimony, your Committee finds that Ms. Imai-Hong's knowledge, experience, and desire to serve the people of Hawaii qualify her for appointment to the Board of Directors of the Pacific International Space Center for Exploration Systems as a member from government, industry, and academia, both national and international, with appropriate professional interests and backgrounds that is nominated from a list of nominees submitted by the President of the Senate, pursuant to section 304A-3353, Hawaii Revised Statutes. Ms. Imai-Hong has been an avionics engineer and Program Director at the Hawaii Space Flight Laboratory since June 2012. As a part of her duties, she directs the 101 CubeSat Program, which includes mentoring approximately twenty students who will launch an educational satellite kit into low earth orbit later this year. Prior to that, she was an outreach specialist at the Hawaii Space Grant Consortium. Your Committee notes that Ms. Imai-Hong has a Bachelor of Science in Electrical Engineering with a focus in Electrophysics from the University of Hawaii at Manoa and over fourteen years of experience in the small satellite community. According to the testimony from the University of Hawaii at Hilo, Ms. Imai-Hong is an exemplary role model to other Hawai'i Island students, in particular women, who want to pursue a career in STEM (Science, Technology, Engineering, and Mathematics) fields, and her appointment will strengthen current initiatives for engaging students across the State in activities and programs that foster growth in STEM. Your Committee further finds that she has a thorough understanding of the role and responsibilities of board members. Her experience and knowledge will be assets to the Board of Directors of the Pacific International Space Center for Exploration Systems. Your Committee therefore recommends that Amber Imai-Hong be appointed to the Board of Directors of the Pacific International Space Center for Exploration Systems based on her experience, knowledge, and desire to serve the public.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 3998 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 829, 830, 831, 832, and 833

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE HAWAII TOURISM AUTHORITY

- G.M. No. 829 JAMES MCCULLY, for a term to expire 06-30-2026;
- G.M. No. 830 STEPHANIE IONA, for a term to expire 06-30-2026;
- G.M. No. 831 KIMBERLY AGAS, for a term to expire 06-30-2026;
- G.M. No. 832 FAYLENE DUARTE, for a term to expire 06-30-2026; and
- G.M. No. 833 MICHAEL WHITE, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by James McCully, Stephanie Iona, Kimberly Agas, Faylene Duarte, and Michael White for service on the Board of Directors of the Hawaii Tourism Authority.

JAMES MCCULLY

Your Committee received testimony in support of the nomination for the appointment of James McCully from the Office of the Mayor of the County of Hawaii, HPM Building Supply, Ulu Development, and ten individuals.

Upon review of the testimony, your Committee finds that Mr. McCully's experience, knowledge, and dedication to public service qualify him for appointment to the Board of Directors of the Hawaii Tourism Authority as a representative of the County of Hawaii pursuant to section 201B-2(b)(2), Hawaii Revised Statutes. Your Committee further finds that Mr. McCully has lived on the island of Hawaii for his entire adult life, and has been a farmer since 1976. He is deeply involved in the community and has been a member of numerous farm and small business associations, in addition to the Hawaii Island Chamber of Commerce and the Hawaii Island Economic Development Board. Your Committee notes that Mr. McCully was a member of the Hawaii County Board of Appeals beginning in 2017, and served as chairperson of that body from 2018 to 2021. Your Committee additionally finds that Mr. McCully's considerable experience as a farmer and small business owner, as well as his extensive connections with the community, gives him a unique and valuable perspective of the tourism-related impacts and resources of the County of Hawaii in particular, and in the State as a whole. His knowledge and integrity will be great assets to the Hawaii Tourism Authority. Your Committee therefore recommends that James McCully be appointed to the Board of Directors of the Hawaii Tourism Authority based on his experience, history of public service, and commitment to community engagement.

STEPHANIE IONA

Your Committee received testimony in support of the nomination for the appointment of Stephanie Iona from the Office of the Managing Director of the County of Kaua'i; Kauai Filipino Chamber of Commerce; Sunrise Capital, Inc.; Hawai'i Lodging & Tourism Association; Historic Waimea Theater and Cultural Arts Center; Hawaii Food Service Alliance, LLC; Hawai'i Farm Bureau; Kaua'i Economic Development Board; Grove Farm; and nine individuals.

Upon review of the testimony, your Committee finds that Ms. Iona's experience, knowledge, and commitment to supporting and serving her community qualify her for appointment to the Board of Directors of the Hawaii Tourism Authority as a member selected from a list submitted by the President of the Senate and representative of the County of Kauai pursuant to section 201B-2(b)(2), Hawaii Revised Statutes. Your Committee further finds that Ms. Iona worked in management and development roles at numerous hotels and resort properties from 1971 to 2013. She has been involved in positions of leadership in numerous projects and enterprises within the tourism industry that involved balancing visitor interests with the need to preserve natural resources, providing housing and food support to vulnerable members of the community, and providing rewarding and authentic experiences to visitors from outside the State. Your Committee notes that Ms. Iona also has significant experience as a leader in business outside of the tourism industry, and has been a member of the Hawaii Health Systems Corporation Kauai Region Board for more than eight years, serving as chairperson for the last three years. Your Committee additionally finds that she is active in the community, and has served on numerous boards and committees, including the Kauai Chamber of Commerce and the Kauai Visitors Bureau. Her experience, expertise, and deep connections throughout the tourism industry will be great assets to the Hawaii Tourism Authority. Your Committee therefore recommends that Stephanie Iona be appointed to the Board of Directors of the Hawaii Tourism Authority based on her experience, knowledge, and proven history of service to her community.

KIMBERLY AGAS

Your Committee received testimony in support of the nomination for the appointment of Kimberly Agas from the Hawai'i Lodging & Tourism Association.

Upon review of the testimony, your Committee finds that Ms. Agas' experience, expertise, and willingness to serve qualify her for appointment to the Board of Directors of the Hawaii Tourism Authority as a member selected from a list submitted by the Speaker of the House of Representatives. Your Committee further finds that Ms. Agas has worked in hotel and resort management continuously since 1989. She has been the General Manager of the Aulani Disney Resort and Spa since 2011, and prior to that, was Vice President of Operations for Outrigger Beachfront Deluxe Resorts. In both of these executive leadership roles, her duties have included managing resort operations, in addition to strategic planning responsibilities and coordinating with numerous community and industry stakeholders. Your Committee notes that Ms. Agas has been active in the community outside the tourism industry as well, and has served on the Board of Directors of the Honolulu Zoological Society and Board of Directors of the Bishop Museum Association Council. Her extensive knowledge of the tourism industry, experience, and leadership abilities will be great assets to the Hawaii Tourism Authority. Your Committee therefore recommends that Kimberly Agas be appointed to the Board of Directors of the Hawaii Tourism Authority based on her executive qualifications, knowledge, and commitment to serving her community.

FAYLENE DUARTE

Your Committee received testimony in support of the nomination for the appointment of Faylene Duarte from Āina Aloha Economic Futures Initiative Hui, Council for Native Hawaiian Advancement, Hawaii Investment Ready, Oahu Economic Development Board, The Trust for Public Land, and eleven individuals.

Upon review of the testimony, your Committee finds that Ms. Duarte's experience, knowledge, and commitment to public service qualify her for appointment to the Board of Directors of the Hawaii Tourism Authority as a member selected from a list submitted by the Speaker of the House of Representatives. Your Committee further finds that Ms. Duarte has held a variety of positions related to education and cultural preservation throughout her career, in addition to being a small business owner. She has served as Head of School for Kano o ka 'Āina New Century Public Charter School and Hālau Kū Māna New Century Public Charter School, and facilitated strategic change processes at both institutions that increased enrollment, expanded academic opportunities, and improved outcomes for students. Your Committee notes that Ms. Duarte is active in the community and is a member of several boards and public service organizations, including the Trust for Public Land, Friends of 'Iolani Palace, and O'ahu Economic Development Board. She is an experienced cultural educator and practitioner, and her extensive knowledge and expertise will be great assets to the Hawaii Tourism Authority. Your Committee therefore recommends that Faylene Duarte be appointed to the Board of Directors of the Hawaii Tourism Authority based on her experience, qualifications, and desire to serve the public.

MICHAEL WHITE

Your Committee received testimony in support of the nomination for the appointment of Michael White from the Office of the Mayor of the County of Maui, one member of the Maui County Council, Hawai'i Lodging & Tourism Association, Council for Native Hawaiian Advancement, Maui Hotel & Lodging Association, Hawai'i Farm Bureau, and two individuals.

Upon review of the testimony, your Committee finds that Mr. White's experience, knowledge, and willingness to serve qualify him for appointment to the Board of Directors of the Hawaii Tourism Authority. Your Committee finds that he is currently the general manager of the Kā'anapali Beach Hotel and The Plantation Inn, and that he has held this position since 1985. Prior to his current position, he had worked in resort and hotel management at a variety of properties since 1971. Your Committee notes that Mr. White served in the state House of Representatives from 1993 to 1998 as the Representative for District 7, serving West Maui, Moloka'i, Lāna'i, and Kaho'olawe, as well as serving on the Maui County Council as Council Member and Council Chair from 2011 to 2018. In addition, he is a member of numerous professional and community organizations relating to tourism, including the Hawaiian Cultural Program Advisory Council of the Hawaii Tourism Authority and the Board of Directors of the Native Hawaiian Hospitality Association. His extensive experience in the tourism industry, expertise, and commitment to serving the community will be great assets to the Hawaii Tourism Authority. Your Committee therefore recommends that Michael White be appointed to the Board of Directors of the Hawaii Tourism Authority based on his experience, knowledge, and dedication to community engagement.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3999 Transportation on Gov. Msg. Nos. 837, 838, 839, 840, 841, 842, 843, 844, 845, 848, 849, 850, 851, and 852

Recommending that the Senate advise and consent to the nominations of the following:

STATE HIGHWAY SAFETY COUNCIL

- G.M. No. 837 WILLIAM PAIK, for a term to expire 06-30-2024;
- G.M. No. 838 DAVID MA, for a term to expire 06-30-2025;
- G.M. No. 839 JESSICA THOMPSON, for a term to expire 06-30-2023;
- G.M. No. 840 KEVAN GAUG, for a term to expire 06-30-2025;
- G.M. No. 841 MICHAEL PACKARD, for a term to expire 06-30-2025;
- G.M. No. 842 GARETH SAKAKIDA, for a term to expire 06-30-2025;
- G.M. No. 843 JAYLEN MURAKAMI, for a term to expire 06-30-2023;
- G.M. No. 844 JACQUELINE BOLAND, for a term to expire 06-30-2022;
- G.M. No. 845 JACQUELINE BOLAND, for a term to expire 06-30-2026;
- G.M. No. 848 CONSTANCE MITCHELL, for a term to expire 06-30-2022;
- G.M. No. 849 CONSTANCE MITCHELL, for a term to expire 06-30-2026;
- G.M. No. 850 BEVERLEY BRODY, for a term to expire 06-30-2025;
- G.M. No. 851 WILLIAM HANKINS, for a term to expire 06-30-2022; and
- G.M. No. 852 WILLIAM HANKINS, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by William Paik, David Ma, Jessica Thompson, Kevan Gaug, Michael Packard, Gareth Sakakida, Jaylen Murakami, Jacqueline Boland, Constance Mitchell, Beverley Brody, and William Hankins for service on the State Highway Safety Council.

WILLIAM PAIK

Your Committee received testimony in support of the nomination for the appointment of William Paik from the Department of Transportation.

Upon review of the testimony, your Committee finds that Mr. Paik's experience and knowledge qualify him for appointment to the State Highway Safety Council. Mr. Paik began working in engineering projects in 1966 and has decades of experience in strategic planning and managing transportation engineering and construction operations and projects, with many of these projects being for the Hawaii Department of Transportation. His expertise in safety and quality control will be a great asset to work zone safety and the Council. Your Committee therefore recommends that William Paik be appointed to the State Highway Safety Council based on his proven experience and knowledge.

DAVID MA

Your Committee received testimony in support of the nomination for the appointment of David Ma from the Department of Transportation, City and County of Honolulu Department of Transportation Services, and the Hawaii Automobile Dealers' Association.

Upon review of the testimony, your Committee finds that Mr. Ma's experience and knowledge qualify him for appointment to the State Highway Safety Council. Mr. Ma is a Civil and Environmental Engineering professor at the University of Hawaii at Manoa. He is an accomplished researcher, securing approximately twenty million dollars in grants at the University of Hawaii since 2008. Mr. Ma has also previously worked with the Department of Transportation on projects including traffic signal upgrades, connected and autonomous vehicle pilots, and vulnerability studies for shoreline roadways. Mr. Ma's deep knowledge of transportation and its environmental impact as well as policy make him a unique asset to the Council. Your Committee therefore recommends that David Ma be appointed to the State Highway Safety Council based on his knowledge, skill set, and experience.

JESSICA THOMPSON

Your Committee received testimony in support of the nomination for the appointment of Jessica Thompson from the Department of Transportation, Ulupono Initiative, AlohaCare, Bikeshare Hawaii, Hawai'i Public Health Institute, and seven individuals.

Upon review of the testimony, your Committee finds that Ms. Thompson's proven leadership skills qualify her for appointment to the State Highway Safety Council. Ms. Thompson has been an executive director for various companies since 2013, including Community Warehouse, Oregon Walks, and most recently, People for Active Transportation Hawaii (PATH). Her current duties for PATH include managing, facilitating, and promoting equity informed transportation projects around vulnerable road users, and has additionally secured over one million dollars in active transportation investments. Ms. Thompson's background in management and

current experience with Hawaii's Vision Zero Task Force make her a great asset to the Council. Your Committee therefore recommends that Jessica Thompson be appointed to the State Highway Safety Council based on her proven leadership and experience.

KEVAN GAUG

Your Committee received testimony in support of the nomination for the appointment of Kevan Gaug from the Department of Transportation, City and County of Honolulu Department of Transportation Services, AARP Hawaii, Ulupono Initiative, Bikeshare Hawaii, Blue Planet, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Gaug's experience and knowledge qualify him for appointment to the State Highway Safety Council. Mr. Gaug serves as the Senior Vice President at Ulupono Initiative and has worked in positions relating to analysis and strategic evaluation since 2003. Ulupono's goals include the electrification of transportation and encouraging the expansion of safe, active transportation options, and Mr. Gaug's work with managing investments to reach these goals will be a skill with great application to the Council. Your Committee therefore recommends that Kevan Gaug be appointed to the State Highway Safety Council based on his proven experience and unique skill set.

MICHAEL PACKARD

Your Committee received testimony in support of the nomination for the appointment of Michael Packard from the Department of Transportation; Department of Transportation Services; City and County of Honolulu Department of Health; City and County of Honolulu Department of Planning and Permitting; one member of the Honolulu City Council; AARP Hawaii; Ulupono Initiative; SSFM International, Inc.; Hawaii Bicycling League; Bikeshare Hawaii; Hawai'i Public Health Institute; and seventeen individuals.

Upon review of the testimony, your Committee finds that Mr. Packard's experience and knowledge qualify him for appointment to the State Highway Safety Council. Mr. Packard is a Senior Traffic Engineer at SSFM International and has over twenty years of progressive traffic engineering and transportation planning experience, including operations analysis, network planning, and pedestrian facility design. Mr. Packard has additionally worked with the Department of Transportation on multiple roadway safety projects. Mr. Packard's extensive work on improving the safety and accessibility of infrastructure for vulnerable road users make him a great asset to the Council. Your Committee therefore recommends that Michael Packard be appointed to the State Highway Safety Council based on his proven experience and knowledge.

GARETH SAKAKIDA

Your Committee received testimony in support of the nomination for the appointment of Gareth Sakakida from the Department of Transportation, City and County of Honolulu Department of Transportation Services, and one individual.

Upon review of the testimony, your Committee finds that Mr. Sakakida's experience and knowledge qualify him for appointment to the State Highway Safety Council. Since 1990, Mr. Sakakida has served as the managing director for the Hawaii Transportation Association where promoting commercial motor vehicle safety is one of his main priorities. His duties include working with federal, state, and county agencies as well as with private and citizens' groups on issues involving transportation. Mr. Sakakida's wide breadth of knowledge involving transportation groups and divisions in Hawaii make him a unique asset to the Council. Therefore, your Committee recommends that Gareth Sakakida be appointed to the State Highway Safety Council based on his unique experience and knowledge.

JAYLEN MURAKAMI

Your Committee received testimony in support of the nomination for the appointment of Jaylen Murakami from the Department of Transportation, Department of Health, Ulupono Initiative, AlohaCare, Hawai'i Public Health Institute, Blue Zones Project, Get Fit Kauai, and one individual.

Upon review of the testimony, your Committee finds that Ms. Murakami's experience and knowledge qualify her for appointment to the State Highway Safety Council. Ms. Murakami has been working as an advocacy and outreach coordinator at the Hawaii Public Health Institute since 2016. She helped to convene several coalitions, including the Obesity Prevention Task Force which works to make healthier lifestyles obtainable for all Hawaii residents. As part of this task force, Ms. Murakami has supported several pieces of legislation related to highway safety. Ms. Murakami's experiences with public advocacy regarding transportation safety make her a great asset to the Council. Your Committee therefore recommends that Jaylen Murakami be appointed to the State Highway Safety Council based on her experience and skill set.

JACQUELINE BOLAND

Your Committee received testimony in support of the nominations for the appointment and reappointment of Jacqueline Boland from the Department of Transportation, Department of Health, City and County of Honolulu Department of Planning and Permitting, AARP Hawaii, Ulupono Initiative, AlohaCare, Hawai'i Public Health Institute, Age-Friendly Honolulu, Bikeshare Hawaii, and eight individuals.

Upon review of the testimony, your Committee finds that Ms. Boland's experience, knowledge, and dedication to safety qualify her for appointment and reappointment to the State Highway Safety Council. Ms. Boland has worked with AARP Hawaii as an associate state director since 2000. Her duties include community education and outreach, which involves creating public education campaigns focusing on pedestrian and driver safety among other issues. Furthermore, Ms. Boland has experience collaborating with policy makers and the public, as she was instrumental in the passing of Act 54, Session Laws of Hawaii 2009, Hawaii's Complete Streets policies. Ms. Boland's decades of work with AARP and commitment to transportation safety make her a great asset to the Council. Your Committee therefore recommends that Jacqueline Boland be appointed and reappointed to the State Highway Safety Council based on her experience, knowledge, and dedication.

CONSTANCE MITCHELL

Your Committee received testimony in support of the nominations for the appointment and reappointment of Constance Mitchell from the Department of Transportation; Governor's Coordinator on Homelessness; Matson Navigation Company, Inc; and two individuals.

Upon review of the testimony, your Committee finds that Ms. Mitchell's leadership experience and knowledge qualify her for appointment and reappointment to the State Highway Safety Council. Ms. Mitchell has served as the Executive Director of the Institute for Human Services since 2006. As Executive Director, Ms. Mitchell grew the organization's budget from 4.5 million dollars to twenty-six million dollars and more than tripled the number of staff. The Institute of Human Services provides shelter and services to the homeless as well as providing supporting services to Hawaii's most vulnerable population. Ms. Mitchell's deep understanding of the needs of the community and unique insight on the perspectives of the homeless make her a great asset to the Council. Your Committee therefore recommends that Constance Mitchell be appointed and reappointed to the State Highway Safety Council based on her proven leadership and unique knowledge.

BEVERLEY BRODY

Your Committee received testimony in support of the nomination for the appointment of Beverley Brody from the Department of Transportation, Department of Transportation Highways Division Kauai District, Department of Health, Ulupono Initiative, AlohaCare, Hawai'i Public Health Institute, Kauai Path, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Brody's knowledge, experience, and dedication qualify her for appointment to the State Highway Safety Council. Since 2016, Ms. Brody has worked as the Director of the Healthy Eating Active Living (HEAL) coalition of Kauai County which works to increase physical activity and better nutrition among the people of Kauai County with a strong emphasis on policy and environmental change. The coalition has also advocated for stronger safety targets that led to Complete Streets and Safe Routes to School as a departmental priority. Ms. Brody's passion for traffic safety and her experience in directing a coalition working toward both community outreach and policy changes make her a great asset to the Council. Your Committee therefore recommends that Beverley Brody be appointed to the State Highway Safety Council based on her knowledge, experience, and dedication.

WILLIAM HANKINS

Your Committee received testimony in support of the nominations for the appointment and reappointment of William Hankins from the Department of Transportation, one member of the Maui County Council, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Hankins' experience and dedication qualify him for appointment and reappointment to the State Highway Safety Council. Mr. Hankins recently retired from the Maui Police Department (MPD) after over thirty years of service. Most of these thirty years were in the traffic division where he ended his career as Commander. Mr. Hankins worked with both the community and policy makers to deter impaired driving, and his campaign slogans to get drivers to follow the speed limits on Maui highways even made the national news. Mr. Hankins' dedication to traffic safety and unique enforcement experience make him a great asset to the Council. Your Committee therefore recommends that William Hankins be appointed and reappointed to the State Highway Safety Council based on his proven experience and service to his community.

As affirmed by the records of votes of the members of your Committee on Transportation that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 4000 Transportation on Gov. Msg. Nos. 846 and 847

Recommending that the Senate advise and consent to the nominations of the following:

STATE HIGHWAY SAFETY COUNCIL

G.M. No. 846 EDWARD WERNER, for a term to expire 06-30-2022; and

G.M. No. 847 EDWARD WERNER, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Edward Werner for service on the State Highway Safety Council.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Edward Werner from the Department of Transportation, City and County of Honolulu Department of Transportation Services, Iron Workers Stabilization Fund, Build Team 50, Malama Makua, and thirteen individuals.

Upon review of the testimony, your Committee finds that Mr. Werner's dedication and experience qualify him for appointment and reappointment to the State Highway Safety Council. Mr. Werner has spent many years as a community advocate for road safety. He was instrumental in creating Kaulana's Law in 2017 which enhanced criminal penalties for individuals convicted of drunk driving and negligent homicide. Mr. Werner has also coordinated multiple community highway safety events and has partnered with the Department of Transportation, Department of Education, and the Honolulu Police Department, as well as various other community groups, safety related companies, and schools. Mr. Werner's exemplary initiative and his experiences working with policy and community groups will be a great asset to the Council. Your Committee therefore recommends that Edward Werner be appointed and reappointed to the State Highway Safety Council based on his dedication and experience.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Inouye, Fevella).

SCRep. 4001 Transportation on Gov. Msg. No. 779

Recommending that the Senate advise and consent to the nomination of the following:

MEDICAL ADVISORY BOARD

G.M. No. 779 SUZIE NEMMERS, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Suzie Nemmers for service on the Medical Advisory Board.

Your Committee received testimony in support of the nomination for the appointment of Suzie Nemmers from the Department of Transportation.

Upon review of the testimony, your Committee finds that Dr. Nemmers' medical experience and knowledge qualify her for appointment to the Medical Advisory Board. Dr. Nemmers is a physician and surgeon licensed in three states and currently works in the Department of Ophthalmology at Tripler Army Medical Center. She has been practicing medicine out of post-graduate training since 2001. Dr. Nemmers' expertise in eye and vision care will be a great asset to the Medical Advisory Board, and thus your Committee recommends that Suzie Nemmers be appointed to the Medical Advisory Board based on her proven experience and knowledge.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4002 Energy, Economic Development, and Tourism on Gov. Msg. Nos. 824 and 825

Recommending that the Senate not advise and consent to the nominations of the following:

STADIUM AUTHORITY

G.M. No. 824 WILFRED OKABE, for a term to expire 06-30-2022; and

G.M. No. 825 WILFRED OKABE, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Wilfred Okabe for service on the Stadium Authority.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Wilfred Okabe from the Department of Business, Economic Development, and Tourism; Hawai'i Police Department; Hawaii County Office of Aging; and twenty-five individuals.

Your Committee finds that Mr. Okabe received his Bachelor of Science degree in Elementary and Secondary Education from Willamette University, and later received his Master of Education degree from Heritage College. He taught at Pahoehoe High and Intermediate School and Hilo High School before serving as the President of the Hawaii State Teachers Association from 2009 to 2015. Your Committee further finds that Mr. Okabe served as Managing Director for the County of Hawaii from 2016 to 2019, and was instrumental in keeping the people of the County of Hawaii informed and coordinated during the 2018 Lower Puna Eruption and lava flow. Your Committee notes that Mr. Okabe is active in the community and is a member of numerous commissions and associations, including serving on the State Aquatic and Wildlife Commission as a board member and the Hawaii County Fire Commission and Hawaii County Police Commissions as chairperson.

Your Committee finds that the Stadium Authority has, pursuant to section 109-1(a), Hawaii Revised Statutes, a responsibility to "maintain, operate, and manage the stadium development district." Section 109-2, Hawaii Revised Statutes, further lists the powers and duties of the Stadium Authority as follows:

- (1) To repair, maintain, and operate stadium facilities and the stadium development district, including:
 - (A) Repairs, maintenance, operations, and demolition of existing stadium facilities;
 - (B) Operations and maintenance of a new stadium; and
 - (C) Contractual payments to developers, contractors, or management contractors engaged by the stadium authority;
 - (2) To coordinate in planning, design, and construction activities, including on-site repairs, within the stadium development district;
- ***
- (4) To prescribe and collect rents, fees, and charges for the use or enjoyment of the stadium, facilities related to the stadium, and real property held by the stadium authority, including entering into leases, contracts, sponsorship and advertising agreements,

food and beverage agreements, concession agreements, parking agreements, or other development and use agreements that may apply; provided that leases shall not exceed a term of ninety-nine years; [and]

(8) To plan, promote, and market the stadium and related facilities

Your Committee further finds that, especially in light of ongoing construction and development projects relating to the stadium, fulfilling the responsibilities, powers, and duties of the Stadium Authority requires significant business, development and planning acumen, as well as specialized knowledge and experience in the fields of land management, finance, and construction.

Your Committee has reviewed the background information and testimony submitted and finds that Mr. Okabe is a skilled educator, administrator, and leader with a proven commitment to integrity and collaborative problem-solving. His diverse experience, perspective, and range of skills are valuable assets and he has used them to great effect in the diligent and passionate service of the community. However, your Committee does not believe that Mr. Okabe is qualified to fulfill the statutorily mandated responsibilities and duties of a member of the Stadium Authority. Specifically, your Committee does not find that Mr. Okabe currently possesses the specialized expertise in land management, finance, and construction to further the projects being currently undertaken by the Stadium Authority.

Therefore, your Committee cannot recommend with full confidence a nominee who does not immediately possess the specialized skills necessary to fulfill the duties of members of the Stadium Authority. Although Mr. Okabe could likely gain those skills while serving as a member, the accelerated timetable of the important projects currently being undertaken by the Stadium Authority requires a nominee who would be able to immediately perform the duties of the Authority with a high degree of understanding and competency.

As affirmed by the records of votes of the members of your Committee on Energy, Economic Development, and Tourism that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, recommends that the Senate not advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 4003 Health on Gov. Msg. Nos. 673, 674, 675, 676, and 682

Recommending that the Senate advise and consent to the nominations of the following:

LANGUAGE ACCESS ADVISORY COUNCIL

G.M. No. 673 BARBARA TOM, for a term to expire 06-30-2024;

G.M. No. 674 LYDIA PAVON, for a term to expire 06-30-2024;

G.M. No. 675 CHARLOTTE HUANG, for a term to expire 06-30-2022;

G.M. No. 676 CHARLOTTE HUANG, for a term to expire 06-30-2026; and

G.M. No. 682 RANDALL LANDRY II, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Barbara Tom, Lydia Pavon, Charlotte Huang, and Randall Landry II for service on the Language Access Advisory Council.

BARBARA TOM

Your Committee received testimony in support of the nomination for the appointment of Barbara Tom from the Office of Language Access, Hawai'i Coalition for Immigrant Rights, Pacific Gateway Center, and four individuals.

Upon review of the testimony, your Committee finds that Ms. Tom's experience working with limited English speakers, commitment to public service, and dedication to ensuring that limited English speakers have equal access to government services, qualify her for appointment to the Language Access Advisory Council. Ms. Tom is currently the Director of Waipahu Safe Haven, a project within the Waipahu Community Association. In this position, Ms. Tom is responsible for the operation of the Immigrant/Migrant Resource Center, an organization that addresses the social determinants of health, education, and welfare, by providing language access services to help clientele address all areas of need. Ms. Tom also has more than twenty years of experience working as a public health nurse at the Hawaii Department of Health. Your Committee further finds that Ms. Tom's service on the Language Access Advisory Council fulfills the requirement of section 321C-7, Hawaii Revised Statutes, that a member be a representative of a covered entity. Your Committee therefore recommends that Barbara Tom be appointed to the Language Access Advisory Council based on her experience working with limited English speakers and commitment to ensuring that limited English speakers have equal access to government services.

LYDIA PAVON

Your Committee received testimony in support of the nomination for the reappointment of Lydia Pavon from the Department of Health and Domestic Violence Action Center.

Upon review of the testimony, your Committee finds that Ms. Pavon's experience as an advocate for limited English proficient victims of domestic violence, commitment to public service, and dedication to ensuring that limited English speakers have equal access to government services, qualify her for reappointment to the Language Access Advisory Council. Ms. Pavon is currently the Housing Manager – Survivor Advocacy Services at the Domestic Violence Action Center, an advocacy organization that provides services to limited English proficient individuals. As an advocate for limited English proficient individuals, Ms. Pavon meets with individuals from different communities and cultures, which gives her firsthand knowledge about the challenges faced by the State's diverse limited English proficient individuals, especially in the area of language access. Your Committee further finds that Ms. Pavon's service on the

Language Access Advisory Council fulfills the requirement of section 321C-7, Hawaii Revised Statutes, that a member be a representative of an advocacy organization that provides services to limited English proficient persons. Your Committee notes that Ms. Pavon currently serves on the Language Access Advisory Council and therefore is already familiar with its work. Your Committee therefore recommends that Lydia Pavon be reappointed to the Language Access Advisory Council based on her experience as an advocate for limited English proficient victims of domestic violence and commitment to ensuring that limited English speakers have equal access to government services.

CHARLOTTE HUANG

Your Committee received testimony in support of the nominations for the appointment and reappointment of Charlotte Huang from the Office of Language Access and one individual.

Upon review of the testimony, your Committee finds that Ms. Huang's experience as a person with limited English proficiency navigating State resources, commitment to public service, and dedication to ensuring that limited English speakers have equal access to government services, qualify her for appointment and reappointment to the Language Access Advisory Council. Ms. Huang, an immigrant from China, is multi-lingual and fluent in Cantonese and Mandarin, with English as her next language. Ms. Huang formerly worked for more than sixteen years with Child and Family Service, a nonprofit organization dedicated to strengthening families and fostering the healthy development of children, where she provided services to limited and non-English speaking clients. Ms. Huang helped immigrant families and their children to assimilate into the community where they live, assisted them with immigration issues, placed them in employment with the right employers, and linked them to community resources so they could become self-sufficient. Your Committee further finds that Ms. Huang's service on the Language Access Advisory Council fulfills the requirement of section 321C-7, Hawaii Revised Statutes, that a member be a representative of the limited English proficient population who has an interest in the provision of oral language services. Your Committee notes that Ms. Huang currently serves on the Language Access Advisory Council and therefore is already familiar with its work. Your Committee therefore recommends that Charlotte Huang be appointed and reappointed to the Language Access Advisory Council based on her experience as a person with limited English proficiency navigating State resources and commitment to ensuring that limited English speakers have equal access to government services.

RANDALL LANDRY II

Your Committee received testimony in support of the nomination for the appointment of Randall Landry II from the Department of Transportation, Office of Language Access, and four individuals.

Upon review of the testimony, your Committee finds that Mr. Landry's experience as a government employee, commitment to public service, and dedication to ensuring that limited English speakers have equal access to government services, qualify him for appointment to the Language Access Advisory Council. Mr. Landry received his Juris Doctor from the University of Texas School of Law and is a member of the Hawaii State Bar Association. Mr. Landry currently resides in the City and County of Honolulu and is employed as a Title VI Program Specialist at the Department of Transportation. In this position, Mr. Landry is responsible for the coordination, planning, and development of statewide programs relating to meaningful access to the Department of Transportation's services and programs for limited English proficiency individuals. Mr. Landry is also a designated Language Access Coordinator for the Department of Transportation. Your Committee further finds that Mr. Landry's service on the Language Access Advisory Council fulfills the requirement of section 321C-7, Hawaii Revised Statutes, that a member be a representative residing in the City and County of Honolulu who has shown interest in language access. Your Committee therefore recommends that Randall Landry II be appointed to the Language Access Advisory Council based on his experience a government employee and commitment to ensuring that limited English speakers have equal access to government services.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4004 Health on Gov. Msg. Nos. 669, 670, 671, and 672

Recommending that the Senate advise and consent to the nominations of the following:

DISABILITY AND COMMUNICATION ACCESS BOARD

- G.M. No. 669 ANTHONY AKAMINE, for a term to expire 06-30-2026;
- G.M. No. 670 ROSANNA DANIEL-KANETAKE, for a term to expire 06-30-2026;
- G.M. No. 671 VIOLET HORVATH, for a term to expire 06-30-2026; and
- G.M. No. 672 RONALD AWA, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Anthony Akamine, Rosanna Daniel-Kanetake, Violet Horvath, and Ronald Awa for service on the Disability and Communication Access Board.

ANTHONY AKAMINE

Your Committee received testimony in support of the nomination for the reappointment of Anthony Akamine from the Disability and Communication Access Board and one individual.

Upon review of the testimony, your Committee finds that Mr. Akamine's experience as a person living with blindness, commitment to public service, and dedication to ensuring that persons with disabilities have meaningful access to state resources, qualify him for reappointment to the Disability and Communication Access Board. Mr. Akamine is currently employed as an Election Information

Specialist with the State Office of Elections. He is responsible for providing guidance and conducting public education and awareness efforts to ensure that the voting process is accessible to people with disabilities. Your Committee further finds that section 348F-2, Hawaii Revised Statutes, requires that the board include at least nine persons with various types of disabilities. Mr. Akamine's service on Disability and Communication Access Board fulfills this requirement. Your Committee notes that Mr. Akamine currently serves on the Disability and Communication Access Board and therefore is already familiar with its work. Your Committee therefore recommends that Anthony Akamine be reappointed to the Disability and Communication Access Board based on his experience as a person living with blindness and commitment to ensuring that persons with disabilities have meaningful access to state resources.

ROSANNA DANIEL-KANETAKE

Your Committee received testimony in support of the nomination for the reappointment of Rosanna Daniel-Kanetake from the Disability and Communication Access Board.

Upon review of the testimony, your Committee finds that Ms. Daniel-Kanetake's experience as a person with a mobility disability as a wheelchair user, commitment to public service, and dedication to ensuring that persons with disabilities have meaningful access to state resources, qualify her for reappointment to the Disability and Communication Access Board. Ms. Daniel-Kanetake currently works for Child and Family Services, a nonprofit organization dedicated to strengthening families and fostering the healthy development of children. She has several decades of experience working in various social services settings, both for people with disabilities, as well as social services for the general population. Ms. Daniel-Kanetake also served as the Chairperson of the Disability and Communication Access Board's Legislative Committee and as a member of the Executive Committee. Your Committee further finds that section 348F-2, Hawaii Revised Statutes, requires that the board include at least nine persons with various types of disabilities. Ms. Daniel-Kanetake's service on Disability and Communication Access Board fulfills this requirement. Your Committee notes that Ms. Daniel-Kanetake currently serves on the Disability and Communication Access Board and therefore is already familiar with its work. Your Committee therefore recommends that Rosanna Daniel-Kanetake be reappointed to the Disability and Communication Access Board based on her experience as a person with a mobility disability as a wheelchair user and commitment to ensuring that persons with disabilities have meaningful access to state resources.

VIOLET HORVATH

Your Committee received testimony in support of the nomination for the reappointment of Violet Horvath from the University of Hawai'i System, Disability and Communication Access Board, and two individuals.

Upon review of the testimony, your Committee finds that Dr. Horvath's experience in developing projects benefitting persons with disabilities, commitment to public service, and dedication to ensuring that persons with disabilities have meaningful access to State resources, qualify her for reappointment to the Disability and Communication Access Board. Since 2014, Dr. Horvath has been the Director of John A. Burns School of Medicine's Pacific Disabilities Center. The Pacific Disabilities Center is involved in projects on a wide variety of topics, including rehabilitation capacity-building, self-employment outcomes, farm workers with disabilities, rehabilitation technology, transitioning for youth with disabilities, emergency preparedness for persons with disabilities and special health needs, traumatic brain injury implementation projects with industry, and many more. The Pacific Disabilities Center leads projects that improve the lives of persons with disabilities by integrating culturally-based, community-engaged, and technologically innovative solutions throughout the Pacific. Under Dr. Horvath's leadership, the Pacific Disabilities Center has been transformed into an entity that makes a difference in the lives of people with disabilities. Your Committee further finds that Dr. Horvath's service on the Disability and Communication Access Board fulfills the requirement of section 348F-2, Hawaii Revised Statutes, that members include individuals knowledgeable in areas for which the Disability and Communication Access Board has rulemaking authority. Your Committee notes that Dr. Horvath currently serves on the Disability and Communication Access Board and therefore is already familiar with its work. Your Committee therefore recommends that Violet Horvath be reappointed to the Disability and Communication Access Board based on her experience in developing projects benefitting persons with disabilities and commitment to ensuring that persons with disabilities have meaningful access to state resources.

RONALD AWA

Your Committee received testimony in support of the nomination for the reappointment of Ronald Awa from the Disability and Communication Access Board.

Upon review of the testimony, your Committee finds that Mr. Awa's experience as a licensed architect, commitment to public service, and dedication to ensuring that persons with disabilities have meaningful access to state resources, qualify him for reappointment to the Disability and Communication Access Board. Mr. Awa is a licensed architect who is an expert in accessible design for persons with disabilities, specifically with the requirements of the Americans with Disabilities Act Accessibility Guidelines. Mr. Awa also serves as the chairperson for several design review committees that examine proposed plans for compliance with the association's guidelines, including Na Pali Haweo Development, 1350 Ala Moana, and The Imperial Plaza. Your Committee further finds that Mr. Awa's service on the Disability and Communication Access Board fulfills the requirement of section 348F-2, Hawaii Revised Statutes, that members include individuals knowledgeable in areas for which the Disability and Communication Access Board has rulemaking authority. Your Committee notes that Mr. Awa currently serves on the Disability and Communication Access Board and therefore is already familiar with its work. Your Committee therefore recommends that Ronald Awa be reappointed to the Disability and Communication Access Board based on his experience as a licensed architect and commitment to ensuring that persons with disabilities have meaningful access to State resources.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4005 Health on Gov. Msg. Nos. 731, 732, 733, and 761

Recommending that the Senate advise and consent to the nominations of the following:

RADIOLOGIC TECHNOLOGY BOARD

G.M. No. 731 KRISTEN POLENZ, for a term to expire 06-30-2025;

G.M. No. 732 LAURI REDUS, for a term to expire 06-30-2022;

G.M. No. 733 LAURI REDUS, for a term to expire 06-30-2026; and

G.M. No. 761 JARIS KUNIYUKI, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Kristen Polenz, Lauri Redus, and Jaris Kuniyuki for service on the Radiologic Technology Board.

KRISTEN POLENZ

Your Committee received testimony in support of the nomination for the reappointment of Kristen Polenz from the Department of Health and one individual.

Upon review of the testimony, your Committee finds that Ms. Polenz's experience as a radiographer, commitment to public service, and dedication to ensuring the highest standards of practice in the field of radiology, qualify her for reappointment to the Radiologic Technology Board. Ms. Polenz has been the Director of Radiology at Adventist Health Castle in Kailua and Adventist Health Castle in Kaneohe Clinic since March 2017. Ms. Polenz has been registered with the American Registry of Radiologic Technologists since 2004 and has many years of experience as a radiographer. She obtained her radiographer license from the Department of Health in 2016. Your Committee further finds that Ms. Polenz's service on the Radiologic Technology Board fulfills the requirement of section 466J-2, Hawaii Revised Statutes, that four members have "at least five years' experience and [are] certified in the practice of radiography". Your Committee notes that Ms. Polenz currently serves on the Radiologic Technology Board and therefore is already familiar with its work. Your Committee therefore recommends that Kristen Polenz be reappointed to the Radiologic Technology Board based on her experience as a radiographer and commitment to ensuring the highest standards of practice in the field of radiology.

LAURI REDUS

Your Committee received testimony in support of the nominations for the appointment and reappointment of Lauri Redus from the Department of Health and six individuals.

Upon review of the testimony, your Committee finds that Ms. Redus' experience as a radiographer, commitment to public service, and dedication to ensuring the highest standards of practice in the field of radiology, qualify her for appointment and reappointment to the Radiologic Technology Board. Ms. Redus received her Bachelor's degree in Radiologic Technology from Belmont University in 2006 and a Master's degree in Health Care Leadership from Western Governor's University in 2020. Ms. Redus is registered with the American Registry of Radiologic Technologists and has many years of experience as a radiographer. She obtained her radiographer license from the Department of Health in 2016. Ms. Redus has worked for Straub Medical Center for many years where she has served in various roles, including Radiation Safety Officer and Radiologic Technology Program Didactic Instructor. Your Committee further finds that Ms. Redus' service on the Radiologic Technology Board fulfills the requirement of section 466J-2, Hawaii Revised Statutes, that four members have "at least five years' experience and [are] certified in the practice of radiography, two of whom shall be persons engaged in the hospital practice of radiography". Your Committee therefore recommends that Lauri Redus be appointed and reappointed to the Radiologic Technology Board based on her experience as a radiographer and commitment to ensuring the highest standards of practice in the field of radiology.

JARIS KUNIYUKI

Your Committee received testimony in support of the nomination for the appointment of Jaris Kuniyuki from the Department of Health and eight individuals.

Upon review of the testimony, your Committee finds that Mr. Kuniyuki's experience as a radiographer, commitment to public service, and dedication to ensuring the highest standards of practice in the field of radiology, qualify him for appointment to the Radiologic Technology Board. Mr. Kuniyuki received his Associate's degree in Radiologic Technology from Kapiolani Community College in 2010 and a Bachelor's degree in Health Care Administration with Specialization in Leadership from Capella University in 2020. Mr. Kuniyuki is registered with the American Registry of Radiologic Technologists and has over ten years of experience as a radiologic technologist at Straub Medical Center. He obtained his radiographer license from the Department of Health in 2010 and served as a National Football League radiologic technologist from 2011 to 2016. Your Committee further finds that Mr. Kuniyuki's service on the Radiologic Technology Board fulfills the requirement of section 466J-2, Hawaii Revised Statutes, that four members have "at least five years' experience and [are] certified in the practice of radiography". Your Committee therefore recommends that Jaris Kuniyuki be appointed to the Radiologic Technology Board based on his experience as a radiographer and commitment to ensuring the highest standards of practice in the field of radiology.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4006 Health on Gov. Msg. Nos. 709 and 710

Recommending that the Senate advise and consent to the nominations of the following:

MENTAL HEALTH AND SUBSTANCE ABUSE, HAWAI'I SERVICE AREA BOARD

G.M. No. 709 SARAH BLECHMAN, for a term to expire 06-30-2022; and

G.M. No. 710 SARAH BLECHMAN, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Sarah Blechman for service on the Mental Health and Substance Abuse, Hawai'i Service Area Board.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Sarah Blechman from the Department of Health and three individuals.

Upon review of the testimony, your Committee finds that Ms. Blechman's experience in the field of behavioral health, commitment to public service, and dedication to improving the mental health of all Hawaii residents, qualify her for appointment and reappointment to the Mental Health and Substance Abuse, Hawai'i Service Area Board. Ms. Blechman is currently a therapist with Pacific Quest, an organization dedicated to providing life-changing experiences for teens and young adults. Her career as a therapist, social worker, and clinical behavioral health specialist provides opportunities to engage with members of her community, listen and educate about various behavioral and medical health issues, and provide support and intervention in times of crisis and recovery. Ms. Blechman recognizes that the coronavirus disease 2019 pandemic has created serious mental health concerns, especially for adolescents and other young people, and immediate access to crisis support services may be of particular benefit. Your Committee further finds that Ms. Blechman's service on the Mental Health and Substance Abuse, Hawai'i Service Area Board fulfills the requirement of section 334-11, Hawaii Revised Statutes, that members of the board include service area residents, who are service area providers. Your Committee therefore recommends that Sarah Blechman be appointed and reappointed to the Mental Health and Substance Abuse, Hawai'i Service Area Board based on her experience in the field of behavioral health and commitment to improving the mental health of all Hawaii residents.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4007 Health on Gov. Msg. Nos. 642 and 643

Recommending that the Senate advise and consent to the nominations of the following:

MENTAL HEALTH AND SUBSTANCE ABUSE, OAHU SERVICE AREA BOARD

G.M. No. 642 MARGARET JACKSON, for a term to expire 06-30-2026; and

G.M. No. 643 RANDOLPH HACK, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Margaret Jackson and Randolph Hack for service on the Mental Health and Substance Abuse, Oahu Service Area Board.

MARGARET JACKSON

Your Committee received testimony in support of the nomination for the reappointment of Margaret Jackson from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Jackson's experience as a parent of a child with special needs, commitment to public service, and dedication to improving the lives of those living with mental health and substance abuse disorders, qualify her for reappointment to the Mental Health and Substance Abuse, Oahu Service Area Board. Ms. Jackson is employed as a parent partner for Hawaii Families as Allies, an organization primarily staffed by parents, grandparents, foster parents, or hanai parents of children with emotional, behavioral health challenges, or both. In her role, she encourages families she works with to be vocal advocates and to make their voices heard. Ms. Jackson has a deep compassion for family members who struggle with both mental health and substance abuse issues, and her passion for the welfare of Hawaii youth is fueled by her personal experience with family members who struggle with mental health and substance abuse. Your Committee further finds that section 334-11, Hawaii Revised Statutes, requires members "be service area residents, who are consumers or nonproviders of mental health services and service area providers with a majority being non-state employees and nonproviders of mental health or other health services." Ms. Jackson's service on the Mental Health and Substance Abuse, Oahu Service Area Board, fulfills this requirement. Your Committee notes that Ms. Jackson currently serves on the Mental Health and Substance Abuse, Oahu Service Area Board, and therefore is already familiar with its work. Your Committee therefore recommends that Margaret Jackson be reappointed to the Mental Health and Substance Abuse, Oahu Service Area Board, based on her being a parent of a child with special needs and commitment to improving the lives of those living with mental health and substance abuse disorders.

RANDOLPH HACK

Your Committee received testimony in support of the nomination for the reappointment of Randolph Hack from the Department of Health, National Alliance on Mental Illness Hawaii, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Hack's experience working in the field of mental health, commitment to public service, and dedication to improving the lives of those living with mental health and substance abuse disorders, qualify him for reappointment to the Mental Health and Substance Abuse, Oahu Service Area Board. Prior to his retirement from the Department of Health in 2017, Mr. Hack was the Consumer Advisor in the Adult Mental Health Division for eighteen years. Mr. Hack has been a strong advocate for persons with mental illness for over thirty-five years, and he has received numerous recognitions and awards for his outstanding community service and passion for helping adults living with mental illness to achieve respect and dignity, and to

develop their full potential. His service includes serving on the Board of Directors for the National Alliance on Mental Illness Hawaii, volunteering at The Queen's Medical Center Patient Relations Department, and serving on the State Council on Mental Health. Your Committee further finds that section 334-11, Hawaii Revised Statutes, requires members "be service area residents, who are consumers or nonproviders of mental health services and service area providers with a majority being non-state employees and nonproviders of mental health or other health services." Mr. Hack's service on Mental Health and Substance Abuse, Oahu Service Area Board, fulfills this requirement. Your Committee notes that Mr. Hack currently serves on the Mental Health and Substance Abuse, Oahu Service Area Board, and therefore is already familiar with its work. Your Committee therefore recommends that Randolph Hack be reappointed to the Mental Health and Substance Abuse, Oahu Service Area Board, based on his experience working in the field of mental health and commitment to improving the lives of those living with mental health and substance abuse disorders.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4008 Health on Gov. Msg. No. 640

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES

G.M. No. 640 LILINOE KAUAHIKAUA, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Lilinoe Kauahikaua for service on the Hawaii Advisory Commission on Drug Abuse and Controlled Substances.

Your Committee received testimony in support of the nomination for the appointment of Lilinoe Kauahikaua from the Department of Health, 'Ekolu Mea Nui, and ten individuals.

Upon review of the testimony, your Committee finds that Ms. Kauahikaua's experience in substance abuse research, commitment to public service, and dedication to improving the lives of persons with substance abuse issues, qualify her for appointment to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances. Ms. Kauahikaua is a Community/Populations Health Specialist, focusing on addictions, with Papa Ola Lōkahi under Hale Ho'ona'auao: The Learning Institute. Ms. Kauahikaua has a Master's degree in Social Work from the University of Hawaii at Manoa, a Hawaii Lifestyles Certificate-Hawaiian Studies from the Hawaii Community College, and a Bachelor's degree in Administration of Justice with a minor in Hawaiian Studies from the University of Hawaii at Hilo. At the University of Hawaii, Ms. Kauahikaua's research focused on indigenous approaches to behavioral and mental health, reentry services, incarceration, and substance misuse. Ms. Kauahikaua helped to develop the Mālama Project, a culturally-grounded collegiate recovery program at the University of Hawaii for students impacted by substance misuse. Your Committee further finds that Ms. Kauahikaua's service on the Hawaii Advisory Commission on Drug Abuse and Controlled Substances fulfills the requirement of section 329-2, Hawaii Revised Statutes, that a member have the ability to contribute to the solution of problems arising from the abuse of controlled substances, and represent the educational segment of the community. Your Committee therefore recommends that Lilinoe Kauahikaua be appointed to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances based on her experience substance abuse research and commitment to improving the lives of those with substance abuse issues.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4009 Health on Gov. Msg. No. 641

Recommending that the Senate advise and consent to the nomination of the following:

MENTAL HEALTH AND SUBSTANCE ABUSE, MAUI SERVICE AREA BOARD

G.M. No. 641 MEGAN KOSAKA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Megan Kosaka for service on the Mental Health and Substance Abuse, Maui Service Area Board.

Your Committee received testimony in support of the nomination for the reappointment of Megan Kosaka from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Kosaka's experience as a behavioral health specialist, commitment to public service, and dedication to helping others improve their mental health, qualify her for reappointment to the Mental Health and Substance Abuse, Maui Service Area Board. Ms. Kosaka is a licensed marriage and family therapist currently working as a District Educational Specialist with the Department of Education. She was previously a Behavioral Health Specialist Supervisor with the Hawaii Department of Education. Ms. Kosaka earned her Master's Degree in Marriage and Family Therapy from Argosy University. Ms. Kosaka notes in her personal statement that her goal for serving on the Mental Health and Substance Abuse, Maui Service Area Board is to better serve keiki and Ohana in the State through multi-faceted healthy, professional, and compassionate therapeutic support. Your Committee further finds that Ms. Kosaka's service on the Mental Health and Substance Abuse, Maui Service Area Board fulfills the requirement of section 334-11, Hawaii Revised Statutes, that a member be a mental health stakeholder and community member. Your Committee therefore recommends that Megan Kosaka be reappointed to the Mental Health and Substance Abuse, Maui

Service Area Board, based on her experience as a behavioral health specialist and commitment to helping others improve their mental health.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4010 Health on Gov. Msg. No. 644

Recommending that the Senate advise and consent to the nomination of the following:

STATE COUNCIL ON MENTAL HEALTH

G.M. No. 644 MARGARET JACKSON, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Margaret Jackson for service on the State Council on Mental Health.

Your Committee received testimony in support of the nomination for the appointment of Margaret Jackson from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Jackson's experience working with families of children and youth with emotional, behavioral, or mental health challenges; commitment to public service, and dedication to improving the lives of Hawaii's children, qualify her for appointment to the State Council on Mental Health. Ms. Jackson is employed as a parent partner for Hawaii Families as Allies, an organization primarily staffed by parents, grandparents, foster parents, or hanai parents of children with emotional or behavioral health challenges. In her role, Ms. Jackson encourages families to be vocal advocates and to make their voices heard. Ms. Jackson also currently serves on the Mental Health and Substance Abuse, Oahu Service Area Board. Your Committee finds that Ms. Jackson's service on the State Council on Mental Health fulfills the requirement of section 334-11, Hawaii Revised Statutes, that a member be a representative of the Mental Health and Substance Abuse, Oahu Service Area Board. Your Committee therefore recommends that Margaret Jackson be appointed to the State Council on Mental Health based on her experience assisting families of children with emotional, behavioral, or mental health challenges, and commitment to improving the lives of Hawaii's children and families.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4011 Health on Gov. Msg. No. 713

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII ADVISORY COMMISSION ON DRUG ABUSE AND CONTROLLED SUBSTANCES

G.M. No. 713 KUULEIALOHAONALANI SALZER-VITALE, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Kuuleialohaonalani Salzer-Vitale for service on the Hawaii Advisory Commission on Drug Abuse and Controlled Substances.

Your Committee received testimony in support of the nomination for the reappointment of Kuuleialohaonalani Salzer-Vitale from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Salzer-Vitale's experience in the field of substance abuse prevention, commitment to public service, and dedication to preventing students from misusing drugs and alcohol, qualify her for reappointment to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances as a member representing youth action. Ms. Salzer-Vitale is the Alcohol and Other Drug Education Program Coordinator for the Office of Student Affairs at the University of Hawaii at Manoa. The program's goals are to reduce the incidence and consequences of alcohol and other drug misuse and abuse among students by helping to prevent illegal or harmful use, conducting social marketing campaigns, and providing intervention for those who are at high risk. Her expertise is concentrated in the assistance of young adults from diverse backgrounds, including Native Hawaiians and service members with dependency issues. Ms. Salzer-Vitale has both a Master's degree in Public Administration and in Social Work from the University of Hawaii at Manoa. Your Committee further finds that Ms. Salzer-Vitale's service on the Hawaii Advisory Commission on Drug Abuse and Controlled Substances fulfills the requirement of section 329-2, Hawaii Revised Statutes, that members be selected on the basis of their ability to contribute to the solution of problems arising from the abuse of controlled substances, and to the extent possible, shall represent the youth action segments of the community. Your Committee notes that Ms. Salzer-Vitale currently serves on the Hawaii Advisory Commission on Drug Abuse and Controlled Substances and therefore is already familiar with its work. Your Committee therefore recommends that Kuuleialohaonalani Salzer-Vitale be reappointed to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances based on her experience in the field of substance abuse prevention and commitment to preventing young people from misusing drugs and alcohol.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4012 Health on Gov. Msg. No. 785

Recommending that the Senate advise and consent to the nomination of the following:

STATEWIDE HEALTH COORDINATING COUNCIL

G.M. No. 785 HILARY OKUMURA, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Hilary Okumura for service on the Statewide Health Coordinating Council.

Your Committee received testimony in support of the nomination for the reappointment of Hilary Okumura from the State Health Planning and Development Agency and one individual.

Upon review of the testimony, your Committee finds that Ms. Okumura's experience in the health care industry, commitment to public service, and dedication to ensuring that all people have access to quality health care at reasonable cost, qualify her for reappointment to the Statewide Health Coordinating Council as a public member.

Ms. Okumura has served in the long-term care industry for the past eight years. She is currently the Administrator for Nuuanu Hale. Previously, she was the Administrator for Arcadia Home Health and the Administrator in training at Craigsides Retirement Residence. Ms. Okumura is an active community member. She is President and Coach for Leahi Soccer Club and volunteers with the Hawaii State Office of Health Care Assurance, Kidney Health and Diabetes Management Program, and Kapiolani Medical Center for Women and Children. Ms. Okumura has a Bachelor's degree in Chemistry from Creighton University and a Master's degree in Chemistry from the University of Hawaii at Manoa. Your Committee notes that Ms. Okumura currently serves on the Statewide Health Coordinating Council and therefore is already familiar with its work. Your Committee therefore recommends that Hilary Okumura be reappointed to the Statewide Health Coordinating Council based on her experience in the health care industry and commitment to ensuring that all people have access to quality health care at reasonable cost.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4013 Health on Gov. Msg. Nos. 700 and 821

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

G.M. No. 700 ALANA SOUZA, for a term to expire 06-30-2023; and

G.M. No. 821 MARK VIERRA, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Alana Souza and Mark Vierra for service on the State Council on Developmental Disabilities.

ALANA SOUZA

Your Committee received testimony in support of the nomination for the appointment of Alana Souza from the Department of Human Services, State Council on Developmental Disabilities, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Souza's experience in working with the Department of Human Services Med-QUEST Division, commitment to public service, and dedication to improving the health and well-being of individuals with developmental disabilities, qualify her for appointment to the State Council on Developmental Disabilities. Ms. Souza is currently employed at the Department of Human Services in the Med-QUEST Division. Ms. Souza's past positions in the Department of Health, Developmental Disabilities Division, and her current position with the Med-QUEST Division provide her with a unique ability and valuable insight to listen and understand the issues and concerns people with developmental disabilities may have when receiving health care services through the QUEST Integration program. Furthermore, Ms. Souza's appointment will help ensure the continuation of the strong relationship of the State Council on Developmental Disabilities with the Department of Human Services. Your Committee further finds that Ms. Souza's service on the State Council on Developmental Disabilities fulfills the requirement of section 333E-4, Hawaii Revised Statutes, that a member be a representative of state entities that administer funds provided under federal law relating to individuals with disabilities, including Title XIX of the Social Security Act, relating to Medicaid. Your Committee therefore recommends that Alana Souza be appointed to the State Council on Developmental Disabilities based on her experience working in the Department of Human Services Med-QUEST Division and commitment to improving the health and well-being of individuals with developmental disabilities.

MARK VIERRA

Your Committee received testimony in support of the nomination for the appointment of Mark Vierra from the State Council on Developmental Disabilities and two individuals.

Upon review of the testimony, your Committee finds that Mr. Vierra's experience as a parent of a child with a developmental disability, commitment to public service, and dedication to improving the health and well-being of individuals with developmental disabilities, qualify him for appointment to the State Council on Developmental Disabilities. Mr. Vierra has extensive experience in

helping his daughter, who has a developmental disability, receive the best care available. His daughter's experience receiving services from the Developmental Disabilities Division gives him a valuable perspective that will be an asset to the Council. He is well-suited to represent the perspective of a parent and neighbor island resident which will add to pertinent discussions surround developmental disabilities. Your Committee further finds that section 333E-4, Hawaii Revised Statutes, requires that not less than sixty percent of the membership of the council shall consist of individuals who are individuals with developmental disabilities or their parents. Mr. Vierra's service on State Council on Developmental Disabilities is consistent with this requirement. Your Committee therefore recommends that Mark Vierra be appointed to the State Council on Developmental Disabilities based on his experience as a parent of a child with a developmental disability and commitment to improving the health and well-being of individuals with developmental disabilities.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4014 Health on Gov. Msg. Nos. 748 and 749

Recommending that the Senate advise and consent to the nominations of the following:

HEALTH PLANNING COUNCIL, HAWAII COUNTY SUBAREA

G.M. No. 748 STACY HAUMEA, for a term to expire 06-30-2022; and

G.M. No. 749 STACY HAUMEA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Stacy Haumea for service on the Health Planning Council, Hawaii County Subarea.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Stacy Haumea from the State Health Planning and Development Agency, Island of Hawaii YMCA, and nine individuals.

Upon review of the testimony, your Committee finds that Dr. Haumea's experience as a health care professional, commitment to public service, and dedication to the health and well-being of Hawaii County's residents, qualify her for appointment and reappointment to the Health Planning Council, Hawaii County Subarea. Dr. Haumea is currently the Health Enhancement Director, Clinical Provider, Registered Dietician Nutritionist, Certified Diabetes Care, and Education Specialist at Hui Malama Ola Na O'iwi, Hawaii Island. She is a Registered Dietitian and Certified Diabetes Educator and has a variety of experiences, including Researcher and Diabetes Research Educator for the Research Cooperation of Hawaii; Grant Reviewer for the Academy of Nutrition and Dietetics in Chicago, Illinois; and Mid-level Nutritionist at Bay Clinic, Inc., serving Hilo, Keauu, Pahoa, and Kau. Dr. Haumea is the current Board President of the YMCA Hawaii Island and an active member of several organizations, including the Hawaii Academy of Nutrition and Dietetics, Na Kalai Wa'a, Big Island Nutrition Council, and Na Wahine Hui 'O Kamehameha. Dr. Haumea earned a Doctor of Behavior Health and Bachelor of Science in Nutrition from Arizona State University, and a Master of Public Health in Nutrition from the University of Hawaii at Manoa. Your Committee further finds that Dr. Haumea's service on the Health Planning Council, Hawaii County Subarea, fulfills the requirement of section 323D-23, Hawaii Revised Statutes, which requires that nominations for appointment be solicited from health-related and other interested organizations, and agencies, including health planning councils, providers of health care within the appropriate subarea, and other interested persons. Your Committee therefore recommends that Stacy Haumea be appointed and reappointed to the Health Planning Council, Hawaii County Subarea, based on her experience as a health care professional and commitment to the health and well-being of Hawaii County's residents.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4015 Health on Gov. Msg. Nos. 681 and 708

Recommending that the Senate advise and consent to the nominations of the following:

HEALTH PLANNING COUNCIL, KAUAI SUBAREA

G.M. No. 681 JENNIE CHAHANOVICH, for a term to expire 06-30-2024; and

G.M. No. 708 NICHOLAS PANANGANAN, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Jennie Chahanovich and Nicholas Pananganan for service on the Health Planning Council, Kauai Subarea.

JENNIE CHAHANOVICH

Your Committee received testimony in support of the nomination for the reappointment of Jennie Chahanovich from the State Health Planning and Development Agency, Hawai'i Pacific Health, Hawai'i Health Systems Corporation Kaua'i Region, and Healthcare Association of Hawaii.

Upon review of the testimony, your Committee finds that Ms. Chahanovich's experience as a health care administrator, commitment to public service, and dedication to the health and well-being of Kauai's residents, qualify her for reappointment to the Health Planning Council, Kauai Subarea. Ms. Chahanovich is an accomplished health care executive with a strong record of success in hospital

administration. She is currently President and Chief Executive Officer of Wilcox Memorial Hospital, Hawaii Pacific Health, and Chief Executive Officer of Kauai Medical Clinic. Prior to her current position, she was Chief Executive Officer of Pali Momi Medical Center, Hawaii Pacific Health; Director of Respiratory Care and Rehabilitation Services at Kapiolani Medical Center for Women & Children; and Director of Paradise Valley Hospital of Triad Hospitals, Inc. in Dallas, Texas. Ms. Chahanovich holds a Master's degree in International Marketing and a Bachelor's degree in Allied Health Sciences/Health Care Administration. Moreover, she has certifications and licensures in executive management and long-term care administration and is a fellow of the American Association in Respiratory Care and the American College of Health Care Executives. As a board member of the Kauai Chamber of Commerce and the Fire Commission for Kauai County and as a past chair of the American Health Association, Hospice Hawaii, and other organizations. Ms. Chahanovich is well acquainted with the role and responsibilities of board members.

Your Committee further finds that Ms. Chahanovich's service on the Health Planning Council, Kauai Subarea, fulfills the requirement of section 323D-23, Hawaii Revised Statutes, which requires that "[n]ominations for appointment . . . be solicited from health-related and other interested organizations, and agencies, including health planning councils, providers of health care within the appropriate subarea, and other interested persons." Your Committee notes that Ms. Chahanovich currently serves on the Health Planning Council, Kauai Subarea, and therefore is already familiar with its work. Your Committee therefore recommends that Jennie Chahanovich be reappointed to the Health Planning Council, Kauai Subarea, based on her extensive experience as a health care administrator and commitment to the health and well-being of Kauai's residents.

NICHOLAS PANANGANAN

Your Committee received testimony in support of the nomination for the appointment of Nicholas Pananganan from the State Health Planning and Development Agency; Hawaii Fire Fighters Association, Local 1463, IAFF, AFL-CIO; and one individual.

Upon review of the testimony, your Committee finds that Mr. Pananganan's experience as an emergency responder, commitment to public service, and dedication to the health and well-being of Kauai's residents, qualify him for appointment to the Health Planning Council, Kauai Subarea. Mr. Pananganan has served the Kauai Fire Department since 2005 and has been the National Registry of Emergency Technicians Instructor since 2013. He serves as the Kauai Fire Department Emergency Medical Service Program Director and holds various certifications as a hazardous materials technician, National Registry EMT, and CPR/Basic Life Support instructor from the American Heart Association. Mr. Pananganan serves his community as the anti-bullying jiu-jitsu instructor, self-defense instructor, termite basketball coach, AYSO soccer coach, KIF wrestling and bowling coach, Waimea High School Health Academy guest instructor/speaker. Your Committee further finds that Mr. Pananganan's service on the Health Planning Council, Kauai Subarea, fulfills the requirement of section 323D-23, Hawaii Revised Statutes, which requires that "[n]ominations for appointment . . . be solicited from health-related and other interested organizations, and agencies, including health planning councils, providers of health care within the appropriate subarea, and other interested persons." Your Committee therefore recommends that Nicholas Pananganan be appointed to the Health Planning Council, Kauai Subarea, based on his experience as an emergency responder and commitment to the health and well-being of Kauai's residents.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4016 Health on Gov. Msg. Nos. 677, 678, 711, and 712

Recommending that the Senate advise and consent to the nominations of the following:

POLICY ADVISORY BOARD FOR ELDER AFFAIRS

- G.M. No. 677 SUZANNE SCHULBERG, for a term to expire 06-30-2024;
- G.M. No. 678 SHELLY OGATA, for a term to expire 06-30-2026;
- G.M. No. 711 WILLIAM KINAKA, for a term to expire 06-30-2026; and
- G.M. No. 712 LISA SPENCER, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Suzanne Schulberg, Shelly Ogata, William Kinaka, and Lisa Spencer for service on the Policy Advisory Board for Elder Affairs.

SUZANNE SCHULBERG

Your Committee received testimony in support of the nomination for the reappointment of Suzanne Schulberg from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, Healthcare Association of Hawai'i, and five individuals.

Upon review of the testimony, your Committee finds that Ms. Schulberg's experience working in the field of geriatrics, commitment to public service, and dedication to ensuring the health and well-being of Hawaii's kupuna, qualify her for reappointment to the Policy Advisory Board for Elder Affairs. Ms. Schulberg is currently the President and Chief Operating Officer at Arcadia, a company that manages retirement residences, and provides adult day care and home care services. Ms. Schulberg holds a graduate certificate in Gerontology from the University of Hawaii, a Master's degree in Business Administration from Hawaii Pacific University, and a Bachelor's degree in History from Santa Clara University. In 2020, she was selected to the Omidyar Fellows Program, which provided her the opportunity to learn about issues facing the State and what was being done or should be done to address those issues. Ms. Schulberg currently serves on the O'ahu Workforce Development Board and the Hawaii Pacific Gerontological Society. Your Committee further finds that section 349-4, Hawaii Revised Statutes, requires that members be selected "on the basis of their interests and knowledge in and their ability to make contributions to the solution of problems relating to aging". Ms. Schulberg's service on Policy Advisory Board for Elder Affairs fulfills this requirement. Your Committee notes that Ms. Schulberg currently serves on the

Policy Advisory Board for Elder Affairs and therefore is already familiar with its work. Your Committee therefore recommends that Suzanne Schulberg be reappointed to the Policy Advisory Board for Elder Affairs based on her experience working in the field of geriatrics and commitment to ensuring the health and well-being of Hawaii's kupuna.

SHELLY OGATA

Your Committee received testimony in support of the nomination for the reappointment of Shelly Ogata from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, County of Hawai'i Office of Aging, and six individuals.

Upon review of the testimony, your Committee finds that Ms. Ogata's experience working in the County of Hawai'i Office of Aging, commitment to public service, and dedication to ensuring the health and well-being of Hawaii's kupuna, qualify her for reappointment to the Policy Advisory Board for Elder Affairs. Ms. Ogata was a Planner in the Hawai'i County Office of Aging for five years in which she developed and coordinated services for older adults and assisted in establishing program policies and recommendations that met the needs of Hawaii's older adults. She was also appointed to the State Council on Mental Health for two four-year terms. Your Committee further finds that section 349-4, Hawaii Revised Statutes, requires that members be selected "on the basis of their interests and knowledge in and their ability to make contributions to the solution of problems relating to aging". Ms. Ogata's service on Policy Advisory Board for Elder Affairs fulfills this requirement. Your Committee notes that Ms. Ogata currently serves on the Policy Advisory Board for Elder Affairs and therefore is already familiar with its work. Your Committee therefore recommends that Shelly Ogata be reappointed to the Policy Advisory Board for Elder Affairs based on her experience the County of Hawai'i Office of Aging and commitment to ensuring the health and well-being of Hawaii's kupuna.

WILLIAM KINAKA

Your Committee received testimony in support of the nomination for the reappointment of William Kinaka from the Executive Office on Aging and Policy Advisory Board for Elder Affairs.

Upon review of the testimony, your Committee finds that Mr. Kinaka's experience in law and legal issues relevant to the elderly, commitment to public service, and dedication to ensuring the health and well-being of Hawaii's kupuna, qualify him for reappointment to the Policy Advisory Board for Elder Affairs. Mr. Kinaka is a retired attorney who has extensive experience as a legislative assistant, grand jury counsel, court arbitrator, and maintained his own private law practice on Maui. He has served on the Board of Directors for the Maui Adult Day Care Centers, including as its President. Mr. Kinaka has also served as legal counsel for Hale Mahaolu Senior Housing and is currently on its Board of Directors. Your Committee further finds that section 349-4, Hawaii Revised Statutes, requires that members be selected "on the basis of their interests and knowledge in and their ability to make contributions to the solution of problems relating to aging". Mr. Kinaka's service on Policy Advisory Board for Elder Affairs fulfills this requirement. Your Committee notes that Mr. Kinaka currently serves on the Policy Advisory Board for Elder Affairs and therefore is already familiar with its work. Your Committee therefore recommends that William Kinaka be reappointed to the Policy Advisory Board for Elder Affairs based on his experience in law and legal issues relevant to the elderly and commitment to ensuring the health and well-being of Hawaii's kupuna.

LISA SPENCER

Your Committee received testimony in support of the nomination for the appointment of Lisa Spencer from the Executive Office on Aging, Policy Advisory Board for Elder Affairs, and three individuals.

Upon review of the testimony, your Committee finds that Dr. Spencer's experience in the field of health care, commitment to public service, and dedication to ensuring the health and well-being of Hawaii's kupuna, qualify her for appointment to the Policy Advisory Board for Elder Affairs. Dr. Spencer is currently a faculty member with the University of Hawaii West Oahu where she teaches classes on long-term care and health administration. Prior to becoming a professor, Dr. Spencer spent thirty years working in health care and was involved in program development and operations of long-term care and acute care services for the Ito HealthCare group, which provided services in adult nursing facilities, adult day care, and home care. Dr. Spencer has a Doctorate in Health Administration from the University of Phoenix, and earned a Master's degree in Public Health and a Bachelor's degree in Sociology from the University of Hawaii. Your Committee further finds that section 349-4, Hawaii Revised Statutes, requires that members be selected "on the basis of their interests and knowledge in and their ability to make contributions to the solution of problems relating to aging". Dr. Spencer's service on Policy Advisory Board for Elder Affairs fulfills this requirement. Your Committee therefore recommends that Lisa Spencer be appointed to the Policy Advisory Board for Elder Affairs based on her experience in the field of health care and commitment to ensuring the health and well-being of Hawaii's kupuna.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4017 Health on Gov. Msg. Nos. 667 and 668

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF CERTIFICATION OF OPERATING PERSONNEL IN WASTEWATER TREATMENT PLANTS

G.M. No. 667 EMILY DONG, for a term to expire 06-30-2026; and

G.M. No. 668 MARIA YAMASHITA, for a term to expire 06-30-2023

Your Committee reviewed the personal histories, resumes, and statements submitted by Emily Dong and Maria Yamashita for service on the Board of Certification of Operating Personnel in Wastewater Treatment Plants.

EMILY DONG

Your Committee received testimony in support of the nomination for the reappointment of Emily Dong from the Department of Health and one individual.

Upon review of the testimony, your Committee finds that Ms. Dong's experience as an engineer, commitment to public service, and dedication to public health and safety, qualify her for reappointment to the Board of Certification of Operating Personnel in Wastewater Treatment Plants. Ms. Dong currently works as a professional licensed engineer for Brown and Caldwell. Ms. Dong has worked in the field of wastewater engineering for over twelve years with the City and County of Honolulu and Brown and Caldwell. Ms. Dong earned a Bachelor's degree in Civil Engineering from the University of Washington and a Master's degree in Civil Engineering from the University of Hawaii. Your Committee further finds that Ms. Dong's service on the Board of Certification of Operating Personnel in Wastewater Treatment Plants fulfills the requirement of section 340B-4, Hawaii Revised Statutes, that a member be an engineer in private practice. Your Committee notes that Ms. Dong currently serves on the Board of Certification of Operating Personnel in Wastewater Treatment Plants and therefore is already familiar with its work. Your Committee therefore recommends that Emily Dong be reappointed to the Board of Certification of Operating Personnel in Wastewater Treatment Plants based on her experience wastewater engineering and commitment to public health and safety.

MARIA YAMASHITA

Your Committee received testimony in support of the nomination for the appointment of Maria Yamashita from the Department of Health.

Upon review of the testimony, your Committee finds that Ms. Yamashita's experience working in the Department of Health's Wastewater Branch, commitment to public service, and dedication to public health and safety, qualify her for appointment to the Board of Certification of Operating Personnel in Wastewater Treatment Plants. Ms. Yamashita has four years of experience assisting the Board with various administrative matters. Her current duties at the Department of Health's Wastewater Branch include drafting the Board of Certification's agendas, issuing certification renewals for all the Wastewater Operators in the State, and administering the wastewater operator certification exams. Ms. Yamashita earned a Bachelor's degree in Travel Industry Management from the University of Hawaii and has over ten years of customer service and problem-solving experience in that sector. Your Committee further finds that Ms. Yamashita's service on the Board of Certification of Operating Personnel in Wastewater Treatment Plants fulfills the requirement of section 340B-4, Hawaii Revised Statutes, that a member be a representative of the state agency responsible for the State's water quality program. Your Committee therefore recommends that Maria Yamashita be appointed to the Board of Certification of Operating Personnel in Wastewater Treatment Plants based on her experience working in the Department of Health's Wastewater Branch and commitment to public health and safety.

As affirmed by the records of votes of the members of your Committee on Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4018 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. Nos. 562, 636, 781, and 782

Recommending that the Senate advise and consent to the nominations of the following:

LAW ENFORCEMENT STANDARDS BOARD

G.M. No. 562 LAXMI DHAKHWA, for a term to expire 06-30-2023;

G.M. No. 636 JARED REDULLA, for a term to expire 06-30-2024;

G.M. No. 781 SHERRY BIRD, for a term to expire 06-30-2025; and

G.M. No. 782 CRAIG TANAKA, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Laxmi Dhakhwa, Jared Redulla, Sherry Bird, and Craig Tanaka for service on the Law Enforcement Standards Board.

LAXMI DHAKHWA

Your Committee received testimony in support of the nomination for the appointment of Laxmi Dhakhwa from seventeen individuals.

Upon review of the testimony, your Committee finds that Mr. Dhakhwa's experience, knowledge, and proven leadership qualify him for appointment to the Law Enforcement Standards Board. Your Committee notes that Mr. Dhakhwa currently works for the Criminal Justice Division of the Department of the Attorney General and is responsible for the vertical prosecution of criminal offenses throughout the State, including white collar and sex trafficking investigations. Mr. Dhakhwa has spent fourteen years as a prosecutor for the Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee further finds that Mr. Dhakhwa is active in his community and serves as a member of the McKinley High School Foundation's Board of Directors. Your Committee therefore recommends that Laxmi Dhakhwa be appointed to the Law Enforcement Standards Board based on his experience, knowledge, and commitment to public service.

JARED REDULLA

Your Committee received testimony in support of the nomination for the appointment of Jared Redulla from the Department of Public Safety and four individuals.

Upon review of the testimony, your Committee finds that Mr. Redulla's experience, knowledge, and proven leadership qualify him for appointment to the Law Enforcement Standards Board as a member. Your Committee notes that Mr. Redulla currently works as a Narcotics Enforcement Administrator and Narcotics Enforcement Supervisor and Investigator for the Department of Public Safety's Narcotics Enforcement Program. Previously, Mr. Redulla worked as a Criminal Investigator for the Department of the Prosecuting Attorney of the City and County of Honolulu, Conservation and Resources Enforcement Officer for the Department of Land and Natural Resources, and Harbor Police Officer for the Department of Transportation. Your Committee further finds that Mr. Redulla is extremely knowledgeable and an accomplished subject matter expert in the field of law enforcement. Your Committee therefore recommends that Jared Redulla be appointed to the Law Enforcement Standards Board based on his experience, knowledge, and commitment to public service.

SHERRY BIRD

Your Committee received testimony in support of the nomination for the reappointment of Sherry Bird from the Hawai'i Police Department.

Upon review of the testimony, your Committee finds that Ms. Bird's experience, knowledge, and proven leadership qualify her for reappointment to the Law Enforcement Standards Board as a member. Your Committee notes that Ms. Bird currently works as a Major at the Hawaii Police Department where she, under the supervision of an Assistant Police Chief, oversees all law enforcement operations on the west side of Hawaii Island. Ms. Bird has spent twenty-four years working in law enforcement for the Hawaii Police Department, starting as a police recruit in 1998. Previously, Ms. Bird served in the United States Army. Ms. Bird is active in her community and serves as a member of the Hawaii Chapter of the Federal Bureau of Investigations' National Academy of Associates. Your Committee further finds that Ms. Bird has served as a member of the Board since 2020, is an accomplished law enforcement professional, and her vast experience in the various aspects of police work will continue to be assets to the Board. Your Committee therefore recommends that Sherry Bird be reappointed to the Law Enforcement Standards Board based on her experience, knowledge, and commitment to public service.

CRAIG TANAKA

Your Committee did not receive any testimony on this measure.

Your Committee finds that Mr. Tanaka's experience, knowledge, and proven leadership qualify him for appointment to the Law Enforcement Standards Board as a member. Your Committee notes that Mr. Tanaka currently works as the Director of Security at the Makehana Golf & Beach Club; President of Ka'ana'ikepono, LLC; and an instructor at the University of Hawaii Maui Campus. Mr. Tanaka has spent thirty-four years working in safety and security management within the lodging and hospitality industry. Previously, Mr. Tanaka was the Assistant Director of Security at the Grand Wailea resort. Your Committee further finds that Mr. Tanaka's years of security and safety management experience will be assets to the Board. Your Committee therefore recommends that Craig Tanaka be appointed to the Hawaii Law Enforcement Standards Board based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4019 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. Nos. 564, 756, and 760

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII ADVISORY COUNCIL ON EMERGENCY MANAGEMENT

- G.M. No. 564 RAMONA CURRY, for a term to expire 06-30-2025;
- G.M. No. 756 DARRYL OLIVEIRA, for a term to expire 06-30-2026; and
- G.M. No. 760 GERALD SILVA, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Ramona Curry, Darryl Oliveira, and Gerald Silva for service on the Hawaii Advisory Council on Emergency Management.

RAMONA CURRY

Your Committee received testimony in support of the nomination for the reappointment of Ramona Curry from the Hawai'i Emergency Management Agency, Hauula Community Association, and one individual.

Upon review of the testimony, your Committee finds that Ms. Curry's experience, knowledge, and proven leadership qualify her for reappointment to the Hawaii Advisory Council on Emergency Management. Your Committee notes that Ms. Curry currently works as an Emergency Management Coordinator at the Los Angeles Police Department's Operations Valley Bureau. Ms. Curry has spent twenty-seven years working for the City of Los Angeles coordinating programs, facilities, employees, and performing complex administrative work. Your Committee further finds that Ms. Curry is a certified Emergency Management Accreditation Program Assessor and has experience as a planner for mass notification exercises. Your Committee notes that Ms. Curry has served as an interim member since November 2021 and believes that Ms. Curry's emergency management experience will continue to be an asset to the Council. Your Committee therefore recommends that Ramona Curry be reappointed to the Hawaii Advisory Council on Emergency Management based on her experience, knowledge, and commitment to public service.

DARRYL OLIVEIRA

Your Committee received testimony in support of the nomination for the reappointment of Darryl Oliveira from the Hawai'i Emergency Management Agency and one individual.

Upon review of the testimony, your Committee finds that Mr. Oliveira's experience, knowledge, and proven leadership qualify him for reappointment to the Hawaii Advisory Council on Emergency Management. Your Committee notes that Mr. Oliveira currently works as the Director of Risk Management at HPM Building Supply and an instructor at Hawaii Community College. Previously, Mr. Oliveira worked as the Administrator of the Hawaii County Civil Defense Agency and Fire Chief of the Hawaii Fire Department. Mr. Oliveira is active in his community and has served as a member of the American Red Cross East Hawaii Advisory Council, Hawaii Fire Chiefs Association, and Hawaii State Fire Council. Your Committee further finds that Mr. Oliveira currently serves as the Council Chair and his experience in all facets of emergency management, including preparing for, mitigating against, responding to, and recovering from disasters, will continue to be an asset to the Council. Your Committee therefore recommends that Darryl Oliveira be reappointed to the Hawaii Advisory Council on Emergency Management based on his experience, knowledge, and commitment to public service.

GERALD SILVA

Your Committee received testimony in support of the nomination for the reappointment of Gerald Silva from Hawai'i Emergency Management Agency, State Office of Veterans Services, AARP Hawai'i, Policy Advisory Board for Elder Affairs, and four individuals.

Upon review of the testimony, your Committee finds that Mr. Silva's experience, knowledge, and proven leadership qualify him for reappointment to the Hawaii Council on Emergency Management. Your Committee notes that Mr. Silva previously served as Volunteer State President for AARP Hawaii, developing strategies to help over 154,000 Hawaii caregivers by advocating for the Caregiver Advise, Record, Enable (CARE) Act; Chief of Staff of the Hawaii Army National Guard; and member of the State's Cable Advisory Committee. Your Committee further finds that Mr. Silva has been serving as a member of the Council since 2018 and has been a resource for the Governor and state emergency management during several activations, including volcanic eruptions and the coronavirus disease 2019 pandemic. Mr. Silva's experience in the Hawaii Army National Guard provides valuable guidance and a depth of knowledge that benefits the Council. Your Committee therefore recommends that Gerald Silva be reappointed to the Hawaii Advisory Council on Emergency Management based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4020 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. Nos. 808 and 809

Recommending that the Senate advise and consent to the nominations of the following:

STATE COUNCIL FOR THE INTERSTATE COMPACT FOR ADULTS

G.M. No. 808 DENNIS DUNN, for a term to expire 06-30-2022; and

G.M. No. 809 DENNIS DUNN, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Dennis Dunn for service on the State Council for the Interstate Compact for Adults.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Mr. Dunn's experience, knowledge, and proven leadership qualify him for appointment and reappointment to the State Council for the Interstate Compact for Adults. Your Committee notes that Mr. Dunn currently works as the Director of the Victim Witness Assistance Division of the Department of the Prosecuting Attorney of the City and County of Honolulu. Mr. Dunn has spent forty-three years working for the Department of the Prosecuting Attorney of the City and County of Honolulu helping the victims of various types of crimes. Mr. Dunn previously served as a member of the Hawaii Coalition Against Sexual Assault, Hawaii State Coalition Against Domestic Violence, Hawaii State Commission on National and Community Service, Missing Child Center Hawaii Advisory Board, and Sex Abuse Treatment Center Advisory Board. Your Committee therefore recommends that Dennis Dunn be appointed and reappointed to the State Council for the Interstate Compact for Adults based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4021 Public Safety, Intergovernmental, and Military Affairs on Gov. Msg. Nos. 810 and 811

Recommending that the Senate advise and consent to the nominations of the following:

CORRECTIONAL INDUSTRIES ADVISORY COMMITTEE

G.M. No. 810 LEEANN ARAKAKI-WARNER, for a term to expire 06-30-2022; and

G.M. No. 811 LEEANN ARAKAKI-WARNER, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Leeann Arakaki-Warner for service on the Correctional Industries Advisory Committee.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Leeann Arakaki-Warner from the Department of Public Safety.

Upon review of the testimony, your Committee finds that Ms. Arakaki-Warner's experience, knowledge, and proven leadership qualify her for appointment and reappointment to the Correctional Industries Advisory Committee. Your Committee notes that Ms. Arakaki-Warner previously worked as a secretary to the Warden of the Kulani Correctional Facility and as a correctional industries Administrative Program Manager and sales representative for the Department of Public Safety. Your Committee further finds that Ms. Arakaki-Warner has extensive knowledge and understanding of policies and procedures, procurement, budget and financial reporting, partnership within the Department of Public Safety Corrections Division, Correctional Industries' venture agreements with private sector business, and legislative dictates. Your Committee believes that this knowledge will allow Ms. Arakaki-Warner to assist the Committee in making sound and fair decisions. Your Committee therefore recommends that Leeann Arakaki-Warner be appointed and reappointed to the Correctional Industries Advisory Committee based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4022 Hawaiian Affairs on S.R. No. 139

The purpose and intent of this measure is to request the Governor, Lieutenant Governor, and heads of principal departments to prominently display a Hawaiian translation of the name of their office or department at least once on the main page of their official website and in the letterhead of their stationary.

Prior to decision making on this measure, your Committee made available for public review a proposed S.D. 1 of this measure. The proposed S.D. 1:

- (1) Requests the Legislative Reference Bureau to study how social equity has been implemented in the cannabis industry around the nation;
- (2) Requests the devising of ways social equity could be implemented in the State of Hawaii to benefit Native Hawaiians and other victims of the war on drugs; and
- (3) Requests the Department of Health's Office on Medical Cannabis Control and regulation to study how to include the existing legal growers and hemp licensees, including Native Hawaiians and those on Hawaiian home lands, to be eligible to test and sell cannabis and hemp directly to other patients and to licensed dispensaries.

Your Committee received testimony in support of the proposed S.D. 1 from Qan, LLC; Hawai'i Cannabis Hui; Hawaii Patients Union; Marijuana Policy Project; Environmental Caucus of the Democratic Party of Hawai'i; Cannabis Society of Hawai'i; Akamai Cannabis Consulting; and twenty individuals. Your Committee received testimony in opposition of the proposed S.D. 1 from two individuals.

Your Committee finds that the current Hawaii medical cannabis dispensary program system fails to provide a social equity framework for current cannabis operators. Furthermore, the war on drugs has been acknowledged as a racist campaign that has devastated low-income individuals, families, and communities. The purpose of this measure is to request the study of social equity programs implemented in other States and create a comprehensive report on how to include the existing legal growers and hemp licensees including Kanaka Maoli and those on Hawaiian home lands as eligible to test and sell cannabis and hemp directly to patients or licensed dispensaries.

Your Committee notes that some of the additional problems producers of cannabis face in Hawaii involve the conflict between the state and federal regulations of marijuana. Those who engage in the state authorized use of cannabis in Hawaii must consequently violate federal drug laws to do so.

Your Committee further notes the concerns of Native Hawaiians and especially those who are small farmers. This measure addresses aiding Native Hawaiians and those who produce cannabis on Hawaiian home lands, but does not specify how or what this aid will be. If a plan is implemented to help specifically Native Hawaiian growers, it is not specified as to whether there will be a blood quantum restriction that could potentially lead to many growers losing their lands or growing rights. Furthermore, the intention of this measure is to help small farmers but the term "small farmers" is not defined which could lead to confusion and exclusion. Additionally, there are fears of leased farmlands being overtaken by corporate entities which could impact the right of a farmer to grow their own food and medicine for themselves and the community. Your Committee notes that these concerns are requested to be resolved by creating a new resolution or bill with the direct input of both the Native Hawaiian community and the cannabis community.

Your Committee has amended this measure by:

- (1) Replacing the Legislative Reference Bureau with the Drug Policy Forum of Hawaii as the entity requested to prepare the comprehensive report on social equity programs;
- (2) Clarifying that the requested report should be prepared in the style of a report by the Legislative Reference Bureau;

- (3) Amending its title accordingly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 139, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 139, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Ihara, Fevella).

SCRep. 4023 Water and Land on H.C.R. No. 17

The purpose and intent of this measure is to request the Department of Land and Natural Resources to convene a task force to develop a feral ungulate management plan for West Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Forest Industry Association, and one individual. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the populations of feral goats and pigs in west Hawaii Island have increased to sizes that cannot be sustained by the environment. As feral ungulates in Hawaii have no natural predators to limit their population growth and impact on native ecosystems, feral ungulates contribute to the spread of rapid ohia death and pose threats to pasture forage and native forests. Your Committee notes that the overpopulation of feral ungulates has a significant detrimental impact on the health of watersheds and coral reefs through increased vegetative disturbance and erosion caused by grazing, browsing, trampling, and rooting by feral ungulates. In addition, feral ungulates create major roadway hazards, which have caused motor vehicle accidents.

Your Committee further finds that considerable private and public resources are being expended to address the overpopulation of feral ungulates. The hunting of feral game mammals is an important local food source and public recreational and subsistence hunting opportunity. However, the populations of feral ungulates cannot be sufficiently controlled through hunting alone. Therefore, collaborative efforts are needed to identify opportunities for more effective management of feral ungulate populations to control overpopulated areas while also protecting Hawaii's native natural resources and species.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 17, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4024 Water and Land on H.C.R. No. 82

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to explore the possibility of expanding the Mount Kaala Natural Area Reserve to include the slopes of Mount Kaala, particularly in the Waialua direction.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the Mount Kaala Natural Area Reserve was established by Executive Order No. 3099 on November 14, 1981, placing one thousand one hundred acres of rugged mountain terrain with a summit plateau, ridges, and gulches housing lowland forests, rich in native species, under the control and management of the Department of Land and Natural Resources. The Mount Kaala Natural Area Reserve is located in the Waianae Mountains on Oahu and encompass the island's highest point, at a four thousand twenty-foot elevation descending to one thousand two hundred-foot elevation.

Your Committee further finds that according to the Department of Land and Natural Resources, the Mount Kaala Natural Area Reserve is host to twelve natural communities, which house native forests, plants, and animals. While the Mount Kaala Natural Area Reserve includes feral pig and non-native weed control, ongoing volunteer efforts have been useful in promoting environmental awareness and assistance with natural resource management. However, to safeguard the endemic species and complex ecosystems in the Mount Kaala Natural Area Reserve, maintain the reserve in a pristine condition, and promote Hawaiian cultural preservation and native gathering rights, expansion of the area encompassing the reserve should be considered to include the slopes of Mount Kaala, particularly in the Waialua direction.

Your Committee notes the testimony of the Department of Land and Natural Resources regarding the expansion of the Mount Kaala Natural Area Reserve. While the Department of Land and Natural Resources is willing to consider expansion, there is uncertainty regarding ownership and zoning of the impacted lands. Therefore, further information is required for the Department of Land and Natural Resources to gauge the feasibility of expanding the Mount Kaala Natural Area Reserve.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 82, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4025 Water and Land on H.C.R. No. 3

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key number: (1) 3-6-003:015, Wailupe, Honolulu, Oahu, for the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on August 28, 2020, under agenda item D-10, the Board of Land and Natural Resources, subject to conditions, approved an amendment to the non-exclusive easement to resolve the additional seawall encroachment identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing seawall.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 3, H.D. 1, and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4026 Water and Land on H.C.R. No. 4

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key number: (1) 4-7-001:006, Kahaluu, Koolaupoko, Oahu, for the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on February 8, 2019, under agenda item D-8, the Board of Land and Natural Resources, subject to conditions, approved a grant of a twenty-five-year non-exclusive easement to resolve the existing seawall, steps, and filled land encroachments identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing improvements.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 4, and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4027 Water and Land on H.C.R. No. 5

The purpose and intent of this measure is to authorize the issuance of a term, non-exclusive easement for the portion of state submerged lands fronting the property identified as tax map key number: (1) 4-4-016:016, Kaneohe, Koolaupoko, Oahu, for the use, repair, and maintenance of existing improvements constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by Concurrent Resolution. Your Committee further finds that on November 8, 2019, under agenda item D-14, the Board of Land and Natural Resources, subject to conditions, approved a grant of a twenty-five-year non-exclusive easement to resolve the encroachment of the existing pier, house, rock wall, and landscape area identified in this measure. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing improvements.

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

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 5, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as H.C.R. No. 5, S.D. 1.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4028 Commerce and Consumer Protection on Gov. Msg. No. 624

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PRIVATE DETECTIVES AND GUARDS

G.M. No. 624 PAUL FERREIRA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Paul Ferreira for service on the Board of Private Detectives and Guards.

Your Committee received testimony in support of the nomination for the reappointment of Paul Ferreira from the Board of Private Detectives and Guards, Kauai Police Department, and Hawai'i High Intensity Drug Trafficking Area program.

Upon review of the testimony, your Committee finds that Chief Ferreira's experience, knowledge, and proven leadership on the Board of Private Detectives and Guards qualify him for reappointment to the Board as a chief of police member. Your Committee notes that Chief Ferreira has nearly forty years of experience in law enforcement and has served in various capacities within the Hawai'i Police Department. Chief Ferreira has served in his present role since 2016 and is also a member of the International Association of Chiefs of Police; Governor's Committee on Crime; and the Hawai'i High Intensity Drug Trafficking Area, a grant-

funded program of the Office of National Drug Control Policy. Chief Ferreira is an active member in his community and has served as a member on the Board of Directors for HOSPICE of Hilo, Hilo YMCA, and Violence Against Women Act State Planning Committee. Chief Ferreira has served on the Board of Private Detectives and Guards since 2018 and his experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Paul Ferreira be reappointed to the Board of Private Detectives and Guards based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4029 Commerce and Consumer Protection on Gov. Msg. No. 656

Recommending that the Senate advise and consent to the nomination of the following:

ELEVATOR MECHANICS LICENSING BOARD

G.M. No. 656 MARK BAKER, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Mark Baker for service on the Elevator Mechanics Licensing Board.

Your Committee received testimony in support of the nomination for the appointment of Mark Baker from the Elevator Mechanics Licensing Board and one individual.

Upon review of the testimony, your Committee finds that Mr. Baker's experience, background, and commitment to public service qualify him for appointment to the Elevator Mechanics Licensing Board as a licensee member. Your Committee notes that Mr. Baker has been a licensed elevator mechanic in Hawaii since 1998 and is currently employed by OTIS Elevator Company as a lead adjuster. Mr. Baker previously worked for ThyssenKrupp Elevator Company and as a foreman and mechanic for Kone Corporation. In addition to his professional experience, Mr. Baker serves as an instructor for the National Elevator Industry Education Program and mentors apprentice elevator mechanics. Your Committee further notes that Mr. Baker has served as an interim member of the Elevator Mechanics Licensing Board since January 2021 and has a thorough understanding of the roles and responsibilities of its members. Your Committee therefore recommends that Mark Baker be appointed to the Elevator Mechanics Licensing Board based on his knowledge, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4030 Commerce and Consumer Protection on Gov. Msg. No. 657

Recommending that the Senate advise and consent to the nomination of the following:

PEST CONTROL BOARD

G.M. No. 657 TERRANCE MANAGO, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Terrance Manago for service on the Pest Control Board.

Your Committee received testimony in support of the nomination for the appointment of Terrance Manago from the Pest Control Board and Hawaii Pest Control Association.

Upon review of the testimony, your Committee finds that Mr. Manago's experience, background, and commitment to public service qualify him for appointment to the Pest Control Board as a licensee member. Your Committee notes that Mr. Manago has thirty-five years of experience in the pest control industry and has been a licensed pest control operator in Hawaii since 2000. Mr. Manago is the owner and operator of Hawaii Pest Solutions, Inc. and a certified City and County of Honolulu inspector. Your Committee further notes that Mr. Manago is active within his profession. Mr. Manago formerly served as President of the Hawaii Pest Control Association and completed two previous terms on the Pest Control Board where he served as the Board's Vice Chairperson from 2016 to 2020 and Chairperson from 2020 until his term expired in 2021. Mr. Manago has a thorough understanding of the roles and responsibilities of board members and his expertise in the industry and valuable insight will continue to enhance the effectiveness of the Pest Control Board. Your Committee therefore recommends that Terrance Manago be appointed to the Pest Control Board based on his knowledge, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4031 Commerce and Consumer Protection on Gov. Msg. No. 736

Recommending that the Senate advise and consent to the nomination of the following:

STATE BOARD OF NURSING

G.M. No. 736 DIANA RIGGS, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Diana Riggs for service on the State Board of Nursing.

Your Committee received testimony in support of the nomination for the appointment of Diana Riggs from the Department of Commerce and Consumer Affairs, Hawaii Permanente Medical Group, Kaiser Permanente Hawaii, and two individuals.

Upon review of the testimony, your Committee finds that Ms. Riggs' background and dedication to serving the public qualify her to be appointed to the State Board of Nursing as a licensed registered nurse member. Your Committee notes that Ms. Riggs has over sixteen years of experience in the field of nursing. Ms. Riggs started her nursing career at the Maui Memorial Medical Center in 2006 working in the emergency department as a charge nurse. Ms. Riggs then began working at Kaiser Permanente Hawaii in 2011 as a primary care and specialty care charge nurse and is now the Director of Clinic Operations and also serves as the Wailuku Ambulatory Surgical Center Administrator. Ms. Riggs has extensive experience participating in various professional organizations and committees, including the Hawaii Ambulatory Nursing Council, Reginal Nurse Leadership Committee, Emergency Management Committee, Infection Control Committee, and Attendance Committee. Your Committee finds that Ms. Riggs has a thorough understanding of the role and responsibilities of board members and her extensive experience in nursing in hospital and clinic settings will continue to enhance the effectiveness of the State Board of Nursing. Your Committee therefore recommends that Diana Riggs be appointed to the State Board of Nursing based on her knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4032 Commerce and Consumer Protection on Gov. Msg. No. 755

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF NATUROPATHIC MEDICINE

G.M. No. 755 JOY KIMURA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Joy Kimura for service on the Board of Naturopathic Medicine.

Your Committee received testimony in support of the nomination for the reappointment of Joy Kimura from the Board of Naturopathic Medicine and three individuals.

Upon review of the testimony, your Committee finds that Ms. Kimura's experience, knowledge, and proven leadership on the Board of Naturopathic Medicine qualify her for reappointment to the Board as a public member. Your Committee notes that Ms. Kimura is employed by the Hawaii Laborers-Employers Cooperation and Education Trust in Government Relations and Compliance, and has experience conducting research and analysis in various state departments. Prior to that, Ms. Kimura worked in a number of different roles, including Assistant to the Executive Director of the Public Land Development Corporation for the Department of Land and Natural Resources, Legislative Assistant, Economic Development Specialist, and marketing manager. Ms. Kimura has a personal interest in the practice of naturopathic medicine and desires to support safe and effective consumer access to its services. Your Committee further finds that Ms. Kimura has served on the Board of Naturopathic Medicine since 2019 and her experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Joy Kimura be reappointed to the Board of Naturopathic Medicine based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4033 Commerce and Consumer Protection on Gov. Msg. No. 762

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII MEDICAL BOARD

G.M. No. 762 REBECCA SAWAI, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Rebecca Sawai for service on the Hawaii Medical Board.

Your Committee received testimony in support of the nomination for the appointment of Rebecca Sawai from the Department of Commerce and Consumer Affairs; Hawaii Permanente Medical Group, Inc.; Kaiser Permanente Moanalua Medical Center; and two individuals.

Upon review of the testimony, your Committee finds that Dr. Sawai's background and dedication to serving the public qualify her to be appointed to the Hawaii Medical Board as a licensed physician member specializing in surgery from the City and County of Honolulu. Your Committee notes that Dr. Sawai has been a licensed physician in Hawaii since 2008 and is currently an attending

surgeon in general surgery and colon and rectal surgery at Kaiser Moanalua Medical Center and an Assistant Clinical Professor at the University of Hawaii at Manoa John A. Burns School of Medicine. Over the course of her career, Dr. Sawai has earned multiple honors and awards and is an active member in several committees and professional organizations. Dr. Sawai serves as the Director of Peer Review Activities for the Hawaii Permanente Medical Group, Vice President for the Hawaii Chapter of the American College of Surgeons, Cancer Liaison Physician, and is a member of the Pacific Coast Surgical Association and American Society of Colon and Rectal Surgeons. Your Committee further finds that Dr. Sawai has a thorough understanding of the role and responsibilities of board members and her extensive experience as a physician and surgeon will continue to enhance the effectiveness of the Hawaii Medical Board. Your Committee therefore recommends that Rebecca Sawai be appointed to the Hawaii Medical Board based on her knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4034 Commerce and Consumer Protection on Gov. Msg. No. 763

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF ACUPUNCTURE

G.M. No. 763 ROBERT LAREAUX, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Robert LaReaux for service on the Board of Acupuncture.

Your Committee received testimony in support of the nomination for the appointment of Robert LaReaux from the Department of Commerce and Consumer Affairs, Kailua Acupuncture Clinic, and two individuals.

Upon review of the testimony, your Committee finds that Dr. LaReaux's background and dedication to serving the public qualify him to be appointed to the Board of Acupuncture as a public member. Your Committee notes that Dr. LaReaux has over thirty-four years of experience in podiatric medicine. Dr. LaReaux was the President and Owner of Aloha Foot Centers, Inc. for thirty years and has served as a medical and surgical staff member for Castle Medical Center, Windward Surgical Center, and SurgiCare Hawaii. Your Committee further finds that Dr. LaReaux has served as member of multiple professional organizations, including the Castle Health Group and Hawaii Podiatric Medical Association Legislation Committee, and as a representative at the National Medicare Conference and Hawaii Medical Conciliation Panel. Dr. LaReaux also served on the faculty at the University of Hawaii at Manoa John A. Burns School of Medicine. Your Committee finds that Dr. LaReaux has a thorough understanding of the role and responsibilities of board members and his background will enhance the effectiveness of the Board of Acupuncture. Your Committee therefore recommends that Robert LaReaux be appointed to the Board of Acupuncture based on his knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4035 Commerce and Consumer Protection on Gov. Msg. No. 766

Recommending that the Senate advise and consent to the nomination of the following:

CABLE ADVISORY COMMITTEE

G.M. No. 766 SCOTT WONG, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Scott Wong for service on the Cable Advisory Committee.

Your Committee received testimony in support of the nomination for the reappointment of Scott Wong from the Department of Commerce and Consumer Affairs and three individuals.

Upon review of the testimony, your Committee finds that Mr. Wong's experience, knowledge, and proven leadership on the Cable Advisory Committee qualify him for reappointment to the Committee. Your Committee notes that Mr. Wong is a Principal for Huana Productions, LLC, a film and television company, and CEO of Ohana Hui Ventures, Inc., which is involved in the development, construction, and operation of multimedia studio facilities. Mr. Wong is also the owner and director of Mystical Video Productions, Inc., a video production company specializing in corporate events, film and television productions, and drone video. Your Committee further finds that Mr. Wong has earned a number of awards for his community service activities and from his past service in the United States Marine Corps. Mr. Wong has served on the Cable Advisory Committee since 2017. Mr. Wong's experience and knowledge will continue to be assets to the Cable Advisory Committee. Your Committee therefore recommends that Scott Wong be reappointed to the Cable Advisory Committee based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4036 Commerce and Consumer Protection on Gov. Msg. No. 792

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY

G.M. No. 792 DENBY RALL, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Denby Rall for service on the Board of Speech Pathology and Audiology.

Your Committee received testimony in support of the nomination for the reappointment of Denby Rall from the Board of Speech Pathology and Audiology and five individuals.

Upon review of the testimony, your Committee finds that Dr. Rall's experience, knowledge, and proven leadership on Board of Speech Pathology and Audiology qualify her for reappointment to the Board as a licensed audiologist member. Your Committee notes that Dr. Rall has been licensed as an audiologist in Hawaii since 2008. Dr. Rall currently serves as the Chief of Audiology at Tripler Army Medical Center and is a traumatic brain injury and vestibular specialist who works primarily with military families. Dr. Rall also manages the audiology externship at Tripler and provides in-service trainings for various medical providers. Your Committee further finds that Dr. Rall is a member of multiple professional organizations, including the American Speech and Hearing Association and American Balance Society, and regularly volunteers with the Hawai'i Special Olympics. Dr. Rall also previously served as a chapter president of the National Association of Future Doctors of Audiology. Your Committee further notes that Dr. Rall has served on the Board of Speech Pathology and Audiology since 2020 and her experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Denby Rall be reappointed to the Board of Speech Pathology and Audiology based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4037 Commerce and Consumer Protection on Gov. Msg. No. 800

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF PHYSICAL THERAPY

G.M. No. 800 MICHELE CHEE, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Michele Chee for service on the Board of Physical Therapy.

Your Committee received testimony in support of the nomination for the appointment of Michele Chee from the Department of Commerce and Consumer Affairs, Maui Memorial Medical Center, and Shriners Hospitals for Children.

Upon review of the testimony, your Committee finds that Dr. Chee's background and dedication to serving the public qualify her to be appointed to Board of Physical Therapy as a licensed physical therapist member. Your Committee notes that Dr. Chee has twenty-four years of experience in the field of physical therapy and is currently the Director of Rehabilitation Services at Shriners Hospital for Children in Honolulu. Your Committee further notes that Dr. Chee is a member of multiple committees and boards, including the Rehab Executive Council for Shriners Children's Hospital and Schroth based Scoliosis Specific Exercise Task Force. Dr. Chee is also a member of the Hawaii Chapter of the American Physical Therapy Association, Pediatric Section, and has participated in numerous conferences. Your Committee finds that Dr. Chee has a thorough understanding of the role and responsibilities of board members and her extensive experience in the field of physical therapy will continue to enhance the effectiveness of the Board of Physical Therapy. Your Committee therefore recommends that Michele Chee be appointed to the Board of Physical Therapy based on her knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4038 Commerce and Consumer Protection on Gov. Msg. No. 812

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF ELECTRICIANS AND PLUMBERS

G.M. No. 812 NATHAN OLANDA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Nathan Olanda for service on the Board of Electricians and Plumbers.

Your Committee received testimony in support of the nomination for the appointment of Nathan Olanda from the Department of Commerce and Consumer Affairs and three individuals.

Upon review of the testimony, your Committee finds that Mr. Olanda's background and dedication to serving the public qualify him to be appointed to the Board of Electricians and Plumbers as a licensed electrician member. Your Committee notes that Mr. Olanda has nearly forty years of residential and commercial technical experience in the electrical trade and is currently employed as a City and County of Honolulu Electrical Inspector. Over the course of his career, Mr. Olanda has supervised journeymen and apprentices and gained valuable experience in all disciplines within the electrical industry. Your Committee finds that Mr. Olanda has a thorough understanding of the role and responsibilities of board members and his extensive experience as an electrician will continue to enhance the effectiveness of the Board of Electricians and Plumbers. Your Committee therefore recommends that Nathan Olanda be appointed to the Board of Electricians and Plumbers based on his background, experience, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4039 Commerce and Consumer Protection on Gov. Msg. No. 813

Recommending that the Senate advise and consent to the nomination of the following:

MOTOR VEHICLE INDUSTRY LICENSING BOARD

G.M. No. 813 JOHN CAUDELL JR., for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by John Caudell Jr. for service on the Motor Vehicle Industry Licensing Board.

Your Committee received testimony in support of the nomination for the appointment of John Caudell Jr. from the Department of Commerce and Consumer Affairs; Zia Automotive Repair; Mullinax Auto Sales, Inc.; McCloskey Motors, Inc.; NIADA; and The Car Shop.

Upon review of the testimony, your Committee finds that Mr. Caudell's background and dedication to serving the public qualify him to be appointed to the Motor Vehicle Industry Licensing Board as a licensee member. Your Committee notes that Mr. Caudell has over forty years of experience in the automotive industry and has been licensed as a motor vehicle dealer and salesperson in Hawaii for over twenty-seven years. Mr. Caudell has been the dealer principal and co-owner of Pre-Owned Motor Cars in Kailua-Kona for the past twenty-five years. Your Committee further notes that Mr. Caudell has served on the Hawaii Independent Dealers Association for over sixteen years and currently serves as the Association's President. Mr. Caudell also serves as a board member and volunteer for Legacy of Life Hawai'i, an organization dedicated to encouraging organ donation through community outreach and education. Your Committee finds that Mr. Caudell has a thorough understanding of the role and responsibilities of board members and his extensive experience in the motor vehicle industry will continue to enhance the effectiveness of the Motor Vehicle Industry Licensing Board. Your Committee therefore recommends that John Caudell Jr. be appointed to the Motor Vehicle Industry Licensing Board based on his knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4040 Commerce and Consumer Protection on Gov. Msg. No. 814

Recommending that the Senate advise and consent to the nomination of the following:

STATE BOARD OF BARBERING AND COSMETOLOGY

G.M. No. 814 MICHAEL BASTA JR., for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Michael Basta Jr. for service on the State Board of Barbering and Cosmetology.

Your Committee received testimony in support of the nomination for the of Michael Basta Jr. from the Department of Commerce and Consumer Affairs, Paul Brown Salon, and one individual.

Upon review of the testimony, your Committee finds that Mr. Basta's background and dedication to serving the public qualify him to be appointed to the State Board of Barbering and Cosmetology as a licensed beauty operator member. Your Committee notes that Mr. Basta has been in the cosmetology industry for over forty years and has been licensed as a beauty operator in Hawaii since 2017. Mr. Basta owned and operated three successful salons for a total of thirty-three years on the U.S. mainland and provided cosmetology education and instruction for companies such as Nexus, KMS, and Zegarelli. Your Committee finds that Mr. Basta has a thorough understanding of the role and responsibilities of board members and his extensive experience as a hair stylist and salon owner and operator will continue to enhance the effectiveness of the State Board of Barbering and Cosmetology. Your Committee therefore recommends that Michael Basta Jr. be appointed to the State Board of Barbering and Cosmetology based on his knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4041 Commerce and Consumer Protection on Gov. Msg. No. 836

Recommending that the Senate advise and consent to the nomination of the following:

CONTRACTORS LICENSE BOARD

G.M. No. 836 JOHN POLISCHECK JR, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by John Polischek Jr. for service on the Contractors License Board.

Your Committee received testimony in support of the nomination for the appointment of John Polischek Jr. from the Contractors License Board; Mizobe Consulting Group, LLC; and Hawaii PV Coalition. Your Committee received testimony in opposition to the nomination for the appointment of John Polischek Jr. from one individual.

Upon review of the testimony, your Committee finds that Mr. Polischek's background and dedication to serving the public qualify him to be appointed to the Contractors License Board as a licensed general engineering and general building contractor member. Your Committee notes that Mr. Polischek has been in the construction industry for thirty-five years, has been licensed as a general engineering and general building contractor in Hawaii since 2000, and holds a number of specialty licenses and certificates. Mr. Polischek is currently the Co-Owner, President, and Responsible Managing Employee of American Piping & Boiler Co. in Kapolei. Previously, Mr. Polischek worked as a general superintendent, foreman, pipefitter, and welder for a number of energy and utility projects on Oahu. Your Committee further notes that Mr. Polischek served two prior terms on the Contractors License Board from 2011 to 2019 and served for two years as Vice Chairperson and three years as Chairperson of the Board. Accordingly, your Committee finds that Mr. Polischek has a thorough understanding of the role and responsibilities of board members and his extensive experience in the construction industry will continue to enhance the effectiveness of the Contractors License Board. Your Committee therefore recommends that John Polischek Jr. be appointed to the Contractors License Board based on his knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4042 Commerce and Consumer Protection on Gov. Msg. Nos. 767, 768, 834, and 835

Recommending that the Senate advise and consent to the nominations of the following:

REAL ESTATE COMMISSION

G.M. No. 767 RUSSELL KYONO, for a term to expire 06-30-2026;

G.M. No. 768 JOHN LOVE, for a term to expire 06-30-2026;

G.M. No. 834 SEAN GINOZA, for a term to expire 06-30-2026; and

G.M. No. 835 RICHARD EMERY, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Russell Kyono, John Love, Sean Ginoza, and Richard Emery for service on the Real Estate Commission.

RUSSELL KYONO

Your Committee received testimony in support of the nomination for the reappointment of Russell Kyono from the Real Estate Commission and one individual.

Upon review of the testimony, your Committee finds that Mr. Kyono's experience, knowledge, and proven leadership on the Real Estate Commission qualify him for reappointment to the Real Estate Commission as a broker member from Kauai County. Your Committee notes that Mr. Kyono has been licensed as a real estate salesperson in Hawaii since 1981 and has been a licensed real estate broker since 1991. Mr. Kyono is the owner and principal of K-ONI, Inc., dba Kauai Rentals & Real Estate in Lihue, which was founded in 2010. Your Committee further finds that Mr. Kyono is a member of multiple professional organizations, including the Kauai Board of Realtors, Hawaii Association of Realtors, National Association of Realtors, and National Association of Residential Property Managers. Mr. Kyono has served on the Real Estate Commission since 2018 and currently serves as Vice Chair of the Education Review Committee. Mr. Kyono's experience and knowledge will continue to be assets to the Real Estate Commission. Your Committee therefore recommends that Russell Kyono be reappointed to the Real Estate Commission based on his experience, knowledge, and commitment to public service.

JOHN LOVE

Your Committee received testimony in support of the nomination for the reappointment of John Love from the Real Estate Commission; Cades Schutte, LLLP; and one individual.

Upon review of the testimony, your Committee finds that Mr. Love's knowledge, background, and proven leadership on Real Estate Commission qualify him for reappointment to the Real Estate Commission as a public member from Honolulu. Your Committee notes that Mr. Love is a real estate attorney and partner at Cades Schutte, LLLP, where he handles real estate acquisition and sales transactions, commercial leasing, financing, and development matters. Your Committee further finds that Mr. Love is active in his profession and his community and has previously served as Chair of the Real Property and Financial Services section of the Hawaii State Bar Association; Trustee of the Albert T. & Wallace T. Teruya Foundation; and as Vice President of the Honolulu Chamber Music Series. Mr. Love has served on the Real Estate Commission since 2018 and is Chair of the Condominium Review Committee. Mr. Love's experience and background will continue to be assets to the Real Estate Commission. Your Committee therefore recommends that John Love be reappointed to the Real Estate Commission based on his experience, background, and dedication to public service.

SEAN GINOZA

Your Committee received testimony in support of the nomination for the reappointment of Sean Ginoza from the Real Estate Commission and one individual.

Upon review of the testimony, your Committee finds that Mr. Ginoza's experience, knowledge, and proven leadership on the Real Estate Commission qualify him for reappointment to the Real Estate Commission as a licensed broker member from Hawaii County. Your Committee notes that Mr. Ginoza has worked with Ginoza Realty, Inc. in Hilo since 2000 in various capacities such as a property manager and realtor broker, and currently serves as Vice President. Mr. Ginoza is also active in multiple professional and community organizations, including the Hawaii Island Chamber of Commerce, Japanese Chamber of Commerce, Hawaii Island Realtors, and Hilo Yacht Club. Your Committee further finds that Mr. Ginoza has served on the Real Estate Commission since 2017 and currently serves as Vice Chair of the Commission's Laws and Rules Review Committee. Mr. Ginoza's knowledge and experience will continue to be assets to the Real Estate Commission. Your Committee therefore recommends that Sean Ginoza be reappointed to the Real Estate Commission based on his background, knowledge, and commitment to serving the public.

RICHARD EMERY

Your Committee received testimony in support of the nomination for the appointment of Richard Emery from the Department of Commerce and Consumer Affairs; Law Offices of Philip S. Nerney, LLLC; Hawaii State Association of Parliamentarians; Hawaii Council of Community Associations; Hosoda Law Group; Porter McGuire Kiakona, LLP; and seven individuals. Your Committee received testimony in opposition to the nomination for the appointment of Richard Emery from Hui 'Oia'i'a and six individuals.

Upon review of the testimony, your Committee finds that Mr. Emery's background and dedication to serving the public qualify him to be appointed to the Real Estate Commission as a licensed broker member from Honolulu. Your Committee notes that Mr. Emery has been a Hawaii licensed broker for over twenty-five years. Mr. Emery is a former Principal Broker and President of Hawaii First, Inc., the third largest property management firm in Hawaii specializing in residential property management for nearly two hundred buildings. Mr. Emery currently serves as Vice President of Governmental Affairs for Associa, Hawaii and is a member of the Community Associations Institute Legislative Action Committee and Director for the Hawaii Council of Community Associations. Your Committee finds that Mr. Emery has a thorough understanding of the role and responsibilities of board members and his extensive experience in real estate matters will provide a unique perspective as a member of the Real Estate Commission. Your Committee therefore recommends that Richard Emery be appointed to the Real Estate Commission based on his knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

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

SCRep. 4043 Commerce and Consumer Protection on Gov. Msg. Nos. 658 and 769

Recommending that the Senate advise and consent to the nominations of the following:

STATE BOARD OF PUBLIC ACCOUNTANCY

G.M. No. 658 CHRISTOPHER LEE, for a term to expire 06-30-2026; and

G.M. No. 769 GARY MIYASHIRO, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Christopher Lee and Gary Miyashiro for service on the State Board of Public Accountancy.

CHRISTOPHER LEE

Your Committee received testimony in support of the nomination for the reappointment of Christopher Lee from the State Board of Public Accountancy and one individual.

Upon review of the testimony, your Committee finds that Mr. Lee's experience, knowledge, and proven leadership on the State Board of Public Accountancy qualify him for reappointment to the Board as a licensed member in active practice. Your Committee notes that Mr. Lee has been a licensed certified public accountant in Hawaii since 2003 and currently serves as a principal and managing member of the accounting firm ECA, LLP. Mr. Lee has extensive experience with accounting and auditing responsibilities at the supervisory level, including for clients in construction contracting and non-profit organizations. Your Committee further finds that Mr. Lee is an active participant in his community and in a number of professional organizations, including the Hawaii Society of Certified Public Accountants, American Institute of Certified Public Accountants, and Construction Financial Management Association, and also serves as the Treasurer for Aloha Festivals, Inc. Mr. Lee has served on the State Board of Public Accountancy

since 2018 and his experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Christopher Lee be reappointed to the State Board of Public Accountancy based on his background, knowledge, and commitment to public service.

GARY MIYASHIRO

Your Committee received testimony in support of the nomination for the reappointment of Gary Miyashiro from the State Board of Public Accountancy; Edward Enterprises, Inc.; and one individual.

Upon review of the testimony, your Committee finds that Mr. Miyashiro's knowledge, background, and proven leadership on the State Board of Public Accountancy qualify him for reappointment to the Board as a licensed member in active practice. Your Committee notes that Mr. Miyashiro has nearly thirty years of experience in accounting and has been licensed as a certified public accountant in Hawaii since 1994. Mr. Miyashiro has served as the President of MC Group Hawaii, Inc. since 2011, and previously worked in public and private accounting with both large and small firms, and also served as a financial executive. Your Committee further finds that Mr. Miyashiro is a member of the American Institute of Certified Public Accountants, Hawaii Association of Public Accountants, Hawaii Society of Certified Public Accountants, and National Society of Accountants. Mr. Miyashiro has served on the State Board of Public Accountancy since 2016 and his experience and knowledge will continue to be assets to the Board. Your Committee therefore recommends that Gary Miyashiro be reappointed to the State Board of Public Accountancy based on his knowledge, background, and dedication to serving the public.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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

SCRep. 4044 Commerce and Consumer Protection on Gov. Msg. No. 707

Recommending that the Senate advise and consent to the nomination of the following:

HAWAI'I BOARD OF VETERINARY MEDICINE

G.M. No. 707 LISA WOOD, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Lisa Wood for service on the Hawai'i Board of Veterinary Medicine.

Your Committee received testimony in support of the nomination for the appointment of Lisa Wood from the Department of Commerce and Consumer Affairs; Hawaii Cattlemen's Council, Inc.; Parker Ranch, Inc.; one member of the Hawai'i County Council; and two individuals.

Upon review of the testimony, your Committee finds that Dr. Wood's background and dedication to serving the public qualify her to be appointed to the Hawai'i Board of Veterinary Medicine as a licensed veterinarian member from Hawai'i County. Your Committee notes that Dr. Wood has practiced as a veterinarian and managing partner at Veterinary Associates, Inc. since 1990 in Kamuela, Hawai'i. Dr. Wood regularly sees large and small animal patients in the Waimea and Hilo areas and provides quality, competent, and compassionate veterinary care to her community. Your Committee further finds that Dr. Wood has served as past-President and Chair for the Animal Health and Well-Being Committee at the Hawai'i Cattlemen's Council and formerly served as a member of many other committees including the National Cattlemen's Beef Association, Hawaii Rangeland Stewardship Foundation, and many more. Dr. Wood has a thorough understanding of the role and responsibilities of board members and her extensive experience as a veterinarian will continue to enhance the effectiveness of the Hawai'i Board of Veterinary Medicine. Your Committee therefore recommends that Lisa Wood be appointed to the Hawai'i Board of Veterinary Medicine based on her knowledge, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4045 Commerce and Consumer Protection on Gov. Msg. Nos. 655, 706, and 791

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS

G.M. No. 655 BRIAN FUJIWARA, for a term to expire 06-30-2026;

G.M. No. 706 JAY ISHIBASHI, for a term to expire 06-30-2026; and

G.M. No. 791 BENEDICT LEE, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Brian Fujiwara, Jay Ishibashi, and Benedict Lee for service on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

BRIAN FUJIWARA

Your Committee received testimony in support of the nomination for the reappointment of Brian Fujiwara from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects; JL Capital; and RB Yumol Architects.

Upon review of the testimony, your Committee finds that Mr. Fujiwara's experience, knowledge, and proven leadership on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects qualify him for reappointment to the Board as a licensed professional architect member. Your Committee notes that Mr. Fujiwara has worked in the field of architecture for over thirty-four years and has been a licensed architect in Hawaii since 2000. Mr. Fujiwara has been the owner and principal of BKF & Associates, LLC since 2003. In addition to owning an architectural firm, Mr. Fujiwara volunteers as a committee member of the National Council of Architectural Registration Boards and attends regional and national meetings to remain up to date on matters impacting the profession. Your Committee further finds that Mr. Fujiwara is also a member of the American Institute of Architects and has served on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects since July 2018, currently serving as the Board's Chairperson. Mr. Fujiwara's experience and knowledge will continue to be assets to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects. Your Committee therefore recommends that Brian Fujiwara be reappointed to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects based on his experience, knowledge, and commitment to public service.

JAY ISHIBASHI

Your Committee received testimony in support of the nomination for the reappointment of Jay Ishibashi from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects; KAI Hawaii, Inc.; and one individual.

Upon review of the testimony, your Committee finds that Mr. Ishibashi's background, knowledge, and proven leadership on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects qualify him for reappointment to the Board as a public member. Your Committee notes that Mr. Ishibashi currently works as a Program Specialist V for the Department of Labor and Industrial Relations. Prior to that, Mr. Ishibashi served as an Employee Representative for the Hawaii Government Employees Association, Executive Assistant to the Mayor, Budget Analyst for the Hawaii State Senate, and in other roles with the Department of Human Services. Your Committee further finds that Mr. Ishibashi has previously served as a member on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects and was most recently appointed in 2020. Mr. Ishibashi's experience and knowledge will continue to be assets to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects. Your Committee therefore recommends that Jay Ishibashi be reappointed to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects based on his knowledge and dedication to serving the public.

BENEDICT LEE

Your Committee received testimony in support of the nomination for the reappointment of Benedict Lee from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects and two individuals.

Upon review of the testimony, your Committee finds that Mr. Lee's experience, knowledge, and proven leadership on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects qualify him for reappointment to Board as a licensed landscape architect member. Your Committee notes that Mr. Lee has been licensed as a landscape architect in Hawaii since 1985. Mr. Lee is the principal of Brownlie & Lee, which was formed in 1988. Mr. Lee has been involved in a wide range of residential, commercial, and recreational projects in public and private sectors and is also licensed as a landscape architect in Guam and the Northern Mariana Islands. Your Committee further finds that Mr. Lee is a member of a number of professional organizations, including the American Society of Landscape Architects and International Federation of Landscape Architects. Mr. Lee has served on the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects since 2016. Mr. Lee's experience and knowledge will continue to be assets to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects. Your Committee therefore recommends that Benedict Lee be reappointed to the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

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

SCRep. 4046 Commerce and Consumer Protection on Gov. Msg. Nos. 630 and 631

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DENTISTRY

G.M. No. 630 STAPHE FUJIMOTO, for a term to expire 06-30-2025; and

G.M. No. 631 JOY SHIMABUKU, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Staphe Fujimoto and Joy Shimabuku for service on the Board of Dentistry.

STAPHE FUJIMOTO

Your Committee received testimony in support of the nomination for the appointment of Staphe Fujimoto from the Board of Dentistry, Hawaii Dental Association, and one individual.

Upon review of the testimony, your Committee finds that Dr. Fujimoto's experience, knowledge, and proven leadership on the Board of Dentistry qualify him for appointment to the Board as a licensed dentist member. Your Committee notes that Dr. Fujimoto

has been a licensed dentist in Hawaii since 1985. Dr. Fujimoto is also a member of a number of professional organizations, including the Honolulu County Dental Society, Hawaii Dental Association, American Dental Association, and American Association of Endodontists. Your Committee further finds that Dr. Fujimoto previously served on the Board of Dentistry from 2012 to 2020, including serving as Chairperson, and has most recently served on the Board since 2019. Dr. Fujimoto currently serves as an examiner for dental licensure examinations, attends regional examinations and meetings, and is a member of the Steering Committee of the Central Regional Dental Testing Service, Inc. Dr. Fujimoto's experience and knowledge will continue to be assets to the Board of Dentistry. Your Committee therefore recommends that Staph Fujimoto be appointed to the Board of Dentistry based on his experience, knowledge, and commitment to public service.

JOY SHIMABUKU

Your Committee received testimony in support of the nomination for the appointment of Joy Shimabuku from the Board of Dentistry and two individuals.

Upon review of the testimony, your Committee finds that Mrs. Shimabuku's background and dedication to serving the public qualify her to be appointed to the Board of Dentistry as a public member. Your Committee notes that Mrs. Shimabuku has been a licensed cosmetologist for over fifty years, is a small business owner, and also a licensed real estate agent. Mrs. Shimabuku is an active member in professional and community organizations, including the Professional Beauty Association and Kaimuki Business and Professional Association. Mrs. Shimabuku further serves as a cosmetology instructor and volunteer trainer and previously served as Chair of the American Cancer Society "Look Good, Feel Better" program and Senior Assistant Instructor for the Okinawan Cultural Dance Troupe. Your Committee finds that Mrs. Shimabuku has a thorough understanding of the role and responsibilities of board members and previously served on the Board of Dentistry from 2014 to 2021 and her experience will continue to enhance the effectiveness of Board. Your Committee therefore recommends that Joy Shimabuku be appointed to the Board of Dentistry based on her knowledge, background, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Commerce and Consumer Protection that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

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

SCRep. 4047 Judiciary on Gov. Msg. No. 592

Recommending that the Senate advise and consent to the nomination of the following:

STATEWIDE VOTERS WITH SPECIAL NEEDS ADVISORY COMMITTEE

G.M. No. 592 JAMES GASHEL, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by James Gashel for service on the Statewide Voters with Special Needs Advisory Committee.

Your Committee received testimony in support of the nomination for the appointment of James Gashel from the State Council on Developmental Disabilities, Disability and Communication Access Board, Honolulu Elections Division, Hawaii Disability Rights Center, National Federation of the Blind of Hawaii, and three individuals.

Upon review of the testimony, your Committee finds that Mr. Gashel's experience with the National Federation of the Blind, expertise and familiarity with issues affecting voters with special needs, and passion for helping people with disabilities, qualify him for appointment to the Statewide Voters with Special Needs Advisory Committee. Mr. Gashel has served the National Federation of the Blind in several key leadership positions for more than thirty years and has become one of the best known advocates for the blind in the United States. His work has led to significant changes in virtually every law directly affecting blind Americans. Your Committee notes that Mr. Gashel currently serves as the Secretary of the National Federation of the Blind of Hawai'i and continues to be a champion and strong advocate for people with disabilities. Your Committee therefore recommends that James Gashel be appointed to the Statewide Voters with Special Needs Advisory Committee based on his experience, leadership skills, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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

SCRep. 4048 Judiciary on Gov. Msg. No. 747

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION TO PROMOTE UNIFORM LEGISLATION

G.M. No. 747 MICHAEL TANOUE, for a term to expire 06-30-2024

Your Committee reviewed the personal history, resume, and statement submitted by Michael Tanoue for service on the Commission to Promote Uniform Legislation.

Your Committee received testimony in support of the nomination for the appointment of Michael Tanoue from the Department of the Attorney General, Sumida Law, and five individuals.

Upon review of the testimony, your Committee finds that Mr. Tanoue's legal experience, familiarity in drafting legislation, and dedication to the public qualify him to be nominated for appointment to the Commission to Promote Uniform Legislation. Mr. Tanoue has practiced insurance law for over thirty years and has worked with the Hawaii Insurers Council for over ten years in reviewing, analyzing, drafting, and revising proposed legislation. Your Committee notes that Mr. Tanoue served as a commission member on the Hawaii Supreme Court Committee on Pattern Civil Jury Instructions for over twenty years. Mr. Tanoue has also volunteered as a judge in high school and debate activities at national and state tournaments for nearly forty years. Your Committee finds that Mr. Tanoue's experience in various aspects of law, knowledge in drafting legislation, and commitment to the public will be great assets to the Commission and recommends that Michael Tanoue be appointed to the Commission to Promote Uniform Legislation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 3 (Kim, Lee, Fevella).

SCRep. 4049 Human Services on Gov. Msg. No. 574

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION ON FATHERHOOD

G.M. No. 574 JOSEPH O'CONNELL, for a term to expire 06-30-2023

Your Committee reviewed the personal history, resume, and statement submitted by Joseph O'Connell for service on the Commission on Fatherhood.

Your Committee received testimony in support of the nomination for the appointment of Mr. O'Connell from one individual.

Upon review of the testimony, your Committee finds that Mr. O'Connell's experience in working with youth and families in Hawaii, knowledge as a general licensed resource caregiver formerly known as foster parent for the past seven years, and commitment to improving the lives of Hawaii's youth qualify him for appointment to the Commission on Fatherhood. Your Committee finds that as an individual who aged out of foster care, became a foster parent, and works in the child welfare sector, Mr. O'Connell has a unique and well-informed perspective of the child welfare system and its challenges. Your Committee notes that after passing the General Educational Development test, Mr. O'Connell earned his Bachelor of Arts degree in Economics and Bachelor of Business Administration degree in Business Administration from the University of Hawaii at Hilo. He is currently a Program Supervisor at PARENTS, Inc., a service contractor for the Department of Human Services' Child Welfare Services Branch, where he oversees the company's Comprehensive Counseling and Support Services program that supports families involved in the child welfare system. Mr. O'Connell also serves as a Financial Literacy Facilitator with the HI HOPES Division of EPIC 'Ohana Inc., where he teaches financial literacy to youths who are fifteen to twenty years of age. Prior to taking on these positions, Mr. O'Connell served as a financial literacy trainer and counselor at Hawaii First Federal Credit Union where he created individualized financial plans for low-income families.

Your Committee further notes that from 2019 to 2020, Mr. O'Connell worked with Kamehameha Schools on a program aimed to increase engagement of the community and families of Native Hawaiian children in foster care. In December 2019, Mr. O'Connell was named by the Honolulu Star-Advertiser as one of the "Heroes Next Door" who, as a one-time foster child, has devoted his life to improving the child welfare system. Mr. O'Connell's commitment to improving the lives of Hawaii's youth is also evidenced by his on-going service as a team leader, facilitator, and staff trainer at Hawai'i Leadership Academy's Winners Camp, a residential camp for teenagers on Oahu open for four to six weeks a year that is focused on increasing the academic performance of participating teens.

Your Committee therefore recommends that Joseph O'Connell be appointed to the Commission on Fatherhood based on his experience, knowledge, and fervent commitment to improving the child welfare system and the lives of Hawaii's youth and promoting healthy family relationships between parents and children.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4050 Human Services on Gov. Msg. Nos. 659, 660, 661, 662, 663, 664, and 665

Recommending that the Senate advise and consent to the nominations of the following:

STATE REHABILITATION COUNCIL

- G.M. No. 659 ROSELANI ROWE, for a term to expire 06-30-2025;
- G.M. No. 660 EVALINA WATANABE, for a term to expire 06-30-2025;
- G.M. No. 661 STANLEY YOUNG, for a term to expire 06-30-2025;
- G.M. No. 662 WALTER SOARES, for a term to expire 06-30-2025;
- G.M. No. 663 ANNETTE TASHIRO, for a term to expire 06-30-2025;
- G.M. No. 664 CATHERINE TAYLOR, for a term to expire 06-30-2025; and

G.M. No. 665 HEATHER CHAPMAN, for a term to expire 06-30-2023

Your Committee reviewed the personal histories, resumes, and statements submitted by Roselani Rowe, Evalina Watanabe, Stanley Young, Walter Soares, Annette Tashiro, Catherine Taylor, and Heather Chapman for service on the State Rehabilitation Council.

ROSELANI ROWE

Your Committee received testimony in support of the nomination for the reappointment of Roselani Rowe from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Ms. Rowe's experience, knowledge, and commitment to public service qualify her to be reappointed to the State Rehabilitation Council. Ms. Rowe is currently the Executive Director and Chief Executive Officer of Leadership in Disabilities and Achievement of Hawaii, a non-profit organization that works on various projects that benefit children with or at risk of disabilities, their families, and the professionals who serve them, including the Parent Training and Information Center for the State of Hawaii. Prior to being promoted to her current position, Ms. Rowe was an Education and Training Coordinator providing training, outreach, and advocacy services for parents, families, and caregivers of children with disabilities and disability professionals. Ms. Rowe's commitment to public service is evidenced in her service on various councils and committees, including the Special Education Advisory Council, whose mission is to guide and assist the Department of Education in fulfilling its responsibility to meet the individual needs of children with disabilities.

Your Committee notes that the State Rehabilitation Council is required by statute to include at least one representative of a parent training and information center. Ms. Rowe has been a member of the Council fulfilling this statutory requirement since 2020, and if reappointed, will continue to serve in this capacity.

Your Committee finds that Ms. Rowe's professional experience and knowledge in working with parents, families, and caregivers of children with disabilities and disability professionals and commitment to public service will continue to be great assets for the State Rehabilitation Council. Your Committee therefore recommends that Roselani Rowe be reappointed to the State Rehabilitation Council.

EVALINA WATANABE

Your Committee received testimony in support of the nomination for the reappointment of Evalina Watanabe from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Ms. Watanabe's experience, knowledge, and commitment to public service qualify her to be reappointed to the State Rehabilitation Council. Ms. Watanabe is a resident of Maui who currently serves as Staffing Coordinator at Masterecare Homecare and Healthcare, where she is responsible for advocating for and assisting families with children and adults with disabilities navigate through the homecare and healthcare systems. Prior to her current position, Ms. Watanabe served as an independent living specialist with the Hawaii Centers for Independent Living, providing advocacy and education on disability awareness and accessibility throughout the State. Ms. Watanabe's commitment to public service is evidenced in her service on various commissions and organizations, including serving as the Chairperson of Maui County's Commission on Persons with Disabilities that assists the County in rendering services to persons with disabilities.

Your Committee notes that the State Rehabilitation Council is required by statute to include at least one member from each county and representatives of disability advocacy groups. Ms. Watanabe has been serving on the Council since 2020 fulfilling these statutory requirements as a member from the County of Maui representing disability advocacy groups. If reappointed to the Council, she will continue to serve in the same capacity.

Your Committee finds that Ms. Watanabe's professional experience and knowledge in advocating for families with children and adults with disabilities and commitment to public service will continue to contribute greatly to the State Rehabilitation Council. Your Committee therefore recommends that Evalina Watanabe be reappointed to the State Rehabilitation Council.

STANLEY YOUNG

Your Committee received testimony in support of the nomination for the reappointment of Stanley Young from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Mr. Young's experience, knowledge, and commitment to public service qualify him to be reappointed to the State Rehabilitation Council. For the past twenty-five years, Mr. Young has been an active client of Ho'opono Services for the Blind, a branch of the Department of Human Services' Division of Vocational Rehabilitation. Mr. Young has worked at various state and federal blind vending facilities since 1995 and currently serves as a licensed blind vendor at Daniel K. Inouye International Airport's newsstand along his two blind partners and eighty-four employees, including disabled and blind individuals. Since 2019, Mr. Young has been serving as the elected chairperson of the Hawaii State Committee of Blind Vendors, a federal Randolph Sheppard Act mandated board of blind vendors, actively participating in all major decisions made by Ho'opono's Business Enterprise Program on behalf of blind vendors.

Your Committee notes that the State Rehabilitation Council is required by statute to include representatives of disability advocacy groups. Mr. Young has been a member of the Council fulfilling this statutory requirement since 2020, and if reappointed, will continue to serve in this capacity.

Your Committee finds that Mr. Young's personal and professional experience and knowledge in working as a blind vendor, hiring disabled and blind employees, and advocating on behalf of blind vendors, as well as his commitment to public service will continue to be great assets to the State Rehabilitation Council. Your Committee therefore recommends that Stanley Young be reappointed to the State Rehabilitation Council.

WALTER SOARES

Your Committee received testimony in support of the nomination for the reappointment of Walter Soares from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Mr. Soares's experience, knowledge, and commitment to public service qualify him to be reappointed to the State Rehabilitation Council. Since 1989, Mr. Soares has been the President and owner of Island Skill Gathering, an entity contractor with the Department of Human Services' Division of Vocational Rehabilitation, that empowers people with disabilities by facilitating the learning of independent living skills; providing assistive technology, vocational counseling, and Americans with Disabilities Act (ADA) training; and raising disability awareness. As an individual with a disability who has been a recipient of the Division's services, Mr. Soares has first-hand knowledge on its vocational rehabilitation process and can therefore effectively advocate on behalf of disabled individuals seeking employment.

Your Committee notes that the State Rehabilitation Council is required by statute to include representatives of disability advocacy groups. Mr. Soares has been a member of the Council fulfilling this statutory requirement since 2020, and if reappointed, will continue to serve in this capacity.

Your Committee finds that Mr. Soares's working knowledge on the vocational rehabilitation process, expertise in assistive technology that can assist an individual with a disability accomplish almost any job task, and his experience advocating on behalf of individuals with disabilities will continue to enhance the effectiveness of the State Rehabilitation Council. Your Committee therefore recommends that Walter Soares be reappointed to the State Rehabilitation Council.

ANNETTE TASHIRO

Your Committee received testimony in support of the nomination for the reappointment of Annette Tashiro from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Ms. Tashiro's experience, knowledge, and commitment to public service qualify her to be reappointed to the State Rehabilitation Council. Ms. Tashiro is a retired certified Vocational Rehabilitation Counselor with a Master of Education degree in Counselor Education-Rehabilitation Counseling. Ms. Tashiro was a public servant for over two decades, serving in various positions with the State of Hawaii and City and County of Honolulu. Her experience includes ten years of service as a Vocational Rehabilitation Counselor with the Ho'opono Services for the Blind, a branch of the Department of Human Services' Division of Vocational Rehabilitation, during which she advocated for and collaborated with her clients to develop a successful individualized plan for employment and independent living. Ms. Tashiro currently serves as a volunteer to provide counseling, education, and training opportunities for persons with disabilities to help them achieve success in their quality of life aspirations, and continues to be an active community member as an advocate for emergency preparation, resolving homelessness, aging with dignity, and equal access to community services. In addition to being a member of the State Rehabilitation Council since 2020, she chairs the Statewide Independent Living Council and serves on the National Federation of the Blind, Anuenue Chapter, as its treasurer.

Your Committee notes that the State Rehabilitation Council is required by statute to include representatives of disability advocacy groups. If reappointed, Ms. Tashiro will be one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Tashiro's advocacy for individuals with disabilities, experience in education-rehabilitation counseling, familiarity with the vocational rehabilitation program and the needs of individuals with disabilities, and commitment to public service will continue to be great assets to the State Rehabilitation Council. Your Committee therefore recommends that Annette Tashiro be reappointed to the State Rehabilitation Council.

CATHERINE TAYLOR

Your Committee received testimony in support of the nomination for the appointment of Catherine Taylor from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Dr. Taylor's experience, knowledge, and commitment to public service qualify her to be appointed to the State Rehabilitation Council. Dr. Taylor has been a teacher employed by the Department of Education for sixteen years, with credentials that include a Doctor of Philosophy degree in Education, specializing in Exceptionalities earned from the University of Hawaii at Manoa and a Master of Science degree in Rehabilitation Counseling earned from San Francisco State University. She has been a Licensed Mental Health Counselor and Behavioral Specialist since 2008 and has been serving as a Special Education and Science Teacher, Secondary Education, at Iao School and Maui High School in the County of Maui since 2019. Dr. Taylor's past positions include serving as a Disability Services Counselor at the University of Hawaii Maui College during which she worked closely with counselors at the Department of Human Services' Division of Vocational Rehabilitation in facilitating the transition of individuals with disabilities into the workforce and vocational and college programs.

Your Committee notes that the State Rehabilitation Council is required by statute to include representatives of disability advocacy groups. Dr. Taylor has been serving as an interim member of the Council as one of the representatives of disability advocacy groups for the past year and if appointed, will continue to serve in this capacity. The appointment of Dr. Taylor, who is a resident of Maui, will also fulfill the statutory requirement that the State Rehabilitation Council include at least one member from each county.

Your Committee finds that Dr. Taylor's extensive experience in working with individuals with disabilities and supporting their educational needs as they transition to employment and post-secondary education and commitment to public service will continue to be great assets to the State Rehabilitation Council. Your Committee therefore recommends that Catherine Taylor be appointed to the State Rehabilitation Council.

HEATHER CHAPMAN

Your Committee received testimony in support of the nomination for the appointment of Heather Chapman from the Department of Human Services' Division of Vocational Rehabilitation.

Upon review of the testimony, your Committee finds that Dr. Chapman's experience, knowledge, and commitment to public service qualify her to be appointed to the State Rehabilitation Council. Dr. Chapman earned a Doctorate in Psychology from Touro University in Vallejo, California; a Master of Arts degree in Clinical Psychology from Argosy University; and a Master of Science degree in Counseling Psychology from Chaminade University of Honolulu. She is a Licensed Behavior Analyst and is currently the Department of Education's Educational Specialist for post-secondary, incarcerated, and residential students under the Individuals with Disabilities Education Act (IDEA). Dr. Chapman's role in planning, implementing, and evaluating transition education and services at the state system level ensures that transitioning students achieve their postsecondary goals.

Your Committee also notes that the State Rehabilitation Council is required by statute to include at least one representative of the state educational agency responsible for the public education of students with disabilities. The appointment of Dr. Chapman satisfies this statutory requirement.

Your Committee believes Dr. Chapman's knowledge of school and mental health systems, learning styles, special education, behavior interventions, and student/client intervention development will continue to be great assets to the State Rehabilitation Council. Your Committee therefore recommends that Heather Chapman be appointed to the State Rehabilitation Council.

As affirmed by the records of votes of the members of your Committee on Human Services that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 4051 Housing on Gov. Msg. Nos. 637, 759, and 822

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

G.M. No. 637 GARY MACKLER, for a term to expire 06-30-2026;

G.M. No. 759 JAY KIMURA, for a term to expire 06-30-2025; and

G.M. No. 822 JASON BRADSHAW, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Gary Mackler, Jay Kimura, and Jason Bradshaw for service on the Board of Directors of the Hawaii Housing Finance and Development Corporation.

GARY MACKLER

Your Committee received testimony in support of the nomination for the reappointment of Gary Mackler from the Office of the Mayor of the County of Kaua'i, EAH Housing, HHOC Housing & Land Trust, and one individual.

Upon review of the testimony, your Committee finds that Mr. Mackler's knowledge and experience in housing development qualify him for reappointment to the Board of Directors of the Hawaii Housing Finance and Development Corporation as a public member representing the County of Kauai. Your Committee notes that Mr. Mackler currently serves as a member of the Board of Directors of the Hawaii Housing Finance and Development Corporation and the Kauai Housing Development Corporation. Additionally, Mr. Mackler serves as a board member for the Hawaii Home Ownership Center Community Land Trust. Prior to his membership on the Board of Directors of the Hawaii Housing Finance and Development Corporation, Mr. Mackler earned his Juris Doctor from the Western State University College of Law and served as the Housing Development Coordinator for the Kauai County Housing Agency for twenty-four years. During the course of his career in housing development, Mr. Mackler has worked on many housing projects, including the Kalepa Village, Paanau Village, Kanikoo at Rice Camp, Koaie Makana, and Lima Ola. Specifically, Mr. Mackler's project experience includes developments that have provided large numbers of multi-family rental units. Mr. Mackler's extensive knowledge and experience regarding housing development in Kauai County will continue to be assets to the Board of Directors of the Hawaii Housing Finance and Development Corporation. Your Committee therefore recommends that Gary Mackler be reappointed to the Board of Directors of the Hawaii Housing Finance and Development Corporation based on his knowledge, experience, and commitment to public service.

JAY KIMURA

Your Committee received testimony in support of the nomination for the appointment of Jay Kimura from one individual.

Upon review of the testimony, your Committee finds that Mr. Kimura's knowledge and experience regarding poverty reduction and nonprofit community action qualify him for appointment to the Board of Directors of the Hawaii Housing Finance and Development Corporation as a community advocate member. Your Committee notes that Mr. Kimura served as the Executive Director of the Hawaii County Economic Opportunity Council from 2012 to 2019. In this role, Mr. Kimura managed the Council's staff and secured funding from federal, state, and county sources. Prior to his work at the Hawaii County Economic Opportunity Council, Mr. Kimura served as the Prosecuting Attorney for the County of Hawaii, where he established proactive community involvement, including the Big Island Comprehensive Juvenile Justice Strategy and Big Island Community Action Program. Mr. Kimura earned his Juris Doctor from the California Western School of Law. Mr. Kimura is also an active community member who has served on numerous boards and committees, including the Governor's Committee on Crime, Juvenile Justice Interagency Committee, Big Island Housing Foundation, Independent Law Enforcement Review Board, among others. Mr. Kimura's knowledge and experience in nonprofit community action and commitment to public service will be assets to the Board of Directors of the Hawaii Housing Finance and Development Corporation. Your Committee therefore recommends that Jay Kimura be appointed to the Board of Directors of the Hawaii Housing Finance and Development Corporation based on his knowledge, experience, and commitment to public service.

JASON BRADSHAW

Your Committee received testimony in support of the nomination for the appointment of Jason Bradshaw from the Labor Caucus of the Democratic Party of Hawai'i, Iron Workers Stabilization Fund, and two individuals.

Upon review of the testimony, your Committee finds that Mr. Bradshaw's experience and knowledge working on behalf of workers in the State qualify him for appointment to the Board of Directors of the Hawaii Housing Finance and Development Corporation as a public member. Your Committee notes that Mr. Bradshaw currently works as a government affairs representative for the Hawaii Ironworkers Stabilization Fund. Previously, Mr. Bradshaw worked as a legislative representative for ILWU Local 142 and as the Political Director at the Hawaii State AFL-CIO. Mr. Bradshaw has also served as a member of several community organizations, including the State Central Committee of the Labor Caucus of the Democratic Party of Hawaii, the Board of the Hawaii Workforce Development Council, and the Board of the Hawaii Ports Maritime Council. Mr. Bradshaw's commitment to representing workers and labor organizations in the State will be an asset to the Board of Directors of the Hawaii Housing Finance and Development Corporation. Your Committee therefore recommends that Jason Bradshaw be appointed to the Board of Directors of the Hawaii Housing Finance and Development Corporation based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Housing that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4052 Housing on Gov. Msg. Nos. 773 and 799

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY (HPHA)

G.M. No. 773 ROBERT HALL, for a term to expire 06-30-2026; and

G.M. No. 799 CHRISTYL NAGAO, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Robert Hall and Christyl Nagao for service on the Board of Directors of the Hawaii Public Housing Authority.

ROBERT HALL

Your Committee received testimony in support of the nomination for the reappointment of Robert Hall from the Hawaii Public Housing Authority, Hawaii Operating Engineers Local Union No. 3, Hawaii Operating Engineers Industry Stabilization Fund, Mutual Housing Association of Hawai'i, Waiohuli Hawaiian Homestead Association, and six individuals.

Upon review of the testimony, your Committee finds that Mr. Hall's experience and knowledge in state government and housing management qualify him for reappointment to the Board of Directors of the Hawaii Public Housing Authority as a public member representing the City and County of Honolulu. Your Committee notes that Mr. Hall is currently the principal at Aukai Pacific LLC; RJH Pacific LLC; and Pueo Development, LLC. Previously, Mr. Hall worked at the Department of Hawaiian Home Lands the Housing and Community Development Corporation of Hawaii and Hawaii Housing Authority. Mr. Hall has contributed to the development of many community projects, including the Waimanalo Community Economic and Employment Training Center, Molokai Community Health Center, West Hawaii Community Health Center, Lanai Community Health Center, and Laiopua Community Center. Mr. Hall also established a fifteen-year budget for the development of approximately ten thousand homestead units for the Department of Hawaiian Home Lands. Mr. Hall's experience and knowledge of state government, housing management, and community development will be an asset to the Board of Directors of the Hawaii Public Housing Authority. Your Committee therefore recommends that Robert Hall be appointed to the Board of Directors of the Hawaii Public Housing Authority based on his knowledge, experience, and commitment to public service.

CHRISTYL NAGAO

Your Committee received testimony in support of the nomination for the appointment of Christyl Nagao from the Hawaii Public Housing Authority.

Upon review of the testimony, your Committee finds that Ms. Nagao's knowledge and experience in the real estate industry qualify her for appointment to the Board of Directors of the Hawaii Public Housing Authority as a public member representing the County of Kauai. Your Committee notes that Ms. Nagao currently works as a broker-in-charge at Taba Realty & Development, LLC and as a mortgage loan originator at Kama'aina Mortgage Group. Previously, Ms. Nagao worked as an independent contractor at Elite Pacific Properties, LLC and Tradewinds Realty, LLC. Ms. Nagao is also a member of the Kauai Board of REALTORS, where she has served as secretary and director, and as a member of the Long Term Management Committee, Communication Committee, and Special Task Force. Ms. Nagao's knowledge and experience in Hawaii's real estate industry will be an asset to the Board of Directors of the Hawaii Public Housing Authority. Your Committee therefore recommends that Christyl Nagao be appointed to the Board of Directors of the Hawaii Public Housing Authority based on her knowledge, experience, and willingness to serve the community.

As affirmed by the records of votes of the members of your Committee on Housing that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4053 Government Operations on Gov. Msg. No. 790

Recommending that the Senate advise and consent to the nomination of the following:

ENHANCED 911 BOARD

G.M. No. 790 REBECCA LIEBERMAN, for a term to expire 06-30-2025

Your Committee has reviewed the personal history, resume, and statement submitted by Rebecca Lieberman for service on the Enhanced 911 Board.

Your Committee received testimony in support of the nomination for the appointment of Rebecca Lieberman from the Department of Accounting and General Services, Strategies 360 Hawaii, Charter Communications, and three individuals.

Your Committee finds that Ms. Lieberman is presently the Director of State Government Affairs for Charter Communications. Among other roles, in this capacity Ms. Lieberman has worked tirelessly to ensure that communities across the State are well-served and connected to vital broadband services. Ms. Lieberman is a graduate of Columbia University, where she obtained a Bachelor of Arts degree in Urban Planning. In her personal statement, Ms. Lieberman highlighted her background in public policy and planning and its relevance to the work of the Enhanced 911 Board.

Your Committee further finds that Ms. Lieberman has a proven track record of leadership and community service, as noted by testimony. The testimony in support of her nomination also describes Ms. Lieberman as passionate, competent, collaborative, and dedicated.

Your Committee notes that Ms. Lieberman's knowledge and experience satisfies the requirement for a representative of a communications service company that offers voice over internet protocol services to serve on the Enhanced 911 Board. This background will bring important insight to the Enhanced 911 Board regarding the challenges, barriers, and other matters related to building and maintaining statewide information and communication networks. Accordingly, your Committee believes that Ms. Lieberman will bring valuable experience, knowledge, and leadership to the Enhanced 911 Board, and therefore recommends that Rebecca Lieberman be appointed to the Enhanced 911 Board based on her knowledge, background, and experience.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Chang, Gabbard).

SCRep. 4054 Energy, Economic Development, and Tourism on H.C.R. No. 73

The purpose and intent of this measure is to urge each county to curb the proliferation of illegal vacation rental units by:

- (1) Conducting expedited foreclosures on illegal vacation rental properties that have an amount in arrears with the applicable county and the State of over \$5,000;
- (2) Imposing increased minimum levels of fines to discourage repeat offenses; and
- (3) Refraining from reducing fine amounts for violators.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority.

Your Committee finds that illegal transient vacation units are increasingly located in residential areas, often in violation of zoning laws and in conflict with residential neighbors. Your Committee also finds that illegal transient vacation units negatively impact the quality of life of Hawaii residents by, among other things, removing potential rental properties from the market, increasing traffic and safety concerns in residential neighborhoods, and placing additional burden on infrastructure and facilities. Your Committee notes that the City and County of Honolulu recently passed Bill No. 41, which addresses the proliferation of illegal transient vacation units by increasing the minimum booking period of short-term rentals from thirty days to ninety days in most areas of Oahu. This measure urges other counties to likewise enhance their enforcement efforts to address the proliferation of illegal transient vacation rentals.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 73, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Fevella).

SCRep. 4055 (Joint) Higher Education and Agriculture and Environment on H.C.R. No. 36

The purpose and intent of this measure is to request the University of Hawaii to work with the National Oceanic and Atmospheric Administration and Department of Education to create a Coral Reef Advisory Team of Youth.

Your Committees received testimony in support of this measure from the National Oceanic and Atmospheric Association, University of Hawai'i System, Hawai'i Reef and Ocean Coalition, Friends of Hanauma Bay, and three individuals.

Your Committees find that coral reefs are some of the most diverse ecosystems in the world, with about twenty-five percent of the ocean's fish dependent on healthy coral reefs. Coral reefs additionally protect coastlines from storms and erosion, provide a source of food and new medicines, and offer opportunities for recreation. Your Committees note that Hawaii's coral reefs account for about eighty-five percent of all coral reefs in the United States, and the Northwestern Hawaiian Island coral reefs, which are part of the Papahānaumokuākea National Marine Monument, provide an example of the diversity of life associated with shallow-water reef ecosystems, supporting more than seven thousand species of fishes, invertebrates, plants, sea turtles, birds, and marine mammals.

Your Committees further find that the threat of climate change continues to impact coral reefs worldwide, including Hawaii's unique coral reef ecosystem, as increased temperature stress leads to coral bleaching, a phenomenon that causes coral to lose the algal symbionts living within their cells. While corals are able to recover from bleaching events under improving conditions, full recovery of coral reefs can take many years for ecosystems to fully heal. Implementing educational initiatives will allow more youth to understand the importance of coral reefs and ecosystem restoration, which are critical to Hawaii's marine life.

As affirmed by the records of votes of the members of your Committees on Higher Education and Agriculture and Environment that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 36, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Higher Education: Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

Agriculture and Environment: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4056 Public Safety, Intergovernmental, and Military Affairs on H.C.R. No. 157

The purpose and intent of this measure is to urge the Honolulu Police Department to allocate additional resources to increase police presence on the Waianae coast and to create a new police district for Waianae that is separate from Kapolei and Ewa.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Honolulu Police Department's District 8, which includes Ewa, Kapolei, and the Waianae coast, had the highest number of murders and aggravated assaults on Oahu in 2020. Your Committee believes that increasing the visible presence of uniformed police officers will deter criminal activity and provide more immediate assistance to victims once a crime has been committed. This measure will improve public safety by urging the Honolulu Police Department to allocate additional resources to increase police presence on the Waianae coast and to create a new police district for Waianae that is separate from Kapolei and Ewa.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 157, and recommends that it be referred to your Committee on Ways and Means.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4057 Human Services on H.C.R. No. 137

The purpose and intent of this measure is to urge the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for children who are survivors of sex trafficking.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and three individuals. Your Committee received comments on this measure from the Department of Human Services and Office of Youth Services.

Your Committee finds that the number of victims subjected to commercial sexual exploitation has increased significantly over recent years. Your Committee also finds, however, that the State lacks a sufficient number of facilities to serve as emergency shelters for child survivors of sex trafficking. This measure aims to address this void by urging the Department of Human Services to provide an emergency shelter to address the imminent and specific needs of child survivors of sex trafficking and provide them with protection and a coordinated continuum of care at a centralized location.

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

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 137, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 137, H.D. 1, S.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 4058 (Joint) Commerce and Consumer Protection and Health on H.C.R. No. 33

The purpose and intent of this measure is to request the Auditor to conduct an impact assessment report in accordance with sections 23-51 and 23-52, Hawaii Revised Statutes, of mandating health insurance coverage for early access breast cancer screening as proposed by Senate Bill No. 827, S.D. 2, introduced in the Regular Session of 2021 (S.B. No. 827).

Your Committees received testimony in support of this measure from the Hawaii Medical Association. Your Committees received comments on this measure from the Department of Health.

Your Committees find that breast cancer is the most frequently diagnosed cancer among women in Hawaii. Federal guidelines recommend screening women for breast cancer at age fifty; however, women in certain ethnic groups are more likely to develop breast cancer before the age of fifty, including women of Asian and Native Hawaiian descent. Risk assessment and early detection greatly decrease breast cancer morbidity and mortality. Accordingly, the expansion of insurance coverage for breast cancer screening for younger women at higher risk can increase early identification and the initiation of life saving treatments, which can also help health plans save money in the long-term. S.B. No. 827 would improve breast cancer detection rates in the State by increasing the categories of women required to be covered for mammogram screenings, mandating coverage for low-dose mammography to include digital mammography and breast tomosynthesis, and requiring health care providers to be reimbursed at rates accurately reflecting the resource cost specific to each service. This measure is necessary to advance S.B. No. 827 and protect women in minority communities who would be disproportionately and adversely impacted by federal guidelines limiting their access to life saving screening.

Your Committees have amended this measure by 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 Commerce and Consumer Protection and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 33, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 33, S.D. 1.

Signed by the Chair and President on behalf of the Committees.
Commerce and Consumer Protection: Ayes, 7. Noes, none. Excused, none.
Health: Ayes, 5. Noes, none. Excused, none.

SCRep. 4059 Higher Education on Gov. Msg. Nos. 819 and 820

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE

G.M. No. 819 SUZETTE ROBINSON, for a term to expire 06-30-2024; and

G.M. No. 820 RICHARD SEDER, for a term to expire 06-30-2024

Your Committee reviewed the personal histories, resumes, and statements submitted by Suzette Robinson and Richard Seder for service on the Hawaii Commission for National and Community Service.

SUZETTE ROBINSON

Your Committee did not receive any testimony on this measure.

Your Committee finds that Ms. Robinson's experience, knowledge, and willingness to serve on the Hawaii Commission for National and Community Service qualify her for appointment as a member. Ms. Robinson has served Hawaii's higher education community for nearly forty-five years, serving in multiple roles in academic program development and instruction, including as Vice Chancellor for Academic Affairs and as Assistant Dean of Instruction at University of Hawaii – Maui College. Ms. Robinson recently retired as Interim Chancellor of Leeward Community College, where she oversaw campus development and programs at both Leeward Community College and the Waianae Moku Education Center. Your Committee notes that Ms. Robinson has also been an active member in her community to advance higher education in the State. She previously served as principal investigator for NSF ADVANCE grant, which provided a five-year, \$1.1 million grant to provide resources in recruitment, retention, and advancement for women in science, technology, engineering, and mathematics (STEM) fields within the University of Hawaii Community Colleges. Your Committee further finds that Ms. Robinson's experience and knowledge will be assets to the Hawaii Commission for National and Community Service. Your Committee therefore recommends that Suzette Robinson be appointed to the Hawaii Commission for National and Community Service based on her experience, knowledge, and commitment to public service.

RICHARD SEDER

Your Committee did not receive any testimony on this measure.

Your Committee finds that Dr. Seder's experience, knowledge, and willingness to serve on the Hawaii Commission for National and Community Service qualify him for appointment as a member. Dr. Seder has extensive experience in K-12 and higher education, serving in various roles from instructional faculty to policy development and consulting. Your Committee notes that Dr. Seder has contributed to the field of education through his research on early childhood development and student non-enrollment and chronic absenteeism. Dr. Seder has also authored or co-authored numerous technical reports ranging from the State of Hawaii Perkins V State Plan, early childhood development, and school system development in various states. Your Committee additionally finds that Dr. Seder has previously served as President of the Hawaii Educational Research Association, a research network dedicated to studying social and economic changes on educational policy. Your Committee further finds that Dr. Seder's experience and knowledge in all levels of education, including educational policy and early childhood development, will be assets to the Hawaii Commission for National and Community Service. Your Committee therefore recommends that Richard Seder be appointed to the Hawaii Commission for National and Community Service based on his experience, knowledge, and commitment to public service.

As affirmed by the records of votes of the members of your Committee on Higher Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 4060 (Majority) Commerce and Consumer Protection on Gov. Msg. No. 754

Recommending that the Senate advise and consent to the nomination of the following:

PUBLIC UTILITIES COMMISSION

G.M. No. 754 NAOMI KUWAYE, for a term to expire 06-30-2028

Your Committee reviewed the personal history, resume, and statement submitted by Naomi Kuwaye for service on the Public Utilities Commission.

Your Committee received testimony in support of the nomination for the appointment of Naomi Kuwaye from the Department of Commerce and Consumer Affairs; Public Utilities Commission; Department of Transportation; Hawai'i State Energy Office; Office of the Mayor of the County of Kaua'i; G70; The AES Corporation; Imanaka Asato, LLLC; Pat Lee & Associates, LLC; Ashford & Wriston, LLLP; and twenty-seven individuals. Your Committee received testimony in opposition to the nomination for the

appointment of Naomi Kuwaye from Americans for Democratic Action Hawai'i, League of Women Voters of Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, Kahuku Community Association, Progressive Democrats of Hawai'i, Our Revolution Hawai'i, 350 Hawai'i, Climate Protectors Hawai'i, Kaua'i Women's Caucus, a petition signed by Energy Justice Hawai'i Hui comprising of various organizations, a petition signed by one hundred thirty-nine individuals, and forty-five individuals. Your Committee received comments on the nomination for the appointment of Naomi Kuwaye from Sierra Club of Hawai'i, Kupuna for the Mo'opuna, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Kuwaye's background, experience, and commitment to public service qualify her for appointment to the Public Utilities Commission. Your Committee notes that Ms. Kuwaye has over thirty years of experience practicing law, specializing in environmental and natural resource law, real estate development, telecommunications law, public utilities, and administrative law. Ms. Kuwaye has worked with Ashford & Wriston, LLP since 2012. In the public utilities area, Ms. Kuwaye represented companies and independent power producers before the Public Utilities Commission and helped her clients navigate compliance with complex federal, state, and county laws and regulations to ensure their proper development and operation within the State. Over the course of her extensive career, Ms. Kuwaye has gained considerable experience and knowledge in the regulatory aspects of electric and telecommunication industries and has worked on principal market rate authority and transmissions cases before the Public Utilities Commission, which have resulted in the establishment of new policies.

Your Committee further finds that Ms. Kuwaye recognizes and supports the State's energy policies and goals. Ms. Kuwaye also acknowledges the oversight and administrative role of the Public Utilities Commission, the regulatory responsibilities that the Commission is required to fulfill, and the importance of balancing various interests from different perspectives. Through her extensive career representing clients before the Public Utilities Commission, Ms. Kuwaye has become deeply familiar with the scope of review and procedural requirements of the Public Utilities Commission and her insight and knowledge will be beneficial in light of the complex dockets currently before the Public Utilities Commission and the ongoing efforts of the Commission to meet the State's energy goals.

Your Committee notes that Ms. Kuwaye has also served as Chair, Vice-Chair, and Program Chair for the Natural Resources Section of the Hawaii State Bar Association and has been invited to speak and serve as a panelist on a number of issues involving land use, government, boundary issues, Clean Water Act compliance, and critical habitat and endangered species issues. Ms. Kuwaye's broad and diversified background and extensive knowledge with public utilities law will be an invaluable complement to the expertise of other Public Utilities Commissioners. Your Committee therefore recommends that Naomi Kuwaye be appointed to the Public Utilities Commission based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, 1 (San Buenaventura). Excused, 2 (DeCoite, Fevella).

SCRep. 4061 Human Services on H.C.R. No. 117

The purpose and intent of this measure is to request the Department of Human Services to:

- (1) Immediately cease intercepting social security payments for children in foster care; and
- (2) Deposit social security payments for foster children into savings accounts, which the children may access when they return to their families, are adopted, or age out of foster care.

Your Committee received testimony in support of this measure from the Hawaii Family Advocacy Team. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that children and youth who age out of foster care face many challenges in navigating the transition to independence in adulthood, evidenced by statistics showing that former foster youth are more likely than their peers to become homeless, incarcerated, or human trafficked. Your Committee also finds that roughly ten percent of foster children in the United States are entitled to social security benefit payments either because their parents have died or because they have a physical or mental disability that would leave them in poverty without financial assistance. Under federal law, these social security payments, which can range from \$700 to \$2,000 a month, are considered the property of the child beneficiary. For child beneficiaries who are minors, the United States Social Security Administration (SSA) generally appoints representative payees to receive and manage the payments on behalf of the child. According to SSA's Representative Payee Order of Preference List for Minor Child Beneficiaries, child welfare service agencies are the least preferred representative payees. However, many state child welfare agencies, including the Hawaii Department of Human Services, apply to become the representative payee of child beneficiaries in foster care and seize their social security payments, often without notifying the child or other persons who are more preferred as the child's representative payee. Your Committee finds that this practice is detrimental to foster children who are social security beneficiaries, as it denies them money that belongs to them and deprives them of the opportunity to accumulate savings that may aid in their transition out of foster care. This measure requests the Department of Human Services to immediately cease this unjust and harmful practice and instead set aside the social security payments into saving accounts for the foster children to access upon their exit from the foster system.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 117, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 4062 (Joint) Health and Public Safety, Intergovernmental, and Military Affairs on H.C.R. No. 6

The purpose and intent of this measure is to request the United States Department of Defense, Navy, to prepare a plan to:

- (1) Decommission the Red Hill Bulk Fuel Storage Facility and store its fuel away from the Southern Oahu Basal Aquifer in a manner that is compliant with federal and state law;
- (2) Establish a new water treatment facility adjacent to Red Hill;
- (3) Pay for all costs to the State; and
- (4) Comply with all future remediation efforts to Oahu's environment and water supply.

Your Committees received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Department of Land and Natural Resources Commission on Water Resource Management, City and County of Honolulu Board of Water Supply, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, and one individual.

Your Committees find that the United States Navy is the owner and operator of the Red Hill Bulk Fuel Storage Facility, a World War II era underground storage tank system on Oahu. The Red Hill Bulk Fuel Storage Facility consists of twenty underground storage tanks, pipelines, and other infrastructure and is used to store marine diesel and two types of jet fuel. It also sits approximately one hundred feet directly above the Southern Oahu Basal Aquifer.

Your Committees further find that in November 2021, there was a release of approximately fourteen thousand gallons of a mixture of water and fuel from a crack in a fire suppression drain line at the Red Hill Bulk Fuel Storage Facility. As a result, JP-5, or jet fuel, seeped into the Red Hill Shaft, one of the drinking water sources for the Navy's water system. As a result, nearby residents reported that their families and pets experienced health issues after consuming the water, including rashes, mouth sores, stomach aches, vomiting, burning eyes, sore throats, headaches, and nausea. Furthermore, over three thousand residents were required to move out of their homes, several businesses shut down or limited their operations, and several Hawaii public schools and child development centers were forced to close off sinks and water fountains and use only bottled water for handwashing, dishwashing, and drinking purposes.

On March 7, 2022, the United States Secretary of the Defense ordered the closure of the Red Hill Bulk Fuel Storage Facility; began the process of determining how to remove the remaining fuel from the facility; and directed the Secretary of the Navy and Director of the Defense Logistics Agency to provide a plan, no later than May 31, 2022, with milestones to defuel the facility with a target to complete the defueling within twelve months. This measure seeks to ensure the protection of Oahu's environment and water supply from further pollution crises.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 6, H.D. 1, and recommend its adoption.

Signed by President and the Chair on behalf of the Committees.

Health: Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4063 Housing on H.C.R. No. 126

The purpose and intent of this measure is to urge state and county agencies to follow the true intent of chapter 201H, Hawaii Revised Statutes, and the express provisions of section 201H-38, Hawaii Revised Statutes, rather than impose additional restrictions and processes to address the shortage of affordable housing in Hawaii.

Your Committee received testimony in support of this measure from Stanford Carr Development, LLC and three individuals.

Your Committee finds that chapter 201H, Hawaii Revised Statutes, established the Hawaii Housing Finance and Development Corporation to facilitate the construction of housing in the State. Section 201H-38, Hawaii Revised Statutes, exempts the Hawaii Housing Finance and Development Corporation from rules and ordinances restricting the construction of dwelling units. However, many county agencies have not provided the exemptions intended by that law. This measure urges all state and county agencies to follow the true intent of chapter 201H and section 201H-38, Hawaii Revised Statutes, to promote the development of affordable housing in the State. However, your Committee further finds that exemptions to rules and ordinances provided pursuant to chapter 201H, Hawaii Revised Statutes, must be balanced against a range of interests, especially the need for environmental protection and sustainability. Finally, your Committee notes, for clarity, that section 201H-38, Hawaii Revised Statutes, does not exempt affordable housing projects developed by the Hawaii Housing Finance and Development Corporation from fees approved by the boards of water supply as authorized by chapter 54, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 126, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Rhoads, Fevella). Noes, none. Excused, none.

SCRep. 4064 Housing on H.C.R. No. 108

The purpose and intent of this measure is to urge the Hawaii Housing Finance and Development Corporation to combat hostile and harmful actions by profit-driven investors and aggregators participating in the State's low-income housing tax credit program.

Your Committee received testimony in support of this measure from the Mutual Housing Association of Hawai'i and three individuals. Your Committee received testimony in opposition to this measure from Stanford Carr Development, LLC and EAH. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that Hawaii is facing an unprecedented housing shortage. To address the shortage, the State issues tax credits to nonprofit developers to build low income housing. However, some predatory investors exploit the low-income housing tax credits issued by the State to make a profit. Manipulative investors undermine efforts to provide low-income housing and exploit the State's resources. This measure urges the Hawaii Housing Finance and Development Corporation to combat actions by investors and

aggregators that seek to exploit the State's low-income housing tax credit program. Your Committee notes the testimony from the Hawaii Housing Finance and Development Corporation indicating that exploitation by predatory investors has already been mitigated by a 2015 amendment to its Qualified Action Plan. However, your Committee further finds that the low-income tax credit program is complex and that not all concerns regarding exploitation by investors have been fully resolved. Addressing each issue is essential to the effectiveness of the low-income housing tax credit and maintaining confidence in state agencies, including the Hawaii Housing Finance and Development Corporation. Your Committee notes that testimonies reflect the differing opinions on whether the changes made by the Hawaii Housing Finance and Development Corporation to the Qualified Action Plan in 2015 address the problem of unscrupulous aggregators who refuse to honor the purchase option or right of first refusal in their contracts with non-profit organizations. In adopting this measure, your Committee also encourages the Hawaii Housing Finance and Development Corporation to convene a forum to meet with developers that participate in the low-income housing tax credit program to address the aggregator issue, develop appropriate solutions, and, if needed, submit legislation.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 108, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Moriwaki, Fevella). Noes, none. Excused, none.

SCRep. 4065 Judiciary on Gov. Msg. No. 772

Recommending that the Senate advise and consent to the nomination of the following:

DEFENDER COUNCIL

G.M. No. 772 CRYSTAL GAIL GLENDON, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Crystal Gail Glendon for service on the Defender Council.

Your Committee received testimony in support of the nomination for the reappointment of Crystal Gail Glendon from the Office of the Public Defender, Law Office of Richard H.S. Sing, and five individuals.

Upon review of the testimony, your Committee finds that Ms. Glendon's legal background and dedication to serving the public qualify her to be reappointed to the Defender Council. Your Committee notes that Ms. Glendon has been a practicing attorney in Hawaii since 2004. She is currently a partner at Glendon & Ponce, LLC, handling civil and criminal litigation. Ms. Glendon is also a Criminal Justice Act panel member. She was previously a solo practitioner handling criminal defense, family law, appeals, and civil litigation matters. Prior to that, Ms. Glendon served over fourteen years as a Deputy Public Defender in the Office of the Public Defender. Your Committee finds that Ms. Glendon has a thorough understanding of the role and responsibilities of board members. Your Committee finds that Ms. Glendon served the last two years as a member of the Defender Council and her experience and knowledge will continue to enhance the effectiveness of the Defender Council. Your Committee therefore recommends that Crystal Gail Glendon be reappointed to the Defender Council based on her commitment, background, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Kim, Lee, Fevella).

SCRep. 4066 (Joint) Public Safety, Intergovernmental, and Military Affairs and Government Operations on H.C.R. No. 8

The purpose and intent of this measure is to request the Department of Public Safety, Sheriff Division to display the Prisoner of War and Missing in Action Flag at the State Capitol.

Your Committees received testimony in support of this measure from the State Office of Veterans Services and one individual.

Your Committees find that the Prisoner of War and Missing in Action Flag must be flown on six national holidays above the country's most important buildings, including the White House, United States Capitol, and every major military installation. Your Committees further find that the importance of the flag lies in its continued visibility, a constant reminder of the plight of America's prisoner of war and missing in action military personnel. This measure will honor military members who defended the freedoms and liberties that American citizens enjoy today by requesting the Department of Public Safety, Sheriff Division to display the Prisoner of War and Missing in Action Flag at the State Capitol.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Government Operations that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 8, H.D. 1, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.

Public Safety, Intergovernmental, and Military Affairs: Ayes, 4. Noes, none. Excused, 1 (Fevella).

Government Operations: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 4067 Public Safety, Intergovernmental, and Military Affairs on H.C.R. No. 35

The purpose and intent of this measure is to request the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for the areas within lava zones 1, 2, 3, 4, and 6.

Your Committee received testimony in support of this measure from five individuals. Your Committee received comments on this measure from the Hawai'i Emergency Management Agency.

Your Committee finds that Mauna Loa is the largest active volcano on Earth and a future eruption of Mauna Loa along its southwest rift zone would put developed South Kona and Kau communities at risk. Your Committee further finds that the United States Geological Survey, Hawaiian Volcano Observatory, and County of Hawaii Civil Defense identified that there is no current evacuation plan in place specifically for lava zones 1, 2, 3, 4, and 6. This measure will protect the communities of South Kona and Kau by requesting the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for the areas within lava zones 1, 2, 3, 4, and 6.

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4068 Public Safety, Intergovernmental, and Military Affairs on H.C.R. No. 87

The purpose and intent of this measure is to urge the City and County of Honolulu to establish a new police district in Leeward Oahu to provide adequate police services and law enforcement response for growing Leeward Oahu communities.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and three individuals.

Your Committee finds that a significant percentage of Oahu's population reside in Leeward Oahu and populations in the Leeward Oahu communities rose between 2015 and 2019. Your Committee believes that the law enforcement needs of a growing Leeward Oahu population call for an additional police station within Honolulu Police Department District 8. This measure will provide improved police response and other services to the Leeward Oahu communities by urging the City and County of Honolulu to establish a new police district in Leeward Oahu.

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4069 Public Safety, Intergovernmental, and Military Affairs on H.C.R. No. 128

The purpose and intent of this measure is to urge the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with humane societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and to other animals in public areas.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that dog bites are among the top reasons for emergency room visits, ranking higher than injuries occurring on motorcycles, to pedestrians, and from gunshots. However, for a person who has been bitten by a dog or whose animal has been bitten by a dog, and who chooses to contact authorities to seek criminal or civil remedies, the delineation of roles and enforcement authority among county police departments, state park enforcement authorities in the case of state parks, and the humane societies or any other animal welfare organization can be unclear and confusing, and often results in the appearance of one enforcement authority assigning responsibility or blame to a different authority without providing meaningful assistance to the affected person. This measure will protect pet animals and the public by urging the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with humane societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and to other animals in public areas.

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4070 Education on H.C.R. No. 51

The purpose and intent of this measure is to request the Department of Education to prioritize funding for air conditioning in schools on Hawaii island that are regularly affected by volcanic smog (vog).

Your Committee received testimony in support of this measure from the Department of Education and one individual.

Your Committee finds that vog, a naturally occurring form of air pollution from volcanic emissions, can pose significant health risks. Vog can affect all residents of the State, but acutely impacts Hawaii island residents, where prevailing wind patterns typically push vog emissions westward, accumulating over North and South Kona and Ka'u. Children in these areas are generally more sensitive to vog than adults because children have higher respiratory rates than adults, meaning they take more breaths per minute.

Your Committee further finds that the installation of air conditioning units in Hawaii island classrooms will create safer and more effective learning environments that better protect students from vog. Accordingly, this measure promotes the health and well-being of the students who are most often affected by vog by requesting the Department of Education to prioritize funding for classroom air conditioning for those students.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 51, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kidani).

SCRep. 4071 Education on H.C.R. No. 56

The purpose and intent of this measure is to request the Department of Education to:

- (1) Implement a social studies course for high school students to learn about Filipino history, culture, and identity;
- (2) Implement Filipino content into Department of Education content performance standards;
- (3) Integrate this curriculum into existing Filipino language classes and other courses and curricula, including language arts, math, social studies, science, and visual and performing arts; and
- (4) Recruit and support Filipino teachers in teaching this content.

Your Committee received testimony in support of this measure from the Hawai'i Friends of Civil Rights, Tinalak Filipino Education Council, Sariling Gawa Youth Council, and twenty-three individuals. Your Committee received comments on this measure from the Department of Education and one individual.

Your Committee finds that Filipinos are the largest Asian ethnic and non-white group in Hawaii and have a large presence and cultural footprint in the State. Despite this fact, there is currently no mandated curriculum regarding Asian American history in Hawaii schools. Your Committee further finds that, in 2020, news reports indicated that anti-Asian hate crimes had increased nearly one hundred fifty percent in the United States.

Accordingly, this measure will promote positive racial relations and attitudes amongst all ethnic groups by implementing a social studies course for high school students to learn about Filipino history and culture. Your Committee emphasizes that this measure should serve as an important first step in incorporating wider cultural perspectives into public education in the State.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 56, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kidani).

SCRep. 4072 Transportation on H.C.R. No. 29

The purpose and intent of this measure is to encourage the Department of Transportation to work with stakeholders to develop a holistic management plan that will ensure Hana Highway is properly maintained and is safe for residents and visitors.

Your Committee received testimony in support of this measure from the Department of Transportation, Hana Health, American Medical Response, and one individual. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that Hana Highway is a nationally acknowledged historical place but needs better upkeep and management. Hana Highway lacks essential safety features such as guard rails or a road size wide enough to pass another car. The increased tourism and traffic in the area hampers emergency services, and in one month in 2021, the Maui Police Department issued three hundred and eighty-nine parking citations and eighty-three warnings to violators on Hana Highway. A code of conduct exists for Hana Highway, but its enforcement is difficult due to the Maui Police Department being understaffed. Therefore, the purpose of this measure is to develop holistic management plans that will ensure Hana Highway is properly maintained and is safe for residents and visitors.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4073 Transportation on H.C.R. No. 156

The purpose and intent of this measure is to:

- (1) Request the Department of Transportation to take all necessary steps to expedite work on the Maipalaoa Bridge in Maili, Oahu;
- (2) Improve traffic signal support on the Waianae Coast; and
- (3) Urge various entities to work together to immediately open the section of the Waianae Coast Emergency Access Road System extending Paakea Road out to Lualualei Naval Road for public use on a permanent basis.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that Farrington Highway is the primary route of travel for communities on the Leeward Coast of Oahu and is the only public highway that leads into and out of the region. This leads to heavy traffic and safety issues, including accessibility problem for emergency responders. The lengthy construction and maintenance around Maipalaoa Bridge has exacerbated the traffic problem. Therefore, the purpose of this measure is to request several fixes that could improve the traffic and accessibility issues, including expediting work on Maipalaoa Bridge, improving traffic signal support on the Waianae Coast, and opening the Waianae Coast Emergency Access Road System permanently to help divert the traffic bottleneck on Farrington Highway.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 156, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4074 Transportation on H.C.R. No. 182

The purpose and intent of this measure is to request that the City and County of Honolulu convene a working group to develop recommendations to improve sidewalk maintenance.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that sidewalks are integral components of the State's streets and roadways and are important for pedestrian safety. Undermaintained sidewalks are unsafe and hinder the mobility of residents, especially those who are elderly or have physical impairments. Therefore, the purpose of this measure is to request the convening of a working group to develop recommendations to improve sidewalk maintenance.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 182, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4075 (Joint) Transportation and Water and Land on H.C.R. No. 93

The purpose and intent of this measure is to request the City and County of Honolulu to purchase certain tax map key parcels to be used for additional parking and other community needs, as deemed necessary by the City and County of Honolulu.

Your Committees received testimony in support of this measure from five individuals.

Your Committees find that the City and County of Honolulu has been experiencing a steady increase in the number of residents and visitors over the past decade, increasing by 6.6 percent from 2010 to 2020. Due to this increase, insufficient outdoor spaces and parking, which was already a problem for residents and visitors, is only exacerbated. Therefore, this measure requests the City and County of Honolulu to purchase certain tax map key parcels for additional parking and other community needs.

As affirmed by the records of votes of the members of your Committees on Transportation and Water and Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 93, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Water and Land: Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4076 (Joint) Transportation and Education on H.C.R. No. 125

The purpose and intent of this measure is to request the Auditor to conduct a performance audit of the Driver Education Program administered by the Departments of Transportation and Education.

Your Committees received testimony in support of this measure from the Department of Transportation and the Department of Education.

Your Committees find that there is a lack of availability for driving classes especially on neighbor islands. Because of this scarcity, many neighbor island students try to take classes on Oahu, causing a backlog and a lack of fair access. Driver education is important for not only knowledge, but to cultivate the correct attitudes and habits of safe driving. Therefore, the purpose of this measure is to request an audit of the Driver Education Program.

As affirmed by the records of votes of the members of your Committees on Transportation and Education that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 125, and recommend its adoption.

Signed by the Chairs on behalf of the Committees.
Transportation: Ayes, 4. Noes, none. Excused, 1 (Fevella).
Education: Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Fevella).

SCRep. 4077 Judiciary on Gov. Msg. No. 771

Recommending that the Senate advise and consent to the nomination of the following:

DEFENDER COUNCIL

G.M. No. 771 DAVID HAYAKAWA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by David Hayakawa for service on the Defender Council.

Your Committee received testimony in support of the nomination for the reappointment of David Hayakawa from twenty-three individuals.

Upon review of the testimony, your Committee finds that Mr. Hayakawa's background, expertise, and proven leadership on the Defender Council qualify him to be nominated for reappointment to the Defender Council. Your Committee notes that before establishing his own law firm, Mr. Hayakawa worked at the Law Office of Howard K.K. Luke and as a senior felony trial attorney at the State of Hawaii's Office of the Public Defender for more than twelve years. Since 2014, Mr. Hayakawa has served as the Dean of the Hawaii State Bar Association's Trial Academy, is the co-chairperson of the Supreme Court of the State of Hawaii's Rule 1.14 Professionalism Course Committee, and is the executive producer of the annual Hawaii State Bar Association #Rock4Justice

fundraiser. Mr. Hayakawa is active in his community, having served as Chairperson of the non-profit Kilohana Senior Enrichment Center's Board of Directors and presently serves on the Board of Directors of the Kilohana Pre-School. Your Committee further finds that Mr. Hayakawa has served on the Defender Council for one year, and his extensive trial experience continues to enhance the effectiveness of the Council. Your Committee therefore recommends that David Hayakawa be reappointed to the Defender Council based on his experience, background, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 3 (Gabbard, Keohokalole, Fevella).

SCRep. 4078 Housing on Gov. Msg. No. 774

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY

G.M. No. 774 ROY KATSUDA, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Roy Katsuda for service on the Board of Directors of the Hawaii Public Housing Authority.

Your Committee received testimony in support of the nomination for the reappointment of Roy Katsuda from the Hawaii Public Housing Authority.

Upon review of the testimony, your Committee finds that Mr. Katsuda's knowledge and experience in real estate development qualify him for reappointment to the Board of Directors of the Hawaii Public Housing Authority. Your Committee notes that Mr. Katsuda currently serves on the Board of Directors of the Hawaii Public Housing Authority as its Secretary and low-income and homeless advocate. Previously, Mr. Katsuda worked as the Executive Director of Hale Mahaolu for thirty-five years. He is affiliated with a number of other housing investment and development organizations, including as a board member for the Hawaii Community Reinvestment Corporation and Kauai Housing Development Corporation. Mr. Katsuda also serves as the Director of Maui Adult Day Care Centers. Mr. Katsuda's knowledge of housing development and finance will continue to be an asset to the Board of Directors of the Hawaii Public Housing Authority. Your Committee therefore recommends that Roy Katsuda be reappointed to the Board of Directors of the Hawaii Public Housing Authority based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4079 Judiciary on Gov. Msg. No. 859

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGISTRATION OF THE ISLAND OF HAWAII

G.M. No. 859 GERALDINE GIFFIN, for a term to expire 06-30-2025

Your Committee reviewed the personal history, resume, and statement submitted by Geraldine Giffin for service on the Board of Registration of the Island of Hawaii.

Your Committee received testimony in support of the nomination for the appointment of Geraldine Giffin from one individual.

Upon review of the testimony, your Committee finds that Ms. Giffin's experience as an educator, background, and commitment to public service qualify her for appointment to the Board of Registration of the Island of Hawaii. Ms. Giffin worked as a teacher for twenty-six years, primarily teaching the elementary thru middle school gifted and talented English program at Waimea Elementary and Intermediate School. Your Committee further finds that Ms. Giffin has a history of service on numerous state and county boards and commissions, including the Hawaii County Commission on the Status of Women, Hawaii State Library Commission, and the Hawaii County Planning Commission. Testimony submitted in support of the appointment of Ms. Giffin praised her leadership and organizational abilities in previous positions of public service. Your Committee therefore recommends that Geraldine Giffin be appointed to the Board of Registration of the Island of Hawaii based on her experience, leadership skills, and dedication to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 4080 Judiciary on Gov. Msg. No. 818

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGISTRATION OF THE ISLANDS OF KAUAI AND NIIHAU

G.M. No. 818 RALPH CUSHNIE, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Ralph Cushnie for service on the Board of Registration of the Islands of Kauai and Niihau.

Your Committee received testimony in support of the nomination for the appointment of Ralph Cushnie from the Princeville at Hanalei Community Association, Kikiaola Construction, and eight individuals.

Upon review of the testimony, your Committee finds that Mr. Cushnie's background and extensive experience qualify him to be nominated for appointment to the Board of Registration of the Islands of Kauai and Niihau as a member. Your Committee notes that Mr. Cushnie currently works as Owner, President, and Treasurer of Alaea Corporation and Owner and Operations Manager of Cushnie Construction Company. Mr. Cushnie has spent twenty-eight years in various management positions in the construction industry. Previously, Mr. Cushnie served in the United States Marine Corps Reserve. Your Committee believes that Mr. Cushnie's ability to make timely, researched, and educated decisions will benefit the Board. Your Committee therefore recommends that Ralph Cushnie be appointed to the Board of Registration of the Islands of Kauai and Niihau based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Gabbard, Keohokalole, Fevella).

SCRep. 4081 Judiciary on Gov. Msg. No. 817

Recommending that the Senate advise and consent to the nomination of the following:

COMMISSION ON THE STATUS OF WOMEN

G.M. No. 817 JENNIFER STOTTER, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Jennifer Stotter for service on the Hawai'i State Commission on the Status of Women.

Your Committee received testimony in support of the nomination for the appointment of Jennifer Stotter from fifteen individuals.

Upon review of the testimony, your Committee finds that Dr. Stotter's extensive administrative experience, expertise in equity-based policy, and commitment to advocating for marginalized members of the community qualify her for appointment to the Hawai'i State Commission on the Status of Women. Your Committee notes that Dr. Stotter has served as Director of the Office of Equal Opportunity and Equal Employment Opportunity, Affirmative Action, Americans with Disabilities Act, and Title IX Coordinator at the University of Hawai'i at Hilo since 2014. In this capacity, she ensures that the University of Hawaii at Hilo is in compliance with federal and state equality, affirmative action, and antidiscrimination laws. She also leads campus response to sexual misconduct and gender-based discrimination. Your Committee further finds that Dr. Stotter has worked and volunteered for twenty-five years in the areas of economic justice, equal employment opportunity, and gender-based violence, including domestic violence and sexual assault. Your Committee additionally finds that Dr. Stotter's familiarity with policy issues relating to gender-based equity and her history of championing equality and anti-discrimination in academia will be great assets to the Hawai'i State Commission on the Status of Women. Your Committee therefore recommends that Jennifer Stotter be appointed to the Hawai'i State Commission on the Status of Women based on her experience, policy knowledge, and dedication to advocacy on behalf of women's rights of equality and equity.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 4082 (Majority) Judiciary on Gov. Msg. Nos. 787, 788, and 789

Recommending that the Senate advise and consent to the nominations of the following:

COMMISSION ON THE STATUS OF WOMEN

G.M. No. 787 DEJA OSTROWSKI, for a term to expire 06-30-2026;

G.M. No. 788 TAMARIN MCCARTIN, for a term to expire 06-30-2025; and

G.M. No. 789 MARISA ADARO, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Deja Ostrowski, Tamarin McCartin, and Marisa Adaro for service on the Hawai'i State Commission on the Status of Women.

DEJA OSTROWSKI

Your Committee received testimony in support of the nomination for the reappointment of Deja Ostrowski from the Hawai'i State Commission on the Status of Women and six individuals.

Upon review of the testimony, your Committee finds that Ms. Ostrowski's legal and policy experience, administrative expertise, and commitment to advocacy qualify her to be nominated for reappointment to the Hawai'i State Commission on the Status of Women. Your Committee notes that Ms. Ostrowski is currently an attorney and Clinical Law Faculty member for Medical-Legal Partnership Hawai'i at the William S. Richardson School of Law, where she advocates on behalf of patients at the community health center, focusing on the legal needs of those exiting incarceration and experiencing homelessness. Previously, she served as the Public Policy Advocate for the Office of Hawaiian Affairs and a staff attorney for the Domestic Violence Action Center. Your Committee further finds that Ms. Ostrowski's extensive knowledge of the numerous legal and policy issues facing women in the State, experience working with indigent and marginalized persons, and dedication to public service will continue to be great assets to the Hawai'i State Commission on the Status of Women. Your Committee therefore recommends that Deja Ostrowski be reappointed to the Hawai'i State Commission on the Status of Women based on her experience, expertise, and commitment to serving her community.

TAMARIN MCCARTIN

Your Committee received testimony in support of the nomination for the appointment of Tamarin McCartin from ten individuals. Your Committee received testimony in opposition to the nomination for the appointment of Tamarin McCartin from five individuals.

Upon review of the testimony, your Committee finds that Dr. McCartin's experience as an obstetrician and gynecologist, expertise in medical issues primarily affecting women, and commitment to service qualify her to be nominated for appointment to the Hawai'i State Commission on the Status of Women. Your Committee notes that Dr. McCartin served as a staff physician for the Navy Health Clinic Hawai'i and University Health Partners, where she provided comprehensive obstetrics and gynecology services to active duty and dependent women as well as community beneficiaries. She has been a physician, primarily practicing as an obstetrician and gynecologist, since 1995 as both an active duty service member and as a veteran. Several testifiers also commented on the numerous positions of leadership and education that Dr. McCartin has held in the field of women's healthcare. Your Committee further finds that Dr. McCartin's career in medicine and her diverse range of experience have given her a deep understanding of issues facing women, particularly in the area of women's health. Your Committee therefore recommends that Tamarin McCartin be appointed to the Hawai'i State Commission on the Status of Women based on her experience, knowledge of issues primarily affecting women, and history of advocacy and leadership throughout her career in service.

MARISA ADARO

Your Committee received testimony in support of the nomination for the appointment of Marisa Adaro from the Kapolei Chamber of Commerce and four individuals. Your Committee received testimony in opposition to the nomination for the appointment of Marisa Adaro from three individuals.

Upon review of the testimony, your Committee finds that Ms. Adaro's leadership and administrative experience, expertise in healthcare policy and management, and dedication to serving her community qualify her to be nominated for appointment to the Hawai'i State Commission on the Status of Women. Your Committee notes that Ms. Adaro has been the Director of Administrative Services for The Queen's Medical Center in Ewa Beach since 2019, and that prior to her current position she served at the same facility as Manager of Administrative Services from 2014 to 2019, and as Senior Vice President and Chief Operating Officer Coordinator from 2013 to 2014. In her capacity as Director of Administrative Services, she has taken leadership roles in the development and implementation of community outreach, special events, a volunteer program, and an ongoing health education calendar for the community. Your Committee further finds that Ms. Adaro's experience as a leader in her community, administrative expertise, and commitment to outreach and advocacy will be great assets to the Hawai'i State Commission on the Status of Women. Your Committee therefore recommends that Marisa Adaro be appointed to the Hawai'i State Commission on the Status of Women based on her history of leadership, expertise, and dedication to serving the public.

As affirmed by the records of votes of the members of your Committee on Judiciary that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

For Gov. Msg. No. 787: Ayes, 4. Noes, none. Excused, 3 (Gabbard, Keohokalole, Fevella).

For Gov. Msg. No. 788: Ayes, 3. Noes, 1 (Acasio). Excused, 3 (Gabbard, Keohokalole, Fevella).

For Gov. Msg. No. 789: Ayes, 4; Ayes with Reservations (Acasio). Noes, none. Excused, 3 (Gabbard, Keohokalole, Fevella).

SCRep. 4083 Labor, Culture and the Arts on Gov. Msg. No. 575

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT SYSTEM

G.M. No. 575 LANCE MIZUMOTO, for a term to expire 01-01-2026

Your Committee reviewed the personal history, resume, and statement submitted by Lance Mizumoto for service on the Board of Trustees of the Employees' Retirement System.

Your Committee received testimony in support of the nomination for the appointment of Lance Mizumoto from the Employees' Retirement System and three individuals.

Upon review of the testimony, your Committee finds that Mr. Mizumoto's extensive experience in Hawaii's banking industry qualifies him to be nominated for appointment to the Board of Trustees of the Employees' Retirement System. Mr. Mizumoto has forty years of experience with various financial institutions in Hawaii. He is currently the Executive Vice President and Chief Lending Officer at First Hawaiian Bank's Wholesale Banking Group, overseeing the bank's Commercial Real Estate, Corporate Banking, Business Services, and Automobile Dealer divisions, and its leasing subsidiary. Mr. Mizumoto's professional experience also includes serving as the President and Chief Banking Officer of Central Pacific Bank from 2014 to 2016, during which time he was responsible for all customer-facing areas of the bank and the development of the bank's strategic plan. Mr. Mizumoto graduated from Pearl City

High School and earned his Bachelor of Business Administration degree in Marketing and Management from the University of Hawaii at Manoa and his Master of Business Administration degree from Chaminade University. He is also a graduate of Pacific Coast Banking School, where he developed his banking and leadership skills.

Your Committee also notes that Mr. Mizumoto has a thorough understanding of the role and responsibilities of a board member through his service on various boards, including the Board of Education from 2015 to 2018. He is currently a member of the Chaminade University Board of Regents and the University's Investment Committee. Mr. Mizumoto also serves as a board member for the Public Schools of Hawaii Foundation and Arthritis Foundation of Hawaii. Mr. Mizumoto's dedication to public service also shows in his four-year service as a reserve officer with the Hawaii Air National Guard.

Your Committee acknowledges the testimony of the Employees' Retirement System, stating that Mr. Mizumoto has been serving on its Board of Trustees on an interim basis since July 27, 2021, participating actively on its Investment, Legislative, and Administrative and Audit Committees. Your Committee further notes the System's testimony that Mr. Mizumoto's unique combination of Hawaii roots, academic achievement, and executive experience in the banking industry has enabled him to make measurable contributions to the Board's deliberations and decision making.

Your Committee appreciates the Employees' Retirement System's testimony addressing your Committee's concerns over the possible conflict of interest arising from Mr. Mizumoto's service on the System's Board of Trustees and its Investment Committee while being an employee of First Hawaiian Bank. Your Committee acknowledges that the Employees' Retirement System's outstanding investment with First Hawaiian Bank has been long-standing and its decision to make the investment preceded Mr. Mizumoto's tenure on its Board. Your Committee notes that the System's decisions to invest with local financial institutions such as Bank of Hawaii and First Hawaiian Bank are delegated to the System's Chief Investment Officer through its Executive Director and are made largely by its investment staff. The staff will invest the System's funds up to a certain percentage of the public market and will present the investments as a *fait accompli* to the Investment Committee, which will in turn report the results to the full Board. It was further explained that, for those types of investments for which the Investment Committee does make recommendations, the recommendations are presented to the full Board for their consideration, and if there is any appearance of conflict of interest, the subject Trustees would recuse themselves from voting on the matter. Therefore, the Employees' Retirement System does not see the opportunity or likelihood of conflict of interest arising from Mr. Mizumoto's appointment to its Board.

Furthermore, your Committee notes that section 88-24(3), Hawaii Revised Statutes, requires the Board of Trustees of the Employees' Retirement System to have at least three citizens of the State who are not public employees, of which two must have at least three years of experience providing financial services, including investments, to public, corporate, or private institutional clients. The appointment of Mr. Mizumoto will satisfy this statutory requirement.

Based on the foregoing, your Committee believes that Mr. Mizumoto's extensive experience in Hawaii's banking industry and on various boards, as well as his dedication to serving the public, will continue to contribute greatly to the Board of Trustees of the Employees' Retirement System. Your Committee therefore recommends that Lance Mizumoto be appointed to the Board of Trustees of the Employees' Retirement System as a citizen of the State pursuant to section 88-24(3), Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 4084 Labor, Culture and the Arts on Gov. Msg. No. 705

Recommending that the Senate advise and consent to the nomination of the following:

STATE FOUNDATION ON CULTURE AND THE ARTS COMMISSION

G.M. No. 705 TAYLOUR CHANG, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Taylour Chang for service on the State Foundation on Culture and the Arts Commission.

Your Committee received testimony in support of the nomination for the appointment of Ms. Chang from the State Foundation on Culture and the Arts Commission.

Upon review of the testimony and her qualifications, your Committee finds that Ms. Chang's education, knowledge, and experience in film and theater qualify her to be nominated for appointment to the State Foundation on Culture and the Arts Commission. After graduating from Punahou School, Ms. Chang attended Yale University's Ezra Stiles College, where she earned her Bachelor of Arts degree in her double major of Film Studies and Theater Studies. In her senior year, Ms. Chang received two awards--the Paul H. and Brigitte P. Fry Cup, awarded to the senior who has made the greatest contribution to the arts; and the Howard R. Lamar Prize for Film and Video for her outstanding work in her short film "LAN". Ms. Chang is currently the Director of Public Programs and Community Engagement at Bishop Museum. Her previous professional positions include the Co-curator of Artists of Hawai'i Now; Curator of Film and Performance with the Honolulu Museum of Art; and Director and Theatre Manager for Doris Duke Theatre at the Honolulu Museum of Art. Ms. Chang's dedication to arts and the community is also reflected in her service as a board member on various arts and culture organizations, including Hawaii Women in Filmmaking, Friends of the East West Center, Art House Convergence, and Board of Farrington High School Creative Arts and Technology. Furthermore, Ms. Chang is the co-founder of Alliance for Action, a collective of art house exhibitors and distributors addressing equity issues in the art house and independent cinema community.

Your Committee finds that Taylour Chang's expertise in the arts, specifically, film and theater, and dedication to public service will be a great asset to the State Foundation on Culture and the Arts Commission and its mission to promote, perpetuate and preserve culture and the arts in Hawaii.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 4085 Labor, Culture and the Arts on Gov. Msg. Nos. 632, 633, and 634

Recommending that the Senate advise and consent to the nominations of the following:

STATE FOUNDATION ON CULTURE AND THE ARTS COMMISSION

G.M. No. 632 JILL KURAMOTO RANDALL, for a term to expire 06-30-2026;

G.M. No. 633 SUSAN BROWNE, for a term to expire 06-30-2026; and

G.M. No. 634 MICHAEL MARSHALL, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Jill Kuramoto Randall, Susan Browne, and Michael Marshall for service on the State Foundation on Culture and the Arts Commission.

JILL KURAMOTO RANDALL

Your Committee received testimony in support of the nomination for the appointment of Jill Kuramoto Randall from the State Foundation on Culture and the Arts and one individual.

Upon review of the testimony, your Committee finds that Ms. Kuramoto Randall's experience and expertise in broadcast news and public relations qualify her to be nominated for appointment to the State Foundation on Culture and the Arts Commission. Ms. Kuramoto Randall received her Bachelor of Arts degree in Journalism from San Diego State University and Master of Science degree in Public Relations from Quinnipiac University. Ms. Kuramoto Randall has two decades of experience as a communications professional with expertise in strategic communication, media relations, and crisis management. She is currently the Chief Communications Officer and Client Development Director at RKT Media Hawaii LLC, managing internal and external communications to sustain the company's reputation for quality, accuracy, and customer satisfaction. She also serves as an Associate at Pineapple Tweed, LLC, where she provides strategic communications, media relations, and media training; engages in event planning; and promotes brand awareness. Her professional experience also includes working for the Hawaii State Senate as its Communications Director from 2015 to 2018, Chief Communications Officer for the Honolulu Board of Water Supply from 2014 to 2015, and Anchor and Reporter for KITV, Inc. from 1992 to 2014.

Your Committee finds that Ms. Kuramoto Randall's expertise and knowledge in strategic communications, event planning, and promotion of brand awareness will contribute greatly to the State Foundation on Culture and the Arts Commission in serving its mission to promote, perpetuate, and preserve culture and the arts in Hawaii. Your Committee therefore recommends that Jill Kuramoto Randall be appointed to serve on the State Foundation on Culture and the Arts Commission.

SUSAN BROWNE

Your Committee received testimony in support of the nomination for the reappointment of Susan Browne from the State Foundation on Culture and the Arts.

Upon review of the testimony, your Committee finds that Ms. Browne's experience and expertise in arts education qualify her to be nominated for reappointment to the State Foundation on Culture and the Arts Commission. Ms. Browne received her Bachelor's degree in Education from the University of Hawaii at Manoa and Master of Fine Arts degree in Creative Writing from Antioch University. She has been a lecturer at the University of Hawaii at Manoa College of Education since 2015, providing guidance to participants of the Statewide Elementary Education Program who are studying to become elementary education teachers. Ms. Browne's professional experience also includes serving as the Education Director for the Maui Arts and Cultural Center from 1998 to 2016. Your Commission also notes that Ms. Browne has served for many years on the Hawai'i ARTS FIRST partnership, a statewide arts education coalition coordinated by the State Foundation on Culture and the Arts.

Your Committee acknowledges that Ms. Browne has been serving on the State Foundation on Culture and the Arts Commission since 2018. Your Committee also notes the testimony of the State Foundation on Culture and the Arts stating that Ms. Browne's knowledge and experience in arts education is unsurpassed and expressing gratitude for her contributions to the Foundation's mission to promote, preserve, and perpetuate culture and the arts for the people of Hawaii.

Your Committee finds that Ms. Browne's expertise and dedication to the promotion of arts education in Hawaii will continue to be great assets to the State Foundation on Culture and the Arts Commission. Your Committee therefore recommends that Susan Browne be reappointed for service on the State Foundation on Culture and the Arts Commission.

MICHAEL MARSHALL

Your Committee received testimony in support of the nomination for the appointment of Michael Marshall from the State Foundation on Culture and the Arts.

Upon review of the testimony, your Committee finds that Professor Marshall's forty-five years of experience in university-level art education and expertise and knowledge as a distinguished professional artist qualify him to be nominated for appointment for service on the State Foundation on Culture and the Arts Commission. Professor Marshall received a Bachelor of Fine Arts degree in Painting from the University of Illinois at Champaign-Urbana and a Master of Fine Arts degree in Painting from Yale University. After teaching at colleges and universities in Missouri and Washington for seven years, Professor Marshall settled in Hilo, Hawaii, and began teaching at the University of Hawaii Hilo's (UHH) Art Department in 1984. Professor Marshall has also been the recipient of countless

recognitions and awards as an artist from various institutions, including the State Foundation on Culture and the Arts, National Society of Arts and Letters, and Yale University. Your Committee also notes Professor Marshall's active engagement in a variety of university and community activities, including serving as the Chair of UHH's Art and Performing Art departments; volunteer Executive Director of the East Hawaii Cultural Center; Director of the UHH Campus Center Gallery; Executive Advisory to the UHH Committee for Excellence in Diversity Equity and Inclusion; board member of the Volcano Art Center; and Visual Art Consultant for the SPCA Art Advisory Selection Committee.

Your Committee further notes that section 9-2(b), Hawaii Revised Statutes, requires the State Foundation on Culture and the Arts to have at least one member who is a resident of the County of Hawaii. As Professor Marshall resides in the County of Hawaii, his appointment to the Commission fulfills this statutory requirement.

Your Committee finds that Professor Marshall's extensive experience in teaching art at the university-level and expertise and knowledge as a distinguished professional artist will contribute greatly to the State Foundation on Culture and the Arts Commission. Your Committee therefore recommends that Michael Marshall be appointed for service on the State Foundation on Culture and the Arts Commission.

As affirmed by the records of votes of the members of your Committee on Labor, Culture and the Arts that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 4086 Labor, Culture and the Arts on Gov. Msg. Nos. 576 and 666

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN

G.M. No. 576 LANCE LARSEN JR, for a term to expire 06-30-2025; and

G.M. No. 666 KALBERT YOUNG, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Lance Larsen Jr. and Kalbert Young for service on the Board of Trustees of the Deferred Compensation Plan.

LANCE LARSEN JR.

Your Committee received testimony in support of the nomination for the appointment of Lance Larsen Jr. from the Board of Trustees of the Deferred Compensation Plan, Friends of Portuguese American Attorneys from Kailua, and four individuals.

Upon review of the testimony, your Committee finds that Mr. Larsen's status as a current employee of the Department of Education and his professional experience and background in issues relating to equal employment opportunity and civil rights qualify him to be nominated for appointment to the Board of Trustees of the Deferred Compensation Plan. Your Committee notes that Mr. Larsen earned his Bachelor of Arts degree in Political Science from the University of Hawaii at Manoa, a Juris Doctor degree from the University of Hawaii William S. Richardson School of Law, and a Master of Public Administration degree from the University of North Carolina-Chapel Hill. Your Committee further notes that Mr. Larsen has been serving as an employee of the state and federal government for over thirteen years. From 2008 to 2009, Mr. Larsen served as a Personnel Management Specialist and General Professional with the Department of Human Resources, Employee Claims Division, litigating workers' compensation claims. Thereafter, he moved to the federal government, serving with the United States Department of Justice Federal Bureau of Investigation's Honolulu Office in various positions from 2009 through 2018. He is currently an Equity Specialist with the Hawaii Department of Education's Civil Rights Compliance Branch, ensuring the Department's compliance with federal and state civil rights requirements.

Your Committee further finds that Mr. Larsen has been serving on the Board of Trustees of the Deferred Compensation Plan as an interim member since August 13, 2021, and acknowledges the Board's testimony attesting to Mr. Larsen's professionalism and deep understanding of defined contribution plans as well as his contributions to the Board through thoughtful analytical insight that is in the best interests of the State's deferred compensation plan participants.

Your Committee further notes that section 88E-4(3), Hawaii Revised Statutes, requires the Board of Trustees of the Deferred Compensation Plan to have at least five members who are public employees, representing employee interests. As an employee of the Department of Education, Mr. Larsen satisfies this statutory requirement.

Your Committee believes Mr. Larsen's experience, knowledge, and commitment to public service will continue to contribute greatly to the Board of Trustees of the Deferred Compensation Plan. Your Committee therefore recommends that Lance Larsen Jr. be appointed to the Board of Trustees of the Deferred Compensation Plan.

KALBERT YOUNG

Your Committee received testimony in support of the nomination for the reappointment of Kalbert Young from the Board of Trustees of the Deferred Compensation Plan and one individual.

Upon review of the testimony, your Committee finds that Mr. Young's current employment with the University of Hawaii System, experience as a finance executive in the public and private sectors, commitment to public service, and proven leadership qualify him to be nominated for reappointment to the Board of Trustees of the Deferred Compensation Plan. Your Committee finds that Mr. Young has an extensive professional background in budget and finance and deep understanding of investments and financial matters. Mr. Young is currently the Vice President for Budget and Finance and Chief Financial Officer for the University of Hawaii System, a position he has held since 2015, leading and directing the University's system-wide financial management and budgetary functions. Prior to his current position, Mr. Young served as the Director of Budget and Finance from 2010 to 2014, engaging in statewide budget

construction for the executive branch and management of the State's treasury and debt issuance. Mr. Young received his Bachelor of Arts degree in American History and Masters of Business Administration degree from the University of Hawaii at Manoa.

Your Committee further finds that Mr. Young has been a member of the Board since July 1, 2018, with proven dedication to serving in the best interests of the State's deferred compensation plan participants. The testimony of the Board attests to Mr. Young's extensive experience in directing and overseeing governmental budget, treasury and debt management, and financial reporting matters, and to his contributions to the Board as a good fiduciary for plan participants.

Your Committee also notes that section 88E-4(3), Hawaii Revised Statutes, requires the Board of Trustees of the Deferred Compensation Plan to have at least five members who are public employees, representing employee interests. As an employee of the University of Hawaii Systems, Mr. Young satisfies this statutory requirement.

Your Committee believes that Mr. Young's wealth of experience and expertise will continue to be valuable assets to the Board, and therefore, recommends that Kalbert Young be reappointed to the Board of Trustees of the Deferred Compensation Plan.

As affirmed by the records of votes of the members of your Committee on Labor, Culture and the Arts that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Keohokalole).

SCRep. 4087 Labor, Culture and the Arts on Gov. Msg. Nos. 691, 692, 693, 694, 695, 696, 714, 715, 716, and 746

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII WORKFORCE DEVELOPMENT COUNCIL

- G.M. No. 691 TRANG MALONE, for a term to expire 06-30-2025;
- G.M. No. 692 KEITH DEMELLO, for a term to expire 06-30-2025;
- G.M. No. 693 GERALD SCHMITZ, for a term to expire 06-30-2022;
- G.M. No. 694 GERALD SCHMITZ, for a term to expire 06-30-2026;
- G.M. No. 695 DION DIZON, for a term to expire 06-30-2023;
- G.M. No. 696 SCOTT COLLINS, for a term to expire 06-30-2024;
- G.M. No. 714 KELLY UEOKA, for a term to expire 06-30-2023;
- G.M. No. 715 SHANNON OKINAKA, for a term to expire 06-30-2025;
- G.M. No. 716 SEAN KNOX, for a term to expire 06-30-2026; and
- G.M. No. 746 RONA FUKUMOTO, for a term to expire 06-30-2025

Your Committee reviewed the personal histories, resumes, and statements submitted by Trang Malone, Keith DeMello, Gerald Schmitz, Dion Dizon, Scott Collins, Kelly Ueoka, Shannon Okinaka, Sean Knox, and Rona Fukumoto for service on the Hawaii Workforce Development Council.

TRANG MALONE

Your Committee received testimony in support of the nomination for the appointment of Trang Malone from the Department of Labor and Industrial Relations and Hawaii Workforce Development Council.

Upon review of the testimony, your Committee finds that Ms. Malone's twenty-seven years of service in the United States Army, experience and knowledge in human resources and workforce development, and commitment to public service qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Malone earned her Master of Arts degree in Human Resource Management from the Hawaii Pacific University. She served with the United States Army from 1993 to 2020 in various positions in the fields of human resources and health care, including as the Administrative Director of the Public Health Command in Honolulu; Chief Compliance Officer and Chief People Officer of the Eighteenth Medical Command at Fort Shafter, Hawaii; Chief People Officer with the Evans Army Hospital in Fort Carson, Colorado; and Chief Human Resources Officer with the Medical Department Personnel Proponent in Fort Sam Houston, Texas. Thereafter, Ms. Malone served as a Human Resources Business Partner and Workforce Excellence Fellow with The Institute for Human Services, where she was the lead project manager in determining the process to launch a new clinical department, including recruitment, credentialing, training, and education. Ms. Malone is currently the Workforce Initiatives Advisor for CVS Health, where she creates workforce development programs in collaboration with government, non-government, and non-profit organization partners that support education, training, healthy living, and career opportunities, aimed to build healthy and strong communities with a focus towards underserved communities. Her commitment to public service and the community is evidenced by her volunteering her services to various organizations including the American Red Cross of Hawaii, New Hope Central Oahu, and Hanalani Schools.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed, Ms. Malone will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Malone's extensive experience as a human resources professional in health care, professional knowledge on workforce development, and long-term career in the United States Army will contribute greatly to the Hawaii Workforce

Development Council, especially for its committees on Military and Veterans Affairs and Employer Engagement. Your Committee therefore recommends that Trang Malone be appointed to the Hawaii Workforce Development Council.

KEITH DEMELLO

Your Committee received testimony in support of the nomination for the appointment of Keith DeMello from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; Marketing Management, Inc.; Ulupono Initiative; Hawaii Friends of Civil Rights; Transform Hawai'i Government; and three individuals.

Upon review of the testimony, your Committee finds that Mr. DeMello's over two decades of experience in the field of communications and public relations qualify him to be appointed to the Hawaii Workforce Development Council. Mr. DeMello earned his Bachelor of Arts degree in Journalism with a focus on Public Relations from the University of Hawaii at Manoa. He is currently the Director of Communications and Community with the Ulupono Initiative, a for-profit investment firm, for which Mr. DeMello leads its communications and community outreach initiatives to establish a more sustainable and resilient Hawaii, primarily in key sectors such as locally produced food, renewable energy, clean transportation, and better management of freshwater and waste. Mr. DeMello's professional experience includes serving as the Vice President of Public and Government Affairs with the Anthology Marketing Group; Senior Communications Manager with the State's Office of Enterprise Technology Services; and Deputy Director of Communications and Communications Manager with the Office of the Governor. In 2020, Mr. DeMello received the President's Leadership Award from the Public Relations Society of America - Hawai'i Chapter in recognition of his significant contributions to the success of the chapter and the profession. Mr. DeMello is an active member of the community, serving on the boards of the Honolulu Zoological Society, Portuguese Chamber of Commerce, and Hawai'i chapters of the Public Relations Society of American and the American Advertising Federation.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed, Mr. DeMello will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Mr. DeMello's extensive experience in implementing and leading strategic communications and public information programs in the public and private sectors will be great assets to the Hawaii Workforce Development Council. Your Committee therefore recommends that Keith DeMello be appointed to the Hawaii Workforce Development Council.

GERALD SCHMITZ

Your Committee received testimony in support of the nominations for the appointment and reappointment of Gerald Schmitz from the Department of Labor and Industrial Relations and Hawaii Workforce Development Council.

Upon review of the testimony, your Committee finds that Mr. Schmitz's twenty-two years of service as an officer in the United States Army and experience working in partnership with the armed forces on various privatized military housing projects qualify him to be appointed to the Hawaii Workforce Development Council. Mr. Schmitz earned his Bachelor of Science degree in Systems Engineering from the U.S. Military Academy at West Point and a Master of Arts degree in Business from Webster University. Mr. Schmitz served in the United States Army from 1983 to 2005, during which he served in leadership positions with tactical Army units in the Continental U.S., Germany, and Hawaii. Mr. Schmitz culminated his military career as the twenty-fifth infantry division's officer in charge of fielding, training, and coordinating facilities and resources, paving the way for effective reorganization, equipping, and training of Army units in Hawaii. Mr. Schmitz retired from the Army as a Lieutenant Colonel in 2005 and transitioned into civilian life, joining Lendlease (US) Public Partnerships LLC to help lead the organization's Island Palm Communities project in Hawaii, the largest military housing privatization project awarded by the Army. Mr. Schmitz is currently the company's Senior Vice President and General Manager, responsible for the Island Palm Communities project, another Army partnership project in Alaska, and the organization's portfolio of U.S. Air Force privatized military housing projects located in Colorado, Arizona, and New Mexico, comprising more than 19,600 homes.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed, Mr. Schmitz will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Mr. Schmitz's extensive experience in leadership positions within the United States Army, knowledge in developing training programs, and expertise in working in partnership with various branches of the armed forces will contribute greatly to the Hawaii Workforce Development Council, especially for the committee on Military and Veterans Affairs. Your Committee therefore recommends that Gerald Schmitz be appointed and reappointed to the Hawaii Workforce Development Council.

DION DIZON

Your Committee received testimony in support of the nominations for the appointment of Dion Dizon from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; Hawaii Operating Engineers Industry Stabilization Fund; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii Operating Engineers Local Union No. 3; University of Hawaii-West Oahu Center for Labor Education and Research; Hawaii Laborers-Employers Cooperation and Education Trust; United Public Workers, AFSCME Local 646, AFL-CIO; Hawaii Ports Maritime Council; and one individual.

Upon review of the testimony, your Committee finds that Ms. Dizon's current employment with the Hawaii State AFL-CIO and extensive experience working with various unions in different industries qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Dizon is currently the Political Director of the Hawaii State AFL-CIO, responsible for administering its political education program, which educates AFL-CIO affiliate unions and their members on matters relating to legislative and elections processes. In this capacity, Ms. Dizon works closely with various unions to provide educational outreach and other support for their members. Ms. Dizon is also a real estate broker leading a team of agents in foreclosure intervention for homeowners and assisting in training new agents. From 2011 to 2019, Ms. Dizon served as the local representative for the Office & Professional Employees International Union, Local 277, appointed to the Labor Education Advisory Council at the University of Hawaii-West Oahu Center for Labor Education and Research. During this time, she also served on the Aloha United Way Board as a labor representative.

Ms. Dizon earned her Bachelor of Arts degree from the University of Hawaii-West Oahu and is currently attending the University of Hawaii at Manoa William S. Richardson School of Law, where she is expected to earn her Juris Doctor degree. Furthermore, Ms. Dizon volunteers as a mediator at the Mediation Center of the Pacific, mediating small and regular claims filed with the state district courts in Waianae and Ewa.

Your Committee notes that section 202-1(b)(5), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have eight representatives from labor organizations and workforce training organizations. If appointed, Ms. Dizon will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Dizon's comprehensive understanding of the needs of Hawaii's workforce acquired through her employment with the Hawaii State AFL-CIO and Office & Professional Employees International Union Local 277 will be instrumental in enhancing the collaboration and partnerships among the public workforce system and Hawaii's labor unions. Your Committee therefore recommends that Dion Dizon be appointed to the Hawaii Workforce Development Council.

SCOTT COLLINS

Your Committee received testimony in support of the nomination for the appointment of Scott Collins from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and five individuals.

Upon review of the testimony, your Committee finds that Mr. Collins' background and current employment with the Hawaii Government Employees Association (HGEA) qualify him to be appointed to the Hawaii Workforce Development Council. Mr. Collins earned his Bachelor's degree in Sociology from the University of Hawaii at Manoa; Master's degree in Human Resources Management from the University of Hawaii at Manoa Shidler College of Business; and his Juris Doctor degree from the University of Hawaii at Manoa William S. Richardson School of Law. He joined the HGEA in 2014 and quickly ascended to a management role. Starting as a union agent, Mr. Collins was responsible for conducting investigations and assessments of grievances and benefit claims filed by its members; developing recommendations for and assisting in the preparation of grievance arbitrations; and advising the members, stewards, and union agents on governing contract provisions, rules, and procedures. He was promoted to Hawaii Island Division Chief in 2019, where he was responsible for the management of the organization's Hawaii Island Office, including projecting and preparing the division's budget; provision of field services; contract administration including handling grievances and arbitrations; and training and education of members and stewards. Mr. Collins also served as the lead staff in the governance of and negotiations for Bargaining Unit 13 comprising professional and scientific employees who cannot be included in any of the other bargaining units. Since March 2021, Mr. Collins has been serving as a Field Services Officer, responsible for managing the HGEA's Member Services Center that handles all incoming calls and emails from the members and public. Mr. Collins also supervises the HGEA's Advocacy section that administers all investigations, grievances, and arbitrations for the island of Oahu.

Your Committee notes that section 202-1(b)(5), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have eight representatives from labor organizations and workforce training organizations. If appointed, Mr. Collins will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Mr. Collins' education and hands-on experience and knowledge in public sector employment, including the governing rules and contracts, grievance and arbitration process, and collective bargaining negotiations and procedures, will contribute greatly to the Hawaii Workforce Development Council. Your Committee therefore recommends that Scott Collins be appointed to the Hawaii Workforce Development Council.

KELLY UEOKA

Your Committee received testimony in support of the nomination for the appointment of Kelly Ueoka from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; Chamber of Commerce Hawai'i; and one individual.

Upon review of the testimony, your Committee finds that Mr. Ueoka's over fifteen years of expertise in the fields of information technology, his experience in creating and operating workforce development programs, and commitment to public service qualify him to be appointed to the Hawaii Workforce Development Council. Mr. Ueoka is currently the President of Hoike Networks, Inc., doing business as Pacxa, a locally owned technology services group that harnesses the power of technologies to help local businesses realize their full potential. Mr. Ueoka understands that development of a career in the field of information technology enables individuals to earn sustainable living wages and therefore improve the economic trajectories of those individuals and their families. Under Mr. Ueoka's leadership, Pacxa created and operates the Huaka'i Workforce Development Program with the goal of nurturing and developing a resilient local information technology workforce, including assisting displaced workers to obtain opportunities in the information technology field by providing them with various types of skills training. Mr. Ueoka's commitment to public service is evidenced by his service on various boards and organizations, including serving as a member of the Board of Directors of Parents and Children Together; Department of Education Pathway Advisory Committee; and James Campbell High School Academy of Science, Technology, Engineering, Arts, and Math Advisory Board.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed, Mr. Ueoka will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Mr. Ueoka's leadership skills, strategic thinking, and experience in establishing and operating workforce development programs for the information technology field will contribute greatly to the Hawaii Workforce Development Council. Your Committee therefore recommends that Kelly Ueoka be appointed to the Hawaii Workforce Development Council.

SHANNON OKINAKA

Your Committee received testimony in support of the nomination for reappointment of Shannon Okinaka from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; and Hawaiian Airlines, Inc.

Upon review of the testimony, your Committee finds that Ms. Okinaka's nearly twenty years of professional expertise in accounting, finance, and investor relations qualify her to be reappointed to the Hawaii Workforce Development Council. Ms. Okinaka is currently the Executive Vice President and Chief Financial Officer of Hawaiian Airlines, Inc. In this capacity, Ms. Okinaka has supported various programs that enhance career development, given individuals the opportunity to serve in the aviation sector through internships, and has provided executive leadership and support to ensure the company's financial strength, which in large part is reliant on having a skilled and available workforce. Your Committee notes that Ms. Okinaka has been serving on the Hawaii Workforce Development Council since 2016, and is currently the Chair of its Finance Committee and a member of its Executive Committee. The testimony of the Hawaii Workforce Development Council attests to Ms. Okinaka's contributions, including her ability to provide transparency in financial reporting to the Executive Committee and the full membership.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If reappointed, Ms. Okinaka will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Okinaka's expertise in finance and her knowledge pertaining to business needs will continue to be great assets to the Hawaii Workforce Development Council. Your Committee therefore recommends that Shannon Okinaka be reappointed to the Hawaii Workforce Development Council.

SEAN KNOX

Your Committee received testimony in support of the nomination for the reappointment of Sean Knox from the Department of Labor and Industrial Relations, Hawaii Workforce Development Council, and HiEmployment.

Upon review of the testimony, your Committee finds that Mr. Knox's over twenty-three years of experience in providing professional staffing services in Hawaii qualify him to be reappointed to the Hawaii Workforce Development Council. Mr. Knox is currently the President, Chief Executive Officer, and owner of Hawaii Employment Services, Inc., with offices located throughout the State. In this capacity, Mr. Knox oversees the recruitment, hiring, and placement of over two thousand individuals a year in various sectors across the State. Prior to his current position, Mr. Knox served as the President and owner of POI Employment LLC, a professional employer organization that he established in 2005 to assist employers in Hawaii to secure temporary administrative and accounting professionals. Your Committee notes that Mr. Knox has been serving on the Hawaii Workforce Development Council since 2016, in various positions including the Chair and Vice Chair of its Performance Measures and Accountability Committee, Assistant Vice Chair of the full Council, and member of its Executive Committee. The testimony of the Hawaii Workforce Development Council attests to Mr. Knox's contributions, namely, his strong understanding and strategic overview of the needs and gaps in the workforce system with a statewide perspective.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If reappointed, Mr. Knox will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Mr. Knox's extensive experience and knowledge in job placement and employment services in Hawaii will continue to contribute greatly to the Hawaii Workforce Development Council. Your Committee therefore recommends that Sean Knox be reappointed to the Hawaii Workforce Development Council.

RONA FUKUMOTO

Your Committee received testimony in support of the nomination for the appointment of Rona Fukumoto from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; S&P Holdings, Inc.; Hawai'i Pacific Health; and nine individuals.

Upon review of the testimony, your Committee finds that Ms. Fukumoto's extensive experience in and commitment to serving the community through nonprofit organizations to assist underserved populations and individuals with special needs qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Fukumoto is currently the President and Chief Executive Officer of Lanakila Pacific, a local community-based organization whose mission is to build independence for individuals with cognitive, physical, social, or age-related challenges. In this role, she provides leadership for a workforce of one hundred eighty individuals, of which seventy-five percent of the direct service workforce is comprised of individuals with significant disabilities. Prior to her current position, Ms. Fukumoto served as the Vice President of Programs and Mission Advancement at Lanakila Pacific, responsible for overall administration and development of its human service programs, including Meals on Wheels, Training and Advocacy, and Teaching and Learning Centers. Her strong commitment to expand workforce opportunities, especially for individuals with disabilities, is evidenced throughout her work at Lanakila Pacific, including leading an effort to increase the focus on and availability of opportunities for individuals with autism to enter into training and employment programs. She has also provided support for holistic employment opportunities that benefit many sectors, including taking the lead on helping establish a food hub that would provide a stable market for local farmers, provide jobs and training for processors, and increase the availability of fresh foods for seniors receiving delivered meals. Ms. Fukumoto's professional experience also includes various leadership positions with Catholic Charities Hawaii and Winners at Work, devoting twenty-five years to supporting and enriching the lives of those in need. Ms. Fukumoto's commitment to public service is also evidenced by her service on various boards, including her current service on the Catholic Charities Housing Development Corporation Board of Directors and Access to Justice Commission as well as her service on the Board of Directors of the Hawaii Housing Finance and Development Corporation from 2014 to 2021.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Hawaii Workforce Development Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed, Ms. Fukumoto will serve as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Fukumoto's professional experience in and commitment to assist the underserved population and individuals with special needs, including establishment of a vibrant and inclusive workforce in Hawaii, will be great assets to the

Hawaii Workforce Development Council. Therefore, your Committee recommends that Rona Fukumoto be appointed to the Hawaii Workforce Development Council.

As affirmed by the records of votes of the members of your Committee on Labor, Culture and the Arts that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Fevella).

SCRep. 4088 Labor, Culture and the Arts on Gov. Msg. Nos. 764, 765, 777, and 778

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII WORKFORCE DEVELOPMENT COUNCIL

- G.M. No. 764 CHERYL CROSS, for a term to expire 06-30-2026;
- G.M. No. 765 SHELLI IHORI, for a term to expire 06-30-2023;
- G.M. No. 777 LORNA WOO, for a term to expire 06-30-2026; and
- G.M. No. 778 EILEEN CALDWELL, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Cheryl Cross, Shelli Ihori, Lorna Woo, and Eileen Caldwell for service on the Hawaii Workforce Development Council.

CHERYL CROSS

Your Committee received testimony in support of the nomination for the appointment of Cheryl Cross from the Department of Labor and Industrial Relations, Hawaii Workforce Development Council, and one individual.

Upon review of the testimony, your Committee finds that Ms. Cross's thirty-five years of professional experience in the areas of human resources, talent management and acquisition, training, marketing, and communications, qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Cross is currently an independent management consultant for small to medium size businesses working directly for short term turn-around and build-out engagements. Prior to her current position, Ms. Cross spent six years at Booz Allen Hamilton, Inc. in talent acquisition and management, filling openings with Department of Defense funded positions in Hawaii. Ms. Cross has been serving as a volunteer public member on the Hawaii Workforce Development Council's Employer Engagement Committee since 2018 and is therefore familiar with the Council's role and its responsibilities. Ms. Cross's commitment to the community and public service is evidenced in her serving as a Commissioner on the Los Angeles County City of Hermosa Beach's Emergency Preparedness Advisory Council, during which she dedicated her efforts to the education, communications, and training initiatives for the city, region, and State of California. Ms. Cross has been an active member of the Organization of Women Leaders-Oahu, from which Ms. Cross received the "Woman of the Year" award in 2020, and for which Ms. Cross is currently its President-elect with her term beginning in 2023.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed to the Hawaii Workforce Development Council, Ms. Cross will be serving as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Cross's extensive experience in human resources and communications, leadership skills, and understanding of workforce needs will contribute greatly to the Hawaii Workforce Development Council. Your Committee therefore recommends that Cheryl Cross be appointed to the Hawaii Workforce Development Council.

SHELLI IHORI

Your Committee received testimony in support of the nomination for the appointment of Shelli Ihori from the Department of Labor and Industrial Relations, Hawaii Workforce Development Council, Hawai'i Pacific Health, and one individual.

Upon review of the testimony, your Committee finds that Ms. Ihori's background and sixteen years of professional experience in the area of workforce development with Hawai'i Pacific Health, one of the largest non-profit health care organizations in Hawaii with more than 7,100 employees, qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Ihori received her Bachelor of Business Administration and Master of Human Resources Management degrees from the Shidler College of Business, University of Hawaii at Manoa. Ms. Ihori is currently the Associate Director of Workforce Development for Hawai'i Pacific Health, a position she has held since April 2006. Ms. Ihori's scope of work as Associate Director of Workforce Development involves partnering with educational institutions and the community at large to increase awareness of healthcare occupations, through which she acquired professional knowledge and experience in program development, regulatory compliance, training development, and community partnerships in the healthcare industry. Having served on the Kauai Workforce Development Board, Ms. Ihori is also familiar with the role and responsibilities of the Hawaii Workforce Development Council.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed to the Hawaii Workforce Development Council, Ms. Ihori will be serving as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Ihori's focused experience in healthcare recruitment, retention, accreditation compliance, and collaboration with educational institutions will be valuable assets to the Hawaii Workforce Development Council. Your Committee therefore recommends that Shelli Ihori be appointed to the Hawaii Workforce Development Council.

LORNA WOO

Your Committee received testimony in support of the nomination for the appointment of Lorna Woo from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; International Union of Painters and Allied Trades, District Council 50; Finishing Trades Institute/International Union of Painters and Allied Trades Labor Management Cooperation Initiative; Hawai'i State AFL-CIO; Pride at Work - Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Local Union No. 120 of the International Union of Elevator Constructors; 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; Hawaii Laborers-Employers Cooperation and Education Trust; Hawai'i Nurses' Association, OPEIU Local 50; Hawaii Electricians Market Enhancement Program; International Brotherhood of Electrical Workers Local Union No. 1186; Hawaii Building & Construction Trades Council; and five individuals.

Upon review of the testimony, your Committee finds that Ms. Woo's fifteen years of service with the International Union of Painters and Allied Trades, District Council 50 qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Woo is currently the Director of Government Affairs for the International Union of Painters and Allied Trades, District Council 50, serving as a lobbyist that oversees labor legislation, political programs, and the candidate endorsement process. Ms. Woo also serves as District Council 50's Communications Director, managing its social media and marketing campaigns. Prior to her current positions, Ms. Woo served as the union's Business Development Specialist. As an advocate for policies that best serve working men and women in Hawaii, Ms. Woo understands the importance of dedicated workforce development initiatives that provide people with career opportunities. She has recently cultivated relationships with youth and adult program services who assist individuals with disabilities, homeless individuals, and those who are transitioning back into the workforce. Ms. Woo is also working to launch an intern program that will provide individuals with on-the-job training, and upon successful completion of the program, admission into the trade's apprenticeship program. Ms. Woo's commitment to workforce development is also evidenced by her service on the Labor Education Advisory Council for the University of Hawai'i – West O'ahu Center for Labor Education and Research. Having served on the Oahu Workforce Development Board, Ms. Woo is also familiar with the role and responsibilities of the Hawaii Workforce Development Council.

Your Committee notes that section 202-1(b)(5), Hawaii Revised Statutes, requires the Council to have eight representatives from labor organizations and workforce training organizations. If appointed to the Hawaii Workforce Development Council, Ms. Woo will be serving as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Woo's comprehensive understanding of the needs of Hawaii's workforce acquired through her employment with the International Union of Painters and Allied Trades, District Council 50 will contribute greatly to the Hawaii Workforce Development Council. Your Committee therefore recommends that Lorna Woo be appointed to the Hawaii Workforce Development Council.

EILEEN CALDWELL

Your Committee received testimony in support of the nomination for the appointment of Eileen Caldwell from the Department of Labor and Industrial Relations; Hawaii Workforce Development Council; Wailea Beach Resort-Marriott, Maui; Hawaii Lodging & Tourism Association; and two individuals.

Upon review of the testimony, your Committee finds that Ms. Caldwell's twenty-five years of experience in human resources management in Hawaii qualify her to be appointed to the Hawaii Workforce Development Council. Ms. Caldwell earned her Master of Arts degree in Human Resources Management from Hawaii Pacific University. She is currently the Area Director of Human Resources for Marriott International, Inc.'s operations in Hawaii and French Polynesia, where she oversees the management of human resources for Marriott-managed resorts in the region, including recruitment, training and development, employee engagement, and benefits and labor relations for approximately six thousand union and non-union employees. Prior to her current position, she served as the Director of Human Resources at Westin Maui Resort and Spa and in various human resources positions at Starwood Hotels and Resorts and its successor Marriott International. Your Committee notes that during her employment at the Sheraton Maui Resort, the resort was awarded Employer of the Year by the Department of Human Services' Division of Vocational Rehabilitation in recognition of its commitment to hiring community members with physical or cognitive disabilities.

Your Committee notes that section 202-1(b)(4), Hawaii Revised Statutes, requires the Council to have seventeen representatives from the private sector, including nonprofit organizations and businesses in the State. If appointed to the Hawaii Workforce Development Council, Ms. Caldwell will be serving as one of the members fulfilling this statutory requirement.

Your Committee finds that Ms. Caldwell's comprehensive and multi-faceted perspective of the needs and challenges of the current and future workforce in the hospitality industry will be valuable assets to the Hawaii Workforce Development Council. Your Committee therefore recommends that Eileen Caldwell be appointed to the Hawaii Workforce Development Council.

As affirmed by the records of votes of the members of your Committee on Labor, Culture and the Arts that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 4089 Labor, Culture and the Arts on Gov. Msg. Nos. 734, 744, and 745

Recommending that the Senate advise and consent to the nominations of the following:

KING KAMEHAMEHA CELEBRATION COMMISSION

G.M. No. 734 IAN JAMES CUSTINO, for a term to expire 06-30-2026;

G.M. No. 744 MARK CRABBE, for a term to expire 06-30-2022; and

G.M. No. 745 MARK CRABBE, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Ian James Custino and Mark Crabbe for service on the King Kamehameha Celebration Commission.

IAN JAMES CUSTINO

Your Committee received testimony in support of the nomination for the reappointment of Ian James Custino from the King Kamehameha Celebration Commission and King Kamehameha Day Celebration Parade Kona.

Upon review of the testimony, your Committee finds that Mr. Custino's background, experience, and commitment to public service qualify him for reappointment to the King Kamehameha Celebration Commission. Mr. Custino graduated from Kamehameha Schools, earned his Bachelor of Arts degree in Sociology from the University of Hawaii, his Master of Science degree in Psychology from Walden University, and is a candidate for a Doctor of Philosophy degree at Walden University. He is currently a project manager for community engagement at Kamehameha Schools, where he plans and implements community engagement projects to achieve Kamehameha Schools' strategic goals. Mr. Custino is also a contractor with the Native Hawaiian Chamber of Commerce, where he assists the board in making strategic organizational decisions by providing them with data and reports on community engagement projects. Mr. Custino's commitment to public service and the community is also evidenced by his engagement with various organizations, including the Prince Kuhio Hawaiian Civic Club, Hale O Na Ali'i O Hawai'i, Project Management Institute, Native Hawaiian Chamber of Commerce, Emergency Management Professionals – HI, and Waikiki Surf Club Board of Directors.

Your Committee notes that section 8-5(a)(3), Hawaii Revised Statutes, requires the King Kamehameha Celebration Commission to have one member representing Hale O Na Ali'i O Hawai'i 'Ahahui Po'o. Mr. Custino has been a member of the Commission fulfilling this statutory requirement since 2019, and if reappointed, will continue to serve in this capacity.

Your Committee finds that Mr. Custino's professional expertise and knowledge in community engagement and relationship building and management of community engagement projects, as well as his commitment to public service and the community, will continue to be valuable assets to the King Kamehameha Celebration Commission. Your Committee therefore recommends that Ian James Custino be reappointed to the King Kamehameha Celebration Commission.

MARK CRABBE

Your Committee received testimony in support of the nominations for the appointment and reappointment of Mark Crabbe from the King Kamehameha Celebration Commission.

Upon review of the testimony and Mr. Crabbe's qualifications, your Committee finds that Mr. Crabbe's background and commitment to public service qualify him for appointment and reappointment to the King Kamehameha Celebration Commission. Mr. Crabbe is a retired member of the United States Air Force with over thirty-eight years of service with its Military Administration Office Management, where he managed the Executive Administration Office for command leadership. Mr. Crabbe was a long time member of the highly recognized Royal Guards of the Hawaii National Guard. Mr. Crabbe is a graduate of Kamehameha Schools and has served as a class representative and officer. In this capacity, Mr. Crabbe has engaged in numerous volunteer service projects for the community and Kamehameha Schools.

Your Committee notes that section 8-5(a)(5), Hawaii Revised Statutes, requires the King Kamehameha Celebration Commission to have one member representing the Kamehameha Schools Alumni Association. The appointment and reappointment of Mr. Crabbe to the Commission will fulfill this statutory requirement.

Your Committee finds that Mr. Crabbe's background and commitment to public service, including his seventeen years of active engagement with Kamehameha Schools as a class representative and officer will be valuable assets to the Commission. Your Committee therefore recommends that Mark Crabbe be appointed and reappointed to the King Kamehameha Celebration Commission.

As affirmed by the records of votes of the members of your Committee on Labor, Culture and the Arts that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 4090 Labor, Culture and the Arts on Gov. Msg. Nos. 752 and 753

Recommending that the Senate advise and consent to the nominations of the following:

HAWAII SISTER STATE COMMITTEE

G.M. No. 752 KURT OSAKI, for a term to expire 06-30-2023; and

G.M. No. 753 JANE CLEMENT, for a term to expire 06-30-2026

Your Committee reviewed the personal histories, resumes, and statements submitted by Kurt Osaki and Jane Clement for service on the Hawaii Sister State Committee.

KURT OSAKI

Your Committee received testimony in support of the nomination for the appointment of Kurt Osaki from the Department of Business, Economic Development, and Tourism and one individual.

Upon review of the testimony and Mr. Osaki's qualifications, your Committee finds that Mr. Osaki's background, experience, and commitment to public service qualify him for appointment to the Hawaii Sister State Committee. After earning his Bachelor of Fine Arts degree in Graphic Designs from the University of Hawaii, Mr. Osaki furthered his education at the Art Center College of Design in Pasadena, California. In 1995, Mr. Osaki established Osaki Design Inc., now known as the Osaki Creative Group, with offices located in Berkeley, California, and Honolulu, Hawaii. Offering a wide range of services including sports branding, packaging, communication, and environmental design, Mr. Osaki's clientele includes various professional sports teams, sports leagues, universities, and corporations throughout the United States and Japan. One of his and his team's major accomplishments is their designing of the "H" logo for the University of Hawaii in 2000. Mr. Osaki's commitment to public service is evidenced by his service on various boards and commissions, including serving as a board member on the Japanese Cultural Center of Hawaii from 2020-2021 and as an advisory board member on the Hawaii Chamber of Commerce of Northern California from 2009-2021.

Your Committee notes that section 229-2(b)(1), Hawaii Revised Statutes, requires the Governor to appoint one member to the Hawaii Sister State Committee from a list of five nominees submitted by the Speaker of the House of Representatives. Mr. Osaki's appointment to the Hawaii Sister State Committee will satisfy this statutory requirement.

Your Committee finds that Mr. Osaki's ability to convey unique and inspirational stories through design; extensive experience in engaging with different cultures and communities including cities, governments, and non-profit organizations; and commitment to public service will be valuable assets to the Hawaii Sister State Committee. Your Committee therefore recommends that Kurt Osaki be appointed to the Hawaii Sister State Committee.

JANE CLEMENT

Your Committee received testimony in support of the nomination for the appointment of Jane Clement from the Department of Business, Economic Development, and Tourism and Hawai'i State Association of Counties.

Upon review of the testimony and qualifications, your Committee finds that Ms. Clement's background, experience, and commitment to public service qualify her for appointment to the Hawaii Sister State Committee. Ms. Clement was born in Cebu, the Republic of the Philippines, and in 1994, she immigrated to Hawaii and has been a resident of Kona since 2004. She has served as the President of the Kona Visayan Club, which in 2011 served as the local host and sponsor organization that assisted in facilitating the establishment of a sister city agreement between the County of Hawaii and Ormoc City in the Philippines. Ms. Clement is currently the Executive Assistant to the Mayor of the County of Hawaii responsible for various tasks, including managing the County's sister city program. As the County's Sister City Protocol Officer, Ms. Clement actively engages with the County's sister cities through various initiatives and projects. During the coronavirus disease 2019 (COVID-19) pandemic, she produced the County's first-ever sister city virtual concert, a creative event designed to reach out to and reconnect with the County's sister cities whom, like the rest of the world, were dealing with the effects of the COVID-19 pandemic. Recently, Ms. Clement successfully produced a thirty-minute commemorative documentary film to celebrate the County's sixtieth anniversary of its sister city relationship with Oshima, Japan. Ms. Clement's dedication to the community is also evidenced in her service on various boards and organizations, including serving as the President of the Kailua Village Business Improvement District and the Chair of the Government Affairs Committee of the Kona Kohala Chamber of Commerce. She currently serves as the Hawaii Island Commissioner to the State Foundation on Culture and the Arts with her term to expire June 30, 2022, and is an officer on the Keahole Center for Sustainability, formerly known as the Friends of NEHLA (Natural Energy Laboratory of Hawaii Authority). She is also an active member of various boards and commissions including the Kona Visayan Club, West Hawaii Community Forums, and the Economic Development Committee of the Kona Kohala Chamber of Commerce.

Your Committee notes that section 229-2(b)(5), Hawaii Revised Statutes, requires the Governor to appoint one member to the Hawaii Sister State Committee from a list of five nominees submitted by the Hawaii State Association of Counties. Ms. Clement's appointment to the Hawaii Sister State Committee will satisfy this statutory requirement.

Your Committee finds that Ms. Clement's extensive knowledge and firsthand experience in establishing sister relationships with foreign municipalities and her commitment to public service will contribute greatly to the Hawaii Sister State Committee. Your Committee therefore recommends that Jane Clement be appointed to the Hawaii Sister State Committee.

As affirmed by the records of votes of the members of your Committee on Labor, Culture and the Arts that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Chang).

SCRep. 4091 Education on Gov. Msg. Nos. 801, 802, 803, 804, and 805

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF EDUCATION

- G.M. No. 801 DAMIEN BARCARSE, for a term to expire 06-30-2025;
- G.M. No. 802 NICOLE MCCLELLAN, for a term to expire 06-30-2025;
- G.M. No. 803 LAUREN MORIARTY, for a term to expire 06-30-2024;
- G.M. No. 804 BRUCE VOSS, for a term to expire 06-30-2025; and
- G.M. No. 805 KEN KURAYA, for a term to expire 06-30-2024

DAMIEN BARCARSE

Your Committee received testimony in support of the nomination for the reappointment of Damien Barcarse from the Kaua'i Council of the Association of Hawaiian Civic Clubs; Hui for Excellence in Education; HawaiiKidsCAN; Ke Ana La'ahana; 'Aha Pūnana Leo, Inc.; Association of Hawaiian Civic Clubs; Hawai'i Island Council of the Association of Hawaiian Civic Clubs; Waimea Hawaiian Civic Club; Na Kalai Wa'a; 'Aha Kauleo; Hanalei Hawaiian Civic Club; KIK Ka'eaikahahealani, Inc.; Kanaeokana Kula Hawai'i Network; and twenty-five individuals.

Your Committee finds that Mr. Barcarse is a current board member on the Board of Education, serving as the County of Hawai'i representative. Mr. Barcarse is presently employed by Kamehameha Schools directing catalytic initiatives, strategies, and transformation. Your Committee further finds that Mr. Barcarse has an extensive career as an educator and administrator, including knowledge of the Hawaiian language and culture. He is an active member of the community and possesses a diverse array of experiences in multi-media production, education, curriculum development, community engagement, language arts, biocultural pathways, and voyaging and navigation. In his personal statement, Mr. Barcarse expressed his commitment to continue to focus during his term on teacher recruitment efforts and combating teacher loss, as well as his desire to increase opportunities for students to contribute positively to their communities. Accordingly, your Committee believes that Mr. Barcarse will bring valuable experience, knowledge, and leadership to the Board of Education, and therefore recommends that Damien Barcarse be reappointed to the Board of Education based on his knowledge, background, and experience.

NICOLE MCCLELLAN

Your Committee received testimony in support of the nomination for the appointment of Nicole McClellan from the Waikīki Improvement Association, HawaiiKidsCAN, Hawai'i Children's Action Network, Shriners Children's—Hawaii, Council for Native Hawaiian Advancement, Association of Hawaiian Civic Clubs, DreamHouse 'Ewa Beach, Pearl Harbor Hawaiian Civic Club, Mastercare, Shriners Hospital for Children, and eight individuals. Your Committee received comments on the nomination for the appointment of Nicole McClellan from one individual.

Your Committee finds that Ms. McClellan is presently the Director of Business Development and Community Relations at Shriners Hospitals for Children in Honolulu, Hawaii. Your Committee further finds that Ms. McClellan has extensive professional experience in health care and communications. She also has community service experience, serving in leadership roles for several community organizations. Your Committee notes that Ms. McClellan will serve on the Board as the City and County of Honolulu representative. In her personal statement, Ms. McClellan acknowledged the tremendous responsibility of serving on the Board of Education and highlighted the need to strengthen workforce pathways for students. Accordingly, your Committee believes that Ms. McClellan will bring valuable experience, knowledge, and leadership to the Board of Education, and therefore recommends that Nicole McClellan be appointed to the Board of Education based on her knowledge, background, and experience.

LAUREN MORIARTY

Your Committee received testimony in support of the nomination for the appointment of Lauren Moriarty from the HawaiiKidsCAN, Chaminade University of Honolulu, Association of Hawaiian Civic Clubs, Omnitrak, and twenty-three individuals. Your Committee received comments on the nomination for the appointment of Lauren Moriarty from one individual.

Your Committee finds that Ms. Moriarty has an extensive background with the U.S. Department of State, which culminated in her ambassadorship, from 2003–2005, representing the United States in the Asia-Pacific Economic Cooperation. Following her ambassadorship, Ms. Moriarty served as a Community Leader in Bangladesh and later became Dean of Academics at the Asia-Pacific Center for Security Studies. In her personal statement, Ms. Moriarty noted that she is community-oriented and maintains a global perspective. Testimony submitted in support of the nomination noted her drive, passion, and dedication to serve. Accordingly, your Committee believes that Ms. Moriarty will bring valuable experience, knowledge, and leadership to the Board of Education, and therefore recommends that Lauren Moriarty be appointed to the Board of Education based on her knowledge, background, and experience.

BRUCE VOSS

Your Committee received testimony in support of the nomination for the reappointment of Bruce Voss from the Hui for Excellence in Education, HawaiiKidsCAN, and one individual.

Your Committee finds that Bruce Voss is a current member on the Board of Education, serving as an at-large representative. Testimony submitted in support of the nomination noted the key role Mr. Voss has served on the Board with respect to financial matters, and the benefits of maintaining continuity through his continued service on the Board. Your Committee further finds that Mr. Voss is an experienced trial lawyer and former news reporter. In his personal statement Mr. Voss noted as motivators for service on the Board his experience attending public high school; his spouse, who is an educator; and his strong desire to ensure that all children, regardless of their school district, receive the quality education they deserve. Accordingly, your Committee believes that Mr. Voss will bring valuable experience, knowledge, and leadership to the Board of Education, and therefore recommends that Bruce Voss be reappointed to the Board of Education based on his knowledge, background, and experience.

KEN KURAYA

Your Committee received testimony in support of the nomination for the appointment of Ken Kuraya from HawaiiKidsCAN and nine individuals. Your Committee received comments on the nomination for the appointment of Ken Kuraya from one individual.

Your Committee finds that Mr. Kuraya is a dedicated educator with over forty years of education experience. His career with the Department of Education stretches back to 1978, when he began his career as an Educational Assistant at Kailua Intermediate and Wilcox Elementary schools. Your Committee further finds that Mr. Kuraya has more than two decades of high-level budgetary experience within the Department of Education, including serving as Budget Execution Administrator, where he oversaw a budget of nearly \$2 billion. Accordingly, your Committee believes that Mr. Kuraya will bring valuable experience, knowledge, and leadership to

the Board of Education, and therefore recommends that Ken Kuraya be appointed to the Board of Education based on his knowledge, background, and experience.

As affirmed by the records of votes of the members of your Committee on Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kidani).

SCRep. 4092 Education on Gov. Msg. No. 751

Recommending that the Senate advise and consent to the nomination of the following:

EXECUTIVE DIRECTOR OF THE SCHOOL FACILITIES AUTHORITY

G.M. No. 751 CHAD FARIAS, for a term to expire in 6 years after the confirmation date (School Facilities Board amended to School Facilities Authority by GM780)

Your Committee reviewed the personal history, resume, and statement submitted by Chad Farias for service as Executive Director of the School Facilities Authority.

Your Committee received testimony in support of the nomination for the appointment of Chad Farias from the Governor; Department of Education; Department of Transportation; Hui for Excellence in Education; the principals of Na'alehu Elementary School, Kea'au High School, Kea'au Elementary School, and Pahoa Elementary School; SSFM International, Inc.; and twenty-one individuals.

Upon review of the testimony and supporting materials, your Committee finds that Mr. Farias' background and extensive experience in education qualify him to be nominated for appointment as Executive Director of the School Facilities Authority. Mr. Farias was born and raised on Hawai'i island, received his undergraduate degree in art history and education, and obtained a post-graduate degree in education administration. Your Committee finds that Mr. Farias is a passionate educator with a track record of leadership and dedication to his students and community. Since 1993, Mr. Farias has served in the public education system as Teacher, Counselor, Activities Coordinator, Vice-Principal, Principal, Athletics Coach, and Complex Area Superintendent. During his tenure as principal of Kea'au Elementary School, Mr. Farias pioneered the use of technology to elevate student achievement. As Complex Area Superintendent for the Ka'u-Kea'au-Pahoa Complex Area, Mr. Farias successfully navigated his schools through numerous challenges, including devastating natural disasters and a global pandemic. Mr. Farias also served as the co-chair of the Department of Education's Committee on Weights, and is an advocate for marginalized and underserved communities. His vast experience within the Department provides him with deep insight into the needs of Hawaii's public schools to offer optimal learning environments to facilitate higher student achievement and will continue to be an asset to the School Facilities Authority. Your Committee therefore recommends that Chad Farias be appointed as Executive Director of the School Facilities Authority based on his knowledge, experience, and dedication to public education.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Dela Cruz).

SCRep. 4093 Education on Gov. Msg. No. 784

Recommending that the Senate advise and consent to the nomination of the following:

EARLY LEARNING BOARD

G.M. No. 784 KERRIE UROSEVICH, for a term to expire 06-30-2025

Your Committee has reviewed the personal history, resume, and statement submitted by Kerrie Urosevich for service on the Early Learning Board.

Your Committee received testimony in support of the nomination for the reappointment of Kerrie Urosevich from the Executive Office on Early Learning, Early Learning Board, Seagull Schools, Parents And Children Together, and one individual.

Upon review of the testimony, your Committee finds that Dr. Urosevich currently serves on the Early Learning Board as the statutorily required representative from the Hawaii Early Intervention Coordinating Council. In this capacity, Dr. Urosevich advises and assists the Department of Education regarding the transition of toddlers with special needs to preschool and other appropriate services. Dr. Urosevich is presently the Lead for System Design and Innovation for the Early Childhood Action Strategy Collaborative Leaders Network. In this capacity, Dr. Urosevich works collaboratively with nonprofits, agencies, and schools to increase the quality of and access to early childhood and health services in both the public and private sectors.

Your Committee additionally finds that Dr. Urosevich possesses extensive education and experience in early education and related fields. She previously served as the Governor's Early Childhood Coordinator and Action Strategy Coordinator for the Executive Office on Early Learning and has a professional background in systems-building through her mediation and facilitation consultancy. She is active in the community, serving on various Hawaii-based and international boards, including Hawaii's Early Intervention Coordinating Council. In her personal statement Dr. Urosevich noted that she is motivated by her experience as a mother in navigating early education systems and her passion to improve the health and well-being of children and families. Your Committee therefore recommends that Kerrie Urosevich be appointed to the Early Learning Board based on her knowledge, background, and experience.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Dela Cruz, Kidani).

SCRep. 4094 Judiciary on Gov. Msg. Nos. 593 and 594

Recommending that the Senate advise and consent to the nominations of the following:

STATEWIDE VOTERS WITH SPECIAL NEEDS ADVISORY COMMITTEE

G.M. No. 593 SHERYL NELSON, for a term to expire 06-30-2022; and

G.M. No. 594 SHERYL NELSON, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Sheryl Nelson for service on the Statewide Voters with Special Needs Advisory Committee.

Your Committee received testimony in support of the nominations for the appointment and reappointment of Sheryl Nelson from the State Council on Developmental Disabilities and one individual.

Upon review of the testimony, your Committee finds that Ms. Nelson's experience, knowledge, and proven leadership qualify her for appointment and reappointment to the Statewide Voters with Special Needs Advisory Committee. Your Committee notes that Ms. Nelson currently works as the Executive Director for the Statewide Independent Living Council and has worked there for over sixteen years. Previously, Ms. Nelson worked as the Founder, Owner, and Operator of Open Access, served as Program Coordinator for Very Special Arts Hawaii, and worked for the Office of Elections, where she was a statewide trainer for people with disabilities with the electronic voting process. Your Committee believes that Ms. Nelson's knowledge of best practices in disabilities services will help the Committee to improve the service delivery system and be an asset to the Committee. Your Committee therefore recommends that Sheryl Nelson be appointed and reappointed to the Statewide Voters with Special Needs Advisory Committee based on her experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 4095 Judiciary on Gov. Msg. No. 860

Recommending that the Senate advise and consent to the nomination of the following:

BOARD OF REGISTRATION OF THE ISLAND OF HAWAII

G.M. No. 860 PHILIP BARNES, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Philip Barnes for service on the Board of Registration of the Island of Hawaii.

Your Committee received no testimony on this measure.

Your Committee finds that Dr. Barnes' experience, knowledge, and proven leadership qualify him for appointment to the Board of Registration of the Island of Hawaii. Your Committee notes that Dr. Barnes has spent twenty-four years as an educator at various schools and universities in Indiana and Alaska. Your Committee further finds that Dr. Barnes is active in his community and serves on the Hawaii Democratic Party's State Central Committee and Environmental Caucus. Previously, Dr. Barnes served as District 4 Chairman, Vice Chairman, and Chair of the Hawaii County Democratic Party. Your Committee believes that Dr. Barnes' experience and knowledge will be assets to the Board. Your Committee therefore recommends that Philip Barnes be appointed to the Board of Registration of the Island of Hawaii based on his experience, knowledge, and commitment to public service.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 3 (Gabbard, Keohokalole, Fevella).

SCRep. 4096 Higher Education on Gov. Msg. Nos. 806 and 807

Recommending that the Senate advise and consent to the nominations of the following:

BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

G.M. No. 806 LAURIE TOCHIKI, for a term to expire 06-30-2027; and

G.M. No. 807 GABRIEL LEE, for a term to expire 06-30-2027,

Your Committee reviewed the personal histories, resumes, and statements submitted by Laurie Tochiki and Gabriel Lee for service on the Board of Regents of the University of Hawaii.

LAURIE TOCHIKI

Your Committee received testimony in support of the nomination for the appointment of Laurie Tochiki from the Department of Human Services; EPIC 'Ohana; Pū'ā Foundation; IHS, Institute for Human Services, Inc.; and twenty-one individuals.

Upon review of the testimony, your Committee finds that Dr. Tochiki's background and dedication to serving the public qualify her to be appointed as the Regent representing the City and County of Honolulu, pursuant to section 26-11, Hawaii Revised Statutes. Your Committee finds that Dr. Tochiki currently serves as President and Chief Executive Officer of Effective Planning and Innovative Communication, Inc., also known as EPIC Ohana. Prior to her leadership of EPIC Ohana, Dr. Tochiki served as a legal educator and administrator for over twenty-five years at the William S. Richardson School of Law, where she taught courses on family law, children and the law, and higher education, and served as principal investigator for child welfare and family court projects. Your Committee notes that Dr. Tochiki is also an active member of her community, and she currently serves as a member of the Children's Trust Fund Statewide Coalition, Center for Alternative Dispute Resolution Advisory Board, and as a volunteer mediator for Mediation Center of the Pacific. She also continues to support legal education as an assistant coach for the William S. Richardson School of Law Client Counseling Competition Team.

Your Committee further finds that Dr. Tochiki has a thorough understanding of the role and responsibilities of board members, and her prior experience within the University of Hawaii System as a legal educator and administrator along with her current role in youth and family services and the child welfare system, will be assets to the Board of Regents of the University of Hawaii. Your Committee therefore recommends that Laurie Tochiki be appointed to the Board of Regents of the University of Hawaii based on her experience, knowledge, and dedication to public service.

GABRIEL LEE

Your Committee received testimony in support of the nomination for the appointment of Gabriel Lee from Diamond Head Theatre; Hawaiian Community Development Board; Oahu Economic Development Board; Chamber of Commerce Hawaii; Paradise Cove Luau; Carol Kai Charities, Inc.; Hawai'i Pacific Health; Hawai'i Community Foundation; Stanford Carr Development, LLC; Avalon Group, LLC; and eighteen individuals.

Upon review of the testimony, your Committee finds that Mr. Lee's background and dedication to serving the public qualify him to be appointed as an at-large Regent, pursuant to section 26-11, Hawaii Revised Statutes. Your Committee finds that Mr. Lee has over forty years of experience in finance and corporate banking. Mr. Lee currently serves as Executive Vice President of Commercial Markets at American Savings Bank, and he has held various roles in executive-level management for thirty-five years, leading Hawaii's finance industry in commercial markets through corporate and commercial banking, commercial real estate, cash management, and international services. Your Committee notes that Mr. Lee is also an active member of his community, and he currently serves as secretary and treasurer of Diamond Head Theatre and as a board member for Boy Scouts of America – Aloha Council and 'Ahahui Koa Anuenue. Your Committee additionally finds that Mr. Lee has also previously served as chairperson of the Chamber of Commerce Hawaii and Saint Louis Schools, a founding board member of the Hawaii Symphony Orchestra, and as President of Waialae Country Club and Catholic Charities Family Services.

Your Committee further finds that Mr. Lee has a thorough understanding of the role and responsibilities of board members, and his extensive experience in finance, corporate banking, and leadership of a large private-sector business will be assets to the Board of Regents of the University of Hawaii. Your Committee therefore recommends that Gabriel Lee be appointed to the Board of Regents of the University of Hawaii based on his experience, knowledge, and dedication to public service.

As affirmed by the records of votes of the members of your Committee on Higher Education that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

SCRep. 4097 Energy, Economic Development, and Tourism on Gov. Msg. No. 639

Recommending that the Senate advise and consent to the nomination of the following:

HAWAII GREEN INFRASTRUCTURE AUTHORITY

G.M. No. 639 RICHARD WALLSGROVE, for a term to expire 06-30-2026

Your Committee reviewed the personal history, resume, and statement submitted by Richard Wallsgrove for service on the Hawaii Green Infrastructure Authority.

Your Committee received testimony in support of the nomination for the appointment of Richard Wallsgrove from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; and one individual.

Upon review of the testimony, your Committee finds that Mr. Wallsgrove's experience, knowledge, and willingness to serve on the Hawaii Green Infrastructure Authority qualify him for reappointment to the Hawaii Green Infrastructure Authority as a public member, pursuant to section 196-63, Hawaii Revised Statutes. Your Committee notes that Mr. Wallsgrove received his Juris Doctorate from the William S. Richardson School of Law (WSRSL) in 2008 and has been teaching courses on energy law and policy as an Assistant Professor at WSRSL since 2018. Your Committee further notes that not only was Mr. Wallsgrove the Policy Director of Blue Planet Foundation from 2012 to 2017, but he also investigated the reallocation of green energy market securitization (GEMS) funds as a member of the permitted interaction group established by the Hawaii Green Infrastructure Authority in 2019. Your Committee further finds that Mr. Wallsgrove was appointed to the Hawaii Green Infrastructure Authority in 2021 and has a thorough understanding of the role and responsibilities of a public member of the Hawaii Green Infrastructure Authority. Your Committee therefore recommends that

Richard Wallsgrove be reappointed to the Hawaii Green Infrastructure Authority based on his experience, knowledge, and desire to serve the public.

As affirmed by the record of votes of the members of your Committee on Energy, Economic Development, and Tourism that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Lee, Riviere).

SCRep. 4098 Labor, Culture and the Arts on H.C.R. No. 14

The purpose and intent of this measure is to establish a sister-state relationship between the State of Hawaii and the Autonomous Region of Madeira, Portugal.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Região Autónoma da Madeira, Governo Regional, Secretaria Regional de Turismo e Cultura; Honorary Consul of Portugal in Hawaii; and eighty-eight individuals.

Your Committee finds that Hawaii has developed and maintained a rich heritage of international relations and cultural exchanges since the days of the Hawaiian monarchy in the nineteenth century. Hawaii has an abiding interest in developing goodwill, friendship, and economic relations between the people of Hawaii and the people of many nations and continues to actively seek opportunities to expand its international ties. Since establishing its first sister-state relationship in 1981, Hawaii has formed sister-state relationships with nineteen various states and provinces throughout the globe as a means of asserting and promoting the State's active participation in international matters. As of today, the State maintains sister-state relationships with nineteen states and provinces.

Your Committee recognizes that most successful sister-state relationships are established when there is commonality between Hawaii and the sister state, primarily from geographical, historical, cultural, or economic standpoints, and there is a clear, strong governmental interest in not only forming, but maintaining the relationship. Your Committee finds that Hawaii and the Autonomous Region of Madeira share a long history and strong bond, beginning with the arrival of one hundred eighty Madeiran contract laborers in Honolulu Harbor on September 30, 1878, followed by approximately eight thousand Madeiran immigrants during the subsequent three decades. Madeira's culture, introduced to Hawaii by the Madeiran immigrants, became integral parts of the lives, tradition, and culture of the people in Hawaii, including braguinha, which became the 'ukulele; linguça, which became known as Portuguese sausage; and their skills as cattlemen, whose traditions shaped Hawaii's paniolo. In terms of geographic and economic standpoints, Hawaii and Madeira share the fact that they are both archipelagos of volcanic origin with tourism being one of their main economic drivers. Your Committee also notes multiple testimonies of government officials and individuals in Hawaii and Madeira, expressing excitement and strong support for the establishment and maintenance of this sister-state relationship.

Your Committee finds that the sister-state relationship proposed by this measure will be highly beneficial in expanding tourism, strengthening cultural bonds, and advancing common goals of international peace and fellowship. Your Committee further finds that the Hawaii Sister-State Committee met on November 16, 2021, and approved a formal recommendation that a sister-state relationship be established with the Autonomous Region of Madeira.

Your Committee notes that Hawaii currently has a sister-state relationship with the Autonomous Region of the Azores in Portugal that was established in 1982, which, according to the Department of Business, Economic Development, and Tourism, has not been active in recent years. Your Committee hopes that the establishment of the Hawaii-Madeira sister-state relationship will reinvigorate Hawaii's relationship with the Azores, leading to a strengthened bond among all three states.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 14, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 4099 Labor, Culture and the Arts on H.C.R. No. 69

The purpose and intent of this measure is to:

- (1) Designate the month of September 2022 as Child Care Provider Appreciation Month; and
- (2) Encourage all policy makers, community organizations, and residents in Hawaii to recognize the critical importance of child care, especially during early childhood, and child care providers and their services.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, and four individuals.

Your Committee finds that early childhood is a critical development period for an individual, and therefore, it is critical that young children receive consistent care and nurturing from early childhood educators who are skilled, educated, competent, and appropriately compensated. Your Committee finds however, due to racist and sexist beliefs that child care services do not deserve appropriate compensation because the work is largely performed by women of color, the average wage of child care workers in Hawaii is currently less than \$30,000 a year. By designating the month of September 2022 as Child Care Provider Appreciation Month, this measure acknowledges the importance of child care, especially during early childhood, and the critical role child care providers play in the development of children in Hawaii, and encourages all policy makers, community organizations, and residents in Hawaii to do the same.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 69, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 4100 Labor, Culture and the Arts on H.C.R. No. 166

The purpose and intent of this measure is to request the Governor to establish a Hawaii Commission on the United States Semiquincentennial by Executive Order.

Your Committee received testimony in support of this measure from the United States Semiquincentennial Commission; Hawaii Society, Sons of the American Revolution; and five individuals.

Your Committee finds that July 4, 2026, marks the 250th Anniversary of the signing of the Declaration of Independence and the founding of the United States of America. Your Committee further finds that the United States Semiquincentennial Commission Act of 2016, P.L. 114 196, created the United States Semiquincentennial Commission to provide for the observance and commemoration of this momentous occasion and that eighteen states have created their own commissions to join in the United States Semiquincentennial Commission's efforts to mark this historical milestone. Your Committee believes that it is appropriate for the State to create a Hawaii Commission on the United States Semiquincentennial to plan and coordinate commemorations and observances of this nationwide celebration.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 3. Noes, none. Excused, 2 (Keohokalole, Fevella).

SCRep. 4101 Agriculture and Environment on H.C.R. No. 111

The purpose and intent of this measure is to encourage the City and County of Honolulu to expand and improve services at the Wai'anae Convenience Center.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Waianae Convenience Center, which is operated by the Department of Environmental Services Refuse Division of the City and County of Honolulu, is the only refuse center located on the west side of Oahu. Notably, the Convenience Center is the only site in the area for residents to legally dispose of bulky items and other waste. The limited capacity at the Center has led to long wait times for the disposal of bulky items and other waste. Long wait times at the Center have significant detrimental effects on the community, including increased traffic congestion and higher frequency of illegal disposal of waste. Accordingly, this measure encourages the City and County of Honolulu to expand and improve services at the Waianae Convenience Center.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 111, and recommends its adoption.

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 4102 Agriculture and Environment on H.C.R. No. 75

The purpose and intent of this measure is to urge the City and County of Honolulu Department of Environmental Services and partners to utilize the property located at 45-230 Kulauli street, Kaneohe, Hawaii, for aquaculture purposes that will not unreasonably interfere with the Department's regular use of the property.

Your Committee received testimony in support of this measure from the University of Hawai'i Sea Grant College Program and Pacific American Foundation Hawaii. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the City and County of Honolulu owns a parcel of land that formerly served as the location for the Kaneohe Wastewater Pretreatment Facility. After being decommissioned, the administrative building, digester tanks, and other equipment were demolished, leaving the land unused. Your Committee further finds that the parcel of land is adjacent to Waikalua Loko Fishpond, which is an ancient Hawaiian fishpond. The proximity of the open parcel to the fishpond provides a valuable opportunity to expand aquacultural production in Hawaii. This measure urges the City and County of Honolulu Department of Environmental Services to partner with the University of Hawaii and other organizations to use the open parcel of land located at 45-230 Kulauli Street in Kaneohe for aquacultural purposes.

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

Signed by the Chair on behalf of the Committee.
Ayes, 4. Noes, none. Excused, 1 (Acasio).

SCRep. 4103 Agriculture and Environment on H.C.R. No. 92

The purpose and intent of this measure is to urge the Department of Agriculture to assist coffee farmers in purchasing organic fertilizer to prevent coffee leaf rust.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action and Wild Communities Foundation. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that coffee is one of Hawaii's most valuable agricultural crops. However, the devastating coffee leaf rust pathogen was detected on the islands of Hawaii and Maui in 2020. Since its initial discovery in Hawaii, coffee leaf rust has been found on the islands of Kauai, Lanai, Molokai, and Oahu. Coffee leaf rust poses a clear threat to Hawaii's coffee industry. This measure urges the Department of Agriculture to assist coffee farmers in purchasing organic fertilizer that will help prevent coffee leaf rust.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 92, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 1 (Acasio).